NC General Assembly County Clusterings from the 2020 Census

Christopher Cooper¹, Blake Esselstyn², Gregory Herschlag³, Jonathan Mattingly³, Rebecca Tippett⁴

In the North Carolina General Assembly districting process, county clusters are used to minimize the overall number of county splits while maintaining population balance in the redistricting process. Determining the county clusters for the NC House and for the NC Senate is the first step in the redistricting process for the NC General Assembly. The county clusters are largely algorithmically determined through an optimization procedure outlined by the NC Supreme Court in Stephenson v. Bartlett. However there are often multiple optimal county clusterings that minimize county splitting (see the Quantifying Gerrymandering blog and the Districs.com explainer for more details). The release of the 2020 census data allows us to determine the possible county clusterings for both the North Carolina State House and State Senate redistricting processes. The one part of Stephenson v. Bartlett which this analysis does not reflect is compliance with the Voting Rights Act. To determine the county clusters, we used the implementation of the court order procedure described in Cater et al.⁵

Figure 1: The NC Senate clusters that are fixed shown as colored regions annotated with a number in parentheses giving the number of districts the cluster contains. The four grayed-out regions (labeled A-D) each contain two alternative clusterings. The different options of the grayed-out regions are given in Figure 2. One may mix and match different choices from each of the two options which yields a total of 16 different county clustering maps.

¹ Political Science and Public Affairs, Western Carolina University
² FrontWater, LLC and Mapfigure Consulting
³ Duke Mathematics Department and the Quantifying Gerrymandering Project, Duke University. We thank Alexis Sparko for help with map visualization.
⁴ Carolina Demography, UNC at Chapel Hill
⁵ Optimal Legislative County Clustering in North Carolina. Daniel Carter, Zach Hunter, Dan Teague, Gregory Herschlag, and Jonathan Mattingly. Statistics and Public Policy, Volume 7, 2020
NC State Senate County Clusterings

In the state Senate, there are 17 clusters containing 36 of the 50 districts that are fixed based on determining optimal county clusters. These are represented by the colored county groupings in Figure 1. The white numbers annotating each county clustering give the number of districts that county cluster should contain. Ten of these clusters contain one district, meaning that ten of the 50 senate districts are fixed (i.e. these will be the official districts in the coming cycle). The remaining county clusters must be further subdivided into legislative districts in the coming redistricting process in the General Assembly.

Figure 2: The two possible options in regions A, B, C and D of the NC Senate County Clusterings (top and bottom). The options from the two figures may be mixed. For example, a Senate clustering may be comprised of the fixed clusters from Figure 1, along with options A1, B2, C2, and D1. Again, the numbers in parentheses give the number of districts contained in each cluster.
The remaining clusters (shown in gray) are separated into four groups. Each group has two possible clusterings that minimize county splitting. In combination, there are 16 total possible statewide county clusterings. For simplicity of discussion, we have labeled the different regions where a choice exists as A, B, C, or D and denoted the two choices for each region as 1 or 2. Hence A1 and A2 are the two choices for the A region. No preference is intended by the 1 versus 2 labeling.

The two options in each of the four regions are shown in Figure 2.

In region A to the southwest, Buncombe County may be paired either with McDowell and Burke Counties (A1), or with Henderson and Polk Counties (A2). In both cases, the cluster would be comprised of two districts, however, A2 necessitates that Burke County is paired with Gaston and Lincoln Counties through a very narrow connection which may impede compactness considerations. Furthermore, the Lincoln-Cleveland-Gaston cluster in A1 also exists in the current map. This may mean that the A1 southwestern cluster may be perceived as the more favorable option over A2 since it (i) provides an opportunity to create more compact districts and (ii) may provide an opportunity to draw districts that are nearly identical to the ones that exist in the in Lincoln-Cleveland-Gaston cluster (conditioned on fluctuations in the population).

In region B to the northwest, Forsyth County may either be paired with Stokes (B1) or Yadkin (B2); the remaining county (either Yadkin or Stokes) would then be paired with Surry, Wilkes, and Alexander Counties. In region C to the south, Brunswick and Columbus may be paired either with Bladen to create a one-district cluster (C1) or with New Hanover to create a two-district cluster (C2). Finally, in region D to the east, Carteret, Pamlico, Washington, Chowan, and Hyde Counties may either be paired with Dare, Perquimans and Pasquotank Counties (D1), or with Martin, Halifax and Warren Counties (D2).

![Figure 3: The NC House clusters that are fixed; there are three grayed-out regions (labeled A-C) that each contain two alternative clusterings. The different options of the grayed-out regions are given in Figure 4. One is free to mix and match different choices from the two options which yields a total of eight different county clustering maps.](image)
NC State House County Clusterings

In the state House, there are 33 clusters containing 107 of the 120 districts that are fixed based on determining optimal county clusters. These are represented by the colored county groupings in Figure 2. Again, the white numbers annotating each county clustering give the number of districts that county cluster should contain. Eleven of these clusters contain one district, meaning that eleven of the 120 house districts are fixed (i.e., these will be the official districts in the coming cycle).

The remaining clusters (shown in gray) are separated into three groups. Each group has two possible clusterings that minimize county splitting. In combination, there are eight total possible statewide county clusterings in the house. The two options in each of the three regions are shown in Figure 4.

![Figure 4: The two possible options in regions A, B, and C of the NC House County Clusterings (top and bottom). The options from the two figures may be mixed. For example, a House clustering may be comprised of the fixed clusters from Figure 3, along with options A2, B1, C2.](image-url)
In region A to the northwest, Watauga and Caldwell may either be paired with Alexander (A1; purple) or with Ashe and Alleghany (A2; purple).

In region B to the south, Onslow may either be paired with Duplin (B1; purple) or with Pender (B2; green). The Duplin-Onslow cluster currently forms a three-district cluster and thus there may be an opportunity to minimally alter the three existing districts in this cluster (perhaps needing to adjust district boundaries based on population fluctuations). Because of this, B2 may end up as the selected clustering.

Finally, in region C to the east, either Currituck, Tyrell, Perquimans and Pasquotank will form a single district (C1), or Hertford, Gates, Camden and Pasquotank will form a single district (C2). In both cases, the remaining counties will form a cluster of two districts.

**Population Deviations**

All the county clusterings are required to have populations such that the resulting districts are within 5% of the ideal district population, hence all the possible county clusters we have listed have population deviations less than 5%. In the Senate clusters, all possible choices of clusterings contain at least one district with a population deviation of more than 4.9%. In the House clusters, all possible choices of clusterings contain at least one district with a population deviation of 4.71%. Averaged across all the districts, all of the county clusterings have a mean deviation between 3.1% and 3.5% in the NC Senate and 1.2% and 1.5% in the NC House.

Tables 1 through Table 4 list each of the different county clusters contained in the different county clusterings. For each cluster, the relative average population deviation per district is given. Negative values indicate that the average district may be less populated than the ideal population size while positive values indicate that the average district will be more populated than the ideal population size.

The ideal population size is calculated by first taking the population of each cluster and dividing it by the number of districts in the cluster to obtain the average population per district for the cluster. The ideal district population is obtained by dividing the state population by the total number of districts (120 districts in the House and 50 districts in the Senate). The ideal population is then subtracted from the average population of a district in a cluster to obtain the deviation of the average cluster population from the ideal cluster population. This is then converted to a relative population deviation by dividing by the ideal population. It is this relative error, expressed as a percentage, which is reported in the table.

Tables 1 and 2 give the data for the different options for the NC Senate and NC House respectively. The clusters are grouped by the region label (A, B, C or D in the Senate and A, B, or C in the House). The labeling corresponds to that in the Figures in the preceding sections. Tables 3 and 4 give the data for the clusterings which are fixed in the Senate and House, respectively.
<table>
<thead>
<tr>
<th>NC Senate Clusters Which Vary Across Clusterings</th>
<th>Number of Districts</th>
<th>Option</th>
<th>2020 Census Population</th>
<th>Average Population Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buncombe-Burke-McDowell</td>
<td>2</td>
<td>A1</td>
<td>401,600</td>
<td>-3.83%</td>
</tr>
<tr>
<td>Cleveland-Gaston-Lincoln</td>
<td>2</td>
<td>A1</td>
<td>414,272</td>
<td>-0.79%</td>
</tr>
<tr>
<td>Henderson-Polk-Rutherford</td>
<td>1</td>
<td>A1</td>
<td>200,053</td>
<td>-4.18%</td>
</tr>
<tr>
<td>Buncombe-Henderson-Polk</td>
<td>2</td>
<td>A2</td>
<td>405,061</td>
<td>-3.00%</td>
</tr>
<tr>
<td>Cleveland-McDowell-Rutherford</td>
<td>1</td>
<td>A2</td>
<td>208,541</td>
<td>-0.12%</td>
</tr>
<tr>
<td>Burke-Gaston-Lincoln</td>
<td>2</td>
<td>A2</td>
<td>402,323</td>
<td>-3.65%</td>
</tr>
<tr>
<td>Forsyth-Stokes</td>
<td>2</td>
<td>B1</td>
<td>427,110</td>
<td>2.28%</td>
</tr>
<tr>
<td>Alexander-Surry-Wilkes-Yadkin</td>
<td>1</td>
<td>B1</td>
<td>210,986</td>
<td>1.05%</td>
</tr>
<tr>
<td>Forsyth-Yadkin</td>
<td>2</td>
<td>B2</td>
<td>419,804</td>
<td>0.53%</td>
</tr>
<tr>
<td>Alexander-Stokes-Surry-Wilkes</td>
<td>1</td>
<td>B2</td>
<td>218,292</td>
<td>4.55%</td>
</tr>
<tr>
<td>Bladen-Brunswick-Columbus</td>
<td>1</td>
<td>C1</td>
<td>216,922</td>
<td>3.90%</td>
</tr>
<tr>
<td>Duplin-Harnett-Jones-Lee-New Hanover-Pender-Sampson</td>
<td>3</td>
<td>C1</td>
<td>599,681</td>
<td>-4.26%</td>
</tr>
<tr>
<td>Bladen-Duplin-Harnett-Jones-Lee-Pender-Sampson</td>
<td>2</td>
<td>C2</td>
<td>403,585</td>
<td>-3.35%</td>
</tr>
<tr>
<td>Brunswick-Columbus-New Hanover</td>
<td>2</td>
<td>C2</td>
<td>413,018</td>
<td>-1.09%</td>
</tr>
<tr>
<td>Carteret-Chowan-Dare-Hyde-Pamlico-Pasquotank-Perquimans-Washington</td>
<td>1</td>
<td>D1</td>
<td>199,750</td>
<td>-4.33%</td>
</tr>
<tr>
<td>Bertie-Camden-Currituck-Gates-Hertford-Martin-Northampton-Tyrell-Warren</td>
<td>1</td>
<td>D1</td>
<td>198,430</td>
<td>-4.96%</td>
</tr>
<tr>
<td>Carteret-Chowan-Hyde-Martin-Pamlico-Warren-Washington</td>
<td>1</td>
<td>D2</td>
<td>198,557</td>
<td>-4.90%</td>
</tr>
<tr>
<td>Bertie-Camden-Currituck-Dare-Gates-Hertford-Northampton-Pasquotank-Perquimans-Tyrell</td>
<td>1</td>
<td>D2</td>
<td>199,623</td>
<td>-4.39%</td>
</tr>
</tbody>
</table>

Table 1: This table gives the NC Senate Clusters which vary across the 16 different possible clusterings of the entire state. The different clusterings are formed by choosing either option 1 or 2 from the four different regions (A, B, C, and D).
<table>
<thead>
<tr>
<th>NC House Clusters Which Vary Across Clusterings</th>
<th>Number of Districts</th>
<th>Option</th>
<th>2020 Census Population</th>
<th>Average Population Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander-Surry-Wilkes</td>
<td>2</td>
<td>A1</td>
<td>173,772</td>
<td>-0.13%</td>
</tr>
<tr>
<td>Alleghany-Ashe-Caldwell-Watauga</td>
<td>2</td>
<td>A1</td>
<td>172,203</td>
<td>-1.03%</td>
</tr>
<tr>
<td>Alexander-Caldwell-Watauga</td>
<td>2</td>
<td>A2</td>
<td>171,182</td>
<td>-1.61%</td>
</tr>
<tr>
<td>Alleghany-Ashe-Surry-Wilkes</td>
<td>2</td>
<td>A2</td>
<td>174,793</td>
<td>0.46%</td>
</tr>
<tr>
<td>Alexander-Surry-Wilkes</td>
<td>1</td>
<td>B1</td>
<td>89,809</td>
<td>3.23%</td>
</tr>
<tr>
<td>Duplin-Onslow</td>
<td>3</td>
<td>B1</td>
<td>253,291</td>
<td>-2.95%</td>
</tr>
<tr>
<td>Sampson-Wayne</td>
<td>2</td>
<td>B1</td>
<td>176,369</td>
<td>1.37%</td>
</tr>
<tr>
<td>Bladen-Sampson</td>
<td>1</td>
<td>B2</td>
<td>88,642</td>
<td>1.89%</td>
</tr>
<tr>
<td>Duplin-Wayne</td>
<td>2</td>
<td>B2</td>
<td>166,048</td>
<td>-4.56%</td>
</tr>
<tr>
<td>Onslow-Pender</td>
<td>3</td>
<td>B2</td>
<td>264,779</td>
<td>1.45%</td>
</tr>
<tr>
<td>Beaufort-Chowan-Currituck-Dare-Hyde-Pamlico-Perquimans-Tyrrell-Washington</td>
<td>2</td>
<td>C1</td>
<td>167,493</td>
<td>-3.73%</td>
</tr>
<tr>
<td>Camden-Gates-Hertford-Pasquotank</td>
<td>1</td>
<td>C1</td>
<td>82,953</td>
<td>-4.65%</td>
</tr>
<tr>
<td>Beaufort-Camden-Chowan-Dare-Gates-Hertford-Hyde-Pamlico-Washington</td>
<td>2</td>
<td>C2</td>
<td>165,528</td>
<td>-4.86%</td>
</tr>
<tr>
<td>Currituck-Pasquotank-Perquimans-Tyrell</td>
<td>1</td>
<td>C2</td>
<td>84,918</td>
<td>-2.39%</td>
</tr>
</tbody>
</table>

Table 2: This table gives the NC House Clusters which vary across the eight different possible clusterings of the entire state. The different clusterings are formed by choosing option 1 or 2 from the 3 different regions (A, B, or C).
<table>
<thead>
<tr>
<th>NC Senate Clusters Which Are Fixed Across Clusterings</th>
<th>Number of Districts</th>
<th>2020 Census Population</th>
<th>Average Population Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iredell-Mecklenburg</td>
<td>6</td>
<td>1,302,175</td>
<td>3.95%</td>
</tr>
<tr>
<td>Granville-Wake</td>
<td>6</td>
<td>1,190,402</td>
<td>-4.98%</td>
</tr>
<tr>
<td>Alamance-Anson-Cabarrus-Montgomery-Randolph-Richmond-Union</td>
<td>4</td>
<td>870,409</td>
<td>4.22%</td>
</tr>
<tr>
<td>Guilford-Rockingham</td>
<td>3</td>
<td>632,395</td>
<td>0.96%</td>
</tr>
<tr>
<td>Chatham-Durham</td>
<td>2</td>
<td>401,118</td>
<td>-3.94%</td>
</tr>
<tr>
<td>Cumberland-Moore</td>
<td>2</td>
<td>434,455</td>
<td>4.04%</td>
</tr>
<tr>
<td>Caswell-Orange-Person</td>
<td>1</td>
<td>210,529</td>
<td>0.83%</td>
</tr>
<tr>
<td>Franklin-Nash-Vance</td>
<td>1</td>
<td>206,121</td>
<td>-1.28%</td>
</tr>
<tr>
<td>Johnston</td>
<td>1</td>
<td>215,999</td>
<td>3.45%</td>
</tr>
<tr>
<td>Rowan-Stanly</td>
<td>1</td>
<td>209,379</td>
<td>0.28%</td>
</tr>
<tr>
<td>Beaufort-Craven-Lenoir</td>
<td>1</td>
<td>200,494</td>
<td>-3.97%</td>
</tr>
<tr>
<td>Hoke-Robeson-Scotland</td>
<td>1</td>
<td>202,786</td>
<td>-2.87%</td>
</tr>
<tr>
<td>Edgecombe-Pitt</td>
<td>1</td>
<td>219,143</td>
<td>4.96%</td>
</tr>
<tr>
<td>Davidson-Davie</td>
<td>1</td>
<td>211,642</td>
<td>1.37%</td>
</tr>
<tr>
<td>Onslow</td>
<td>1</td>
<td>204,576</td>
<td>-2.02%</td>
</tr>
<tr>
<td>Greene-Wayne-Wilson</td>
<td>1</td>
<td>216,568</td>
<td>3.73%</td>
</tr>
</tbody>
</table>

Table 3: This table gives the NC Senate clusters which are fixed across all 16 of the possible clustering maps.
<table>
<thead>
<tr>
<th>NC House Cluster Which Are Fixed Across Clusterings</th>
<th>Number of Districts</th>
<th>2020 Census Population</th>
<th>Average Population Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mecklenburg</td>
<td>13</td>
<td>1,115,482</td>
<td>-1.37%</td>
</tr>
<tr>
<td>Wake</td>
<td>13</td>
<td>1,129,410</td>
<td>-0.13%</td>
</tr>
<tr>
<td>Avery-Cleveland-Gaston-Henderson-McDowell-Mitchell-Polk-Rutherford-Yancey</td>
<td>7</td>
<td>623,272</td>
<td>2.35%</td>
</tr>
<tr>
<td>Guilford</td>
<td>6</td>
<td>541,299</td>
<td>3.70%</td>
</tr>
<tr>
<td>Forsyth-Stokes</td>
<td>5</td>
<td>427,110</td>
<td>-1.81%</td>
</tr>
<tr>
<td>Chatham-Lee-Moore-Randolph-Richmond</td>
<td>5</td>
<td>426,414</td>
<td>-1.97%</td>
</tr>
<tr>
<td>Cabarrus-Davie-Rowan-Yadkin</td>
<td>5</td>
<td>452,605</td>
<td>4.05%</td>
</tr>
<tr>
<td>Brunswick-New Hanover</td>
<td>4</td>
<td>362,395</td>
<td>4.14%</td>
</tr>
<tr>
<td>Cumberland</td>
<td>4</td>
<td>334,728</td>
<td>-3.81%</td>
</tr>
<tr>
<td>Harnett-Johnston</td>
<td>4</td>
<td>349,567</td>
<td>0.46%</td>
</tr>
<tr>
<td>Catawba-Iredell</td>
<td>4</td>
<td>347,303</td>
<td>-0.19%</td>
</tr>
<tr>
<td>Durham-Person</td>
<td>4</td>
<td>363,930</td>
<td>4.58%</td>
</tr>
<tr>
<td>Anson-Union</td>
<td>3</td>
<td>260,322</td>
<td>-0.25%</td>
</tr>
<tr>
<td>Buncombe</td>
<td>3</td>
<td>269,452</td>
<td>3.24%</td>
</tr>
<tr>
<td>Columbus-Robeson</td>
<td>2</td>
<td>167,153</td>
<td>-3.93%</td>
</tr>
<tr>
<td>Nash-Wilson</td>
<td>2</td>
<td>173,754</td>
<td>-0.14%</td>
</tr>
<tr>
<td>Carteret-Craven</td>
<td>2</td>
<td>168,406</td>
<td>-3.21%</td>
</tr>
<tr>
<td>Davidson</td>
<td>2</td>
<td>168,930</td>
<td>-2.91%</td>
</tr>
<tr>
<td>Franklin-Granville-Vance</td>
<td>2</td>
<td>172,143</td>
<td>-1.06%</td>
</tr>
<tr>
<td>Pitt</td>
<td>2</td>
<td>170,243</td>
<td>-2.15%</td>
</tr>
<tr>
<td>Alamance</td>
<td>2</td>
<td>171,415</td>
<td>-1.48%</td>
</tr>
<tr>
<td>Caswell-Orange</td>
<td>2</td>
<td>171,432</td>
<td>-1.47%</td>
</tr>
<tr>
<td>Rockingham</td>
<td>1</td>
<td>91,096</td>
<td>4.71%</td>
</tr>
<tr>
<td>Bertie-Edgecombe-Martin</td>
<td>1</td>
<td>88,865</td>
<td>2.15%</td>
</tr>
<tr>
<td>Lincoln</td>
<td>1</td>
<td>86,810</td>
<td>-0.21%</td>
</tr>
<tr>
<td>Hoke-Scotland</td>
<td>1</td>
<td>86,256</td>
<td>-0.85%</td>
</tr>
</tbody>
</table>
Table 4: This table gives the NC House clusters which are fixed across all 8 of the possible clustering maps.

<table>
<thead>
<tr>
<th>NC House Cluster Which Are Fixed Across Clusterings</th>
<th>Number of Districts</th>
<th>2020 Census Population</th>
<th>Average Population Deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haywood-Madison</td>
<td>1</td>
<td>83,282</td>
<td>-4.27%</td>
</tr>
<tr>
<td>Greene-Jones-Lenoir</td>
<td>1</td>
<td>84,745</td>
<td>-2.59%</td>
</tr>
<tr>
<td>Jackson-Swain-Transylvania</td>
<td>1</td>
<td>90,212</td>
<td>3.70%</td>
</tr>
<tr>
<td>Halifax-Northampton-Warren</td>
<td>1</td>
<td>84,735</td>
<td>-2.60%</td>
</tr>
<tr>
<td>Burke</td>
<td>1</td>
<td>87,570</td>
<td>0.66%</td>
</tr>
<tr>
<td>Montgomery-Stanly</td>
<td>1</td>
<td>88,255</td>
<td>1.45%</td>
</tr>
<tr>
<td>Cherokee-Clay-Graham-Macon</td>
<td>1</td>
<td>84,907</td>
<td>-2.40%</td>
</tr>
</tbody>
</table>
Incumbents

We now perform a simple analysis of the effect of the new county clustering on the ability to preserve incumbencies. We do this, not to endorse or critique incumbency preservation, but because the NC General Assembly has identified it as one of its redistricting criteria. The new county clustering is only one way in which the new 2020 Census data influences the incumbency protection efforts. A more complete understanding of the effect on incumbency protection will require an analysis how geopolitical geography of the new Census data interacts with the redistricting process. We hope to investigate this more completely in the coming months.

For the moment, we simply note the number of incumbents in each county cluster (based on their official county of residence as obtained from the Redistricting Data Hub) and compare it to the number of districts each county clustering dictates. The following figures are repeats of the previous figures with an additional number added to the annotating white circles. The first number still gives the number of districts for each county cluster and the second number gives the number of incumbents currently residing in county cluster. When the first number is larger than the second, we outline the label in green to denote there is an opportunity to elect a new representative, assuming a current incumbent from another cluster does not relocate, even if all of the incumbents are re-elected. When the second number is larger than the first, we outline the label in red to denote that at least one of the incumbents cannot be re-elected from this county cluster.

Figure 5: For the fixed clusters in the NC Senate, we display the number of districts followed by the number of incumbents within the cluster. Cluster labels highlighted in red must double bunk at least two incumbents. Cluster labels highlighted in green will elect at least one representative who is not currently serving in office.

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6 Candidates for the General Assembly must reside in their district at least once year prior to the general election.
Figure 5 highlights impacts in the NC Senate. The fixed clusterings in Johnston County, Wake-Granville, and Moore-Hoke will each elect at least one representative not currently serving in office. The following three fixed clusters will double bunk at least two incumbents:

- Alamance-Anson-Cabarrus-Montgomery-Randolph-Richmond-Union
- Hoke-Robeson-Scotland

Figure 6: For the optional clusters in the NC Senate, we display the number of districts followed by the number of incumbents within the cluster. Cluster labels highlighted in red must double bunk at least two incumbents. Cluster labels highlighted in green will elect at least one representative who is not currently serving in office.
Figure 6 indicates that the clusters in region D produce a cluster that will double bunk two incumbents.

Figure 7 highlights impacts of redistricting in the NC House. The fixed clusterings of Mecklenburg, Wake, and Harnett-Johnston will each elect at least one representative not currently serving in office. The following two fixed clusters will double bunk at least two incumbents:

- Avery-Cleveland-Gaston-Henderson-McDowell-Mitchell-Polk-Rutherford-Yancey
- Chatham-Lee-Moore-Randolph-Richmond

Figure 8 indicates that all options of potential clusters (A, B, and C) for the NC House will cause double bunking of at least two incumbents in two districts.

In addition to the above analysis, we also analyze the clusters with respect to minimizing county traversals. A county traversal occurs when a district extends over the boundary of two counties. Even though the number of incumbents may match the number of districts, it could still be impossible to draw districts that minimize county splitting and county traversals.

We have only discovered one cluster in which it is not possible to draw district boundaries while simultaneously minimizing traversals and preventing two incumbents being placed in the same newly formed district. This instance is in Cabarrus-Davie-Rowan-Yadkin House cluster in which Davie and Yadkin each hold an incumbent, however, the two counties do not have enough joint population to make up a single house district. Because of the geometry of the cluster, these two
counties must then be combined as part of a single district ensuring the one of the two incumbents is not re-elected (see Figure 8 and the northern two counties within the 4-county 5:5 green cluster in the center of the state).

In aggregate, the NC Senate will contain four double bunked districts (regardless of the clustering options used), and the NC House will contain five double bunked districts (regardless of the clustering options used).

**Conclusion**

Based on the 2020 Census, we have provided all of the possible county clusterings for the NC House and Senate obtain by the procedure outlined in *Stephenson v. Bartlett*. The consultants
associated with The Differentiators have announced that they have obtained the same groupings we have found using the software we released.

Although many of the clusters are now fixed, the General Assembly will be left to choose between various clustering options in some parts of the state. Certainly, compliance with the Voting Rights Act will be a key consideration in choosing between potential clusters. Preservation of communities of interest might also drive the decision to select one option over another. One could also consider choosing clusters to reduce the population deviations. For example, the B2 options in both the House and Senate clusterings have one district with a relative population deviation above 4.5%. As this necessitates that at least one of the districts in this cluster has a similarly large population deviation, it provides a reasonable rationale (if all other consideration are equal) to select the other clustering. There are clusterings with equally large deviations which might suggest choosing the alternative clustering option. One might also consider compactness, thought a less compact clustering, does not necessitate that the resulting districts are not compact. Hence this would need to be considered in each case.

We intend to follow this initial analysis with more in-depth looks at the clusterings and their implications.
Duke_Senate_Fixed

Legend
- District
- County

Printed by the NC General Assembly, September 30, 2021

– Ex. 759 –
# DUKE SENATE GROUPINGS

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Joint Meeting of Committees
August 12, 2021
House Committee on Redistricting
Senate Committee on Redistricting and Elections

Amendment to Proposed Criteria

Voting Rights Act. As condemned by the United States Supreme Court in Cooper v. Harris and Covington v. State of North Carolina, African-Americans shall not be packed into any grouping or district to give partisan advantage to any political party.
NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 5, 2021

Transcribed by:

Denise Myers Byrd, CSR 8340, RPR
Discovery Court Reporters and
Legal Videographers, LLC
4208 Six Forks Road
Suite 1000
Raleigh, North Carolina 27609
(919) 424-8242
denise@discoverydepo.com
(Transcription from YouTube started at 24:29.)

CHAIRMAN HALL: Come to order.

Members, as you can see, the sergeant-of-arms is still passing out some documents that the chairs would like all committee members to have, and so I apologize for the delay in getting all those and starting the meeting today, but we did want to get those to you.

Members, the purpose of today's meeting is just simply to give some sort of roadmap to the committee members about the way that the chairs intend to at least initiate this process.

Chair intends to call on Senator Newton momentarily. After that, the chair will call on Erika Churchill from legislative staff. Ms. Churchill is going to give an overview of ISD setup, how members can go about drawing maps on computers. She's going to talk some, I think, about public records, and she's going to talk some about the ways that legislative confidentiality may be a bit different on the redistricting committee than you might be used to in some of the other committees that you
1 serve on.

2 After that, the chair is going to put
3 forth some scheduling, at least for next week,
4 for committee members so that you all can go
5 ahead and have an idea of what the chairs intend
6 to do next week.

7 With that being said, the chair will
8 recognize Senator Newton.

9 SENATOR NEWTON: Thank you,
10 Mr. Chairman.

11 Members and members of the public,
12 thank you for being here. I'm reminded in this
13 packed room of some comments made at a
14 redistricting conference several of us attended
15 in Salt Lake City a couple of weeks ago, and the
16 comments were made from the podium that, you
17 know, ten years ago you couldn't draw a fly to a
18 redistricting discussion, and now everybody is
19 interested in redistricting. And I asked
20 Senator Blue if he thought he had been involved
21 in more redistrictings than anyone else in this
22 room, and his response was "How about anyone in
23 history." So we're going to lean on you heavily
24 through this process.

25 Obviously, 2021 redistricting process
is unique because of COVID-19 and the resulting delay in the decennial census data. We're getting a much later start than we do in a normal redistricting year. These events are beyond our control, but we plan to carry out our constitutional duty as a legislature to draw new maps for Congress, the Senate, and the House in a timely manner with opportunity for public input and a deliberative legislative process that will involve members of both parties and be transparent to all North Carolinians.

In just a bit, as the chair mentioned, Erika Churchill, from our legislative analysis division, will cover the nuts and bolts of the legislative redistricting process, including our timeline.

But first, I just want to say that I think North Carolina is in a unique position as we embark on this next decade's redistricting process. We know there are a lot of contentious legal battles behind us in the last decade, but in the shifting sands of the legal doctrines associated with redistricting during the 2010 cycle produced several rounds of map drawing both for congress and state legislative
districts, but by 2019, this body was able to engage in a process that members of both parties largely supported and was transparent and open to public input. I think both the House and the Senate expect that we would largely stick to that successful formula and that process that involved successful -- produced successful redistricting product at the end of the last decade.

And as chairs, we welcome input from minority party about -- as we proceed and every member of this committee about how we can further improve the process as we move forward. And as this committee continues to do its work, I hope we all have open communication in order to ensure that we're doing the people's business in such a way as they have the opportunity to participate and feel that this process reflects the input from people all across North Carolina.

So thank you for being here. Thank you, Mr. Chairman, and we look forward to learning from the past to have the best process we've ever had going forward.

CHAIRMAN HALL: Thank you, Senator Newton.
The chair's going to recognize Erika Churchill. Ms. Churchill, you can speak from your seat there or you can come up to the podium over here, whichever one you prefer.

And, Members, did everyone receive two sheets of paper from the sergeant-at-arms? Any members not receive both of those sheets? Seeing none --

ERIKA CHURCHILL: I think Representative Zachary.

CHAIRMAN HALL: We've got a hand back here. So the sergeant-at-arms will ensure that the gentleman has both sheets.

Ms. Churchill, you're recognized.

ERIKA CHURCHILL: Okay. Thank you, Mr. Chair.

Of these two sheets, I'm going to start with the one that has writing on the front and the back. Both of these are ISD policies that parallel the policies of the 2011 redistricting cycle. For those of you who were here, you'll remember, central staff are available to assist you in drawing maps. We use a software package called Maptitude. It is something that our folks in ISD, who are the true experts in data
analysis and data processing, they assist us with that. These policies simply say, they help us, they are our support in learning that software, maintaining that software and helping you utilize that software to produce the map.

In addition to that, you have the opportunity to use that software directly if you want to, and the general public also has the opportunity to use that software with our database information in it if they choose to. That's what the very first piece of this policy is about is public access. It says that ISD will provide at least one terminal. Right now the plan is to have two, as we begin the decade, so that members of the General Assembly and members of the public can sign up to use those terminals directly.

I would note that when you choose to do it that way, ISD will help you in learning the software. ISD is not there to maneuver the software for you. ISD is not there to provide you with legal assistance or advice. They are simply your technical assistant. The same is true for the public. They ask that you schedule those appointments in advance. For the public,
Monday through Friday, 8:00 to 5:00 are the
hours. For members of the General Assembly, it
can be scheduled in advance in congruence with
ISD making certain that there will be staff
there to assist you if you need to stay until
5:30 or something of that nature.

Remember that you are responsible for
copies of all of your files if you choose to
draw this way. You will also be asked to use
the naming conventions so that there are no
duplicates of names in the public record.

As Chairman Hall mentioned, there's
something slightly different with legislative
confidentiality. In redistricting, the statutes
do say that certain things do become a public
record upon enactment of the plans. Obviously,
for members of the general public using the
system, they are creating a public document at
the moment it is done.

For public comment or public input, the
General Assembly ISD staff will, at the
directions of the committee chairs, make
available to the general public a comment form
to receive anything they want to say to the
members of the committee about redistricting.
It will be open as the chairs instruct. Reports will come to the members of the committee as the chairs instruct. It will close as the chairs instruct.

Moving on to the second page, the posting of plans to the website. As we neared the end of the last decade, our General Assembly committees had stepped up to technology and availability. And in general, almost all of our standing committees have a web page that is maintained by the committee clerks for the posting of documents before that committee. That is how the redistricting committees will work.

For the plans and amendments that are being considered by the committee, the clerks will post that information as instructed by the chairs on the timing instructed by the chairs.

With respect to any bills that are before the chamber floor, that same information, the plans and the associated statistical data, along with maps and block and shape files, will be available posted by the Information Systems Division associated with the bill status page for that bill before the chamber floor.
Any member of the public desiring additional information is free to write to, in some fashion or form, including by email, to get that information from ISD. You will only be given the public record if you are a member of the public. If you were seeking something that is still a confidential record, it will be up to the holder of that confidentiality to determine whether you have access.

And lastly, plan imports. This happened a couple of times during the last decade. The General Assembly can import a plan from outside of the General Assembly; however, it needs to be in some sort of block and shape assignment file that our system can read. That desired import will be checked for viruses and things of that nature. If it will harm our network system, it is subject to being declined for import. Any of those imports would need to be at the request of a member of the General Assembly.

And the second page is the Public User Access Agreement. I would note a couple of things about this. Anyone that comes in from the general public will be asked to sign this
agreement in order to use the General Assembly Maptitude and database. They will be asked to sign that they have been offered a copy of the general statutes related to public records because they are going to be creating a public record. They will be reminded that it is their responsibility to keep a copy of any of the plans and the associated data that they create, especially if they want to come back and work on it at a future time. And they also agree to use the naming conventions to avoid that duplication of names in the system.

And that is all I have, Mr. Chair.

CHAIRMAN HALL: Thank you, Ms. Churchill.

Do any members have questions for Ms. Churchill?

Representative Harrison, the lady is recognized.

REPRESENTATIVE HARRISON: I'm not sure if this is for Ms. Churchill or for the chairs, but regarding public comment and public input, so if I understand this correctly, the public will have access to the terminals to possibly draw their own versions of the maps, but I'm
wondering -- and then there will be public
comment input through some form, but if I
remember from 2019 redraw, we had the portal and
the public could put comments on, but those
comments weren't available to the public, if I
remember that correctly. And will that be
different during this process?

CHAIRMAN HALL: And, Representative
Harrison, the chair will take that question.

The answer to that is, it's going to be
up to this committee. I anticipate a similar
process to what we've used in the past. And so
if those comments weren't public to others, then
they may not be this time, but a decision about
that specific question hasn't been made by the
chairs yet, but we would love to hear your input
about what you would like to see happen.

REPRESENTATIVE HARRISON: Follow-up.

And I very much appreciate that, and I
appreciate the cooperative nature of the 2019
redraw.

At some point, is that happening today
where you would like suggestions along those
lines, along transparency and public input? Is
that for this meeting, or is that down the road?
CHAIRMAN HALL: That will be appropriate to some degree today. And again, some of this is going to be clarified when the chair gives a little bit of the idea of the schedule moving forward, but certainly, if the lady has some suggestion -- I will tell the committee today that the chairs intend to send out -- to have staff send out today the 2019 criteria and to go ahead and open up the portal for open public comment. And so that will happen at some point after this committee meeting today.

So if any members have suggestions on the way to do that public comment, again, just on the online version -- there's going to be opportunity for in-person public comment that the chair will get to momentarily, but if the lady has suggestions about online version, or any other members have suggestions, go ahead and put those forth.

REPRESENTATIVE HARRISON: Well, I would just like to comment on that because I heard concerns from individuals who weren't able to access the other public comments and the like, and I don't know any reason why we wouldn't make
them available. So I'd like to offer my encouragement that we include the public -- online comments be made available to of the public. I think it's always helpful for contributing to debate to know what others are thinking.

If you're talking about other kind of public access, I will wait until this next presentation because I have some concerns about that as well.

CHAIRMAN HALL: Noted.

Any other questions for Ms. Churchill?

SENATOR CLARK: Mr. Chair.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: Yes. I have questions regarding plan imports. Will the formats that are generated by online systems, such as Districtr, as well as -- what's the other one -- Dave's Redistricting app, do they comply with this?

CHAIRMAN HALL: The lady is recognized.

ERIKA CHURCHILL: Senator Clark, I'm happy to look into that. As long as they have some ability to save those plans in a block assignment or a shape file, they would comply
with this.

SENATOR CLARK: Okay. Thank you.

Question, Mr. Chair.

CHAIRMAN HALL: The gentleman is recognized.

SENATOR CLARK: Also you indicated that you all would be providing some forms of criteria I think from 2019. I would also like to submit Senate Bill 581 which I filed earlier which has recommended criteria for distribution to the committee members, if that's so pleases the chair.

CHAIRMAN HALL: The gentlemen is so welcome to send the committee whatever he pleases. And the gentleman may want to wait a moment to hear the rest of the plan, and we can come back to you if you still want to do that.

SENATOR CLARK: Thank you, Mr. Chair.

CHAIRMAN HALL: Further questions for Ms. Churchill? If not, thank you, Ms. Churchill. She's going to hang around for a moment, so if any questions come up.

Members, now to the schedule, at least in so far as it's been decided at this point, you all know that the data was delayed due to
COVID. That's the census data that has been delayed. You've heard some of about that already. We're waiting on that data to come. It's going to be here I think August 15th or 16th, but then it takes a period of time, once you get that data, for staff to load it into the computers here for it to be useful for this committee to be able to draw. That, of course, creates a problem for this committee because, as we all know, the filing for the 2022 election is to take place in December of this year.

The chair is informed that the Board of Elections needs at least three weeks of lead time in order to be able to draft ballots, of course, so they need these new maps at least three weeks, and they'd like to have more time than that, really would like have four, before that December 6th date that filing opens.

And so that puts this committee in a position of essentially having to try to get something done, get maps done at some point probably early November, and chairs believe that this committee can certainly do that. That's why we're starting now here in August, even though we're in the midst of budget debate. The
House is going to have their budget out soon and then, of course, we'll go into conference with the Senate.

So there's a lot going on here. And so the chairs have essentially decided that the best course moving forward is to have this meeting today, give you some sort of overview, but to go ahead and give you a schedule for next week.

So the chairs at next Thursday intend to have another meeting where the chairs intend to vote on some proposed criteria for drawing the maps -- for this committee's drawing of the maps. That schedule will essentially be this, and I'll try to give you as much specificity as I can.

As I've already said, at the end of the committee today, the portal will open for public comment, staff is going to send out the 2019 criteria. If Senator Clark wants, of course, his bill to be sent out, the chair will so direct staff to do that.

The chairs intend to have the chair's proposed criteria out at least by the end of the day on this coming Monday, if not before. This
committee will meet, then, on Monday, August 9th at 3:00. You'll get a notice sent out in plenty of time. In fact, that notice will probably go ahead and be sent out today so that everyone can have plenty of time to know to be here Monday, August 9th at 3:00.

The purpose of that meeting will be discussion only for this committee to discuss criteria. And let me say, any committee member can put forth any set of criteria that any committee member pleases. Committee members can go ahead and begin drafting those proposed criteria now, and they can go ahead and start sending them in to the chair.

And, Representative Richardson, I will get with you in just one second, if I can finish this.

But, obviously, if members can have those in as soon as they can, that will be helpful because, as the chair said, we plan to vote on Thursday on whatever set of criteria this committee is going to use. So that's for discussion on Monday.

Then on Tuesday, August 10th, the chairs intend to take public comment on proposed
criteria. That public comment will begin at
8:30 in the morning, and the chairs will have
some sort of system in place to make sure that
all of those who want to be heard will be heard.

After that meeting, there will be no
meeting on that Wednesday of next week of this
committee, but on Thursday, August 12th,
sometime after the House adjourns that day, and
probably we're going to peg it at 30 minutes
after the House adjourns on Thursday,
August 12th, the chairs intend to take up some
set of criteria to be approved to use for
redistricting by this committee.

After that, then the chairs
anticipate -- that leaves a couple of weeks left
in August, and the chairs anticipate using those
two weeks to set up a public hearing schedule,
so we will likely have some meeting where we can
talk about what the schedule's going to look
like, what members want to see in public
hearings. Do you want it to be all right here
in, you know, Raleigh, or do you want it to be
across the state? The chair anticipates the
desire to have it across the state, but we need
to talk about where and when and how, so we'll
have a meeting to discuss those things.

And then finally, at some point, and the chair intends to do this by the end of August, to actually vote on a public hearing schedule. So this committee will actually vote on a public hearing schedule by the end of August. As far as when those public hearings will be, that's the purpose of our meeting to discuss and talk about what that looks like.

With that being said, Representative Richardson, the gentleman is recognized.

REPRESENTATIVE RICHARDSON: I think you answered my question with the public hearing schedule.

Will we decide what the criteria -- or what will be discussed or what will be allowed in public input? For example, let's say the public wants to strongly voice their opinion that there ought to be an independent commission. Will that be received? Will that type of input be received, or is it just strictly how the maps are drawn?

CHAIRMAN HALL: Well, Representative Richardson, the chair anticipates just opening up public hearing and, you know, if folks want
to talk about redistricting or anything else, they're certainly welcome to show up and be heard.

The chair anticipates the real purpose is to hear just generally about redistricting and whatever it is that's on an individual member of the public's mind. Some folks are more concerned about different parts of redistricting. So whatever element of redistricting a member of the public would like to discuss there, that's up to that member of the public to decide.

REPRESENTATIVE RICHARDSON: Follow-up.

CHAIRMAN HALL: The gentleman is recognized.

REPRESENTATIVE RICHARDSON: Has the lateness of the census and the COVID problem, basically, from a logistic standpoint, almost ruled out any type of public redistricting process this time?

CHAIRMAN HALL: Well, I guess I would ask the gentleman, what do you mean by the public redistricting process?

REPRESENTATIVE RICHARDSON: Like having the public or a public committee draw the lines.
CHAIRMAN HALL: Okay. Well, that's a policy consideration for this committee and any member can put forth -- I think Senator Clark's got a bill that I haven't read so I don't know what's in it, but it may have something to do with that. And members can put forth those bills, and it's a decision for this committee to make.

REPRESENTATIVE RICHARDSON: Yeah. One last comment.

CHAIRMAN HALL: The gentleman is recognized.

REPRESENTATIVE RICHARDSON: I've always liked that, but it seems like we're really up against the wall in terms of what is expected of us constitutionally in terms of getting it done and having that type of mechanism. The lateness of the census and the COVID issue really has put us up against a really big timeline.

CHAIRMAN HALL: You're absolutely right; it has put us up against the wall. And again, that's why the chairs decided to go ahead and have this meeting today, as we're in the thick of the budget in the House because we really felt like we needed to act as soon as we
possibly could because, again, it's going to take some lead time to get that data put into the computer system. But the chairs are confident that we can do what the constitution requires us, and that is draw these maps and do it in a timely manner without even having to change any filing deadlines so long as we stick to this schedule and we've got this roadmap in place. And then, as we get into September, it will be up for the committee to decide how to move forward.

SENATOR BLUE: Thank you, Mr. Chairman.

I'm just wondering -- I know that it will take some time to convert the data to a usable form, as opposed to waiting for the census bureau to give it to us I guess a month from next week, from the 15th of August.

How long are you thinking it will take our people in ISD to convert the data into a usable form based on the data that's presented on October on August 15th?

CHAIRMAN HALL: Senator Blue -- and I'm going to recognize Ms. Churchill in just a moment. As I understand it, it's going to take about three weeks, and as I understand it, part
of that calculation is them knowing what
criteria this committee intends to use because
that in some way speaks to how they upload this
data and which data they need to upload.

But the short answer to your question,
I believe it's about three weeks

Ms. Churchill, the lady is recognized.

ERIKA CHURCHILL: Thank you, Mr. Chair.

Senator Blue, Chairman Hall, we are
definitely estimating roughly three calendar
weeks, and that will give time not only to
import the raw data but to do some quality
assurance, to make sure that we have imported it
correctly.

With that, even if we -- the formal
data that normally has come, like what is going
to be released on September 30th, that still
takes time to import into the system because you
are merging together multiple pieces of
information into multiple places, so just kind
of remember that. But with that three weeks,
hopefully we'll be ready -- the system would be
ready for anyone who wanted to draw, if the
committee were ready to draw.

CHAIRMAN HALL: Senator Blue.
SENATOR BLUE: So that I understand it correctly, after Monday, your criteria, that is, the chair's criteria for drawing, will be available to the general public, but immediately following this meeting, or at least following this meeting, in a relatively short time, the public will have access to the portal so that they can give comment or suggestions on criteria. They don't have to wait until you send out the criteria so that they're reacting to that.

CHAIRMAN HALL: That's exactly right, Senator Blue. Members can begin making comment today after this committee meeting.

SENATOR BLUE: Okay.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: Thank you, Mr. Chair.

Is it the intent of the chair that the criteria will also deal with the process by which we establish county cluster groupings for use in legislative redistricting?

CHAIRMAN HALL: Well, if I understand the gentleman's question correctly, there is a process for the county groupings that must be had, and it's essentially a math problem.
So we have to follow the constitution, of course; we have to do the whole county provision. And so the answer is, yes, the chair does intend to follow the law on the whole county provisions.

SENATOR CLARK: Okay. Let me be a little bit more clear.

Yes, there is the mathematical problem, but does the committee have a process by which it will select from amongst the constitutionally compliant maps that emerge from that mathematical process?

CHAIRMAN HALL: Yeah, and that's part of what the committee will be deciding after we adopt criteria is moving into that first phase of adopting those groupings at that point. And so again, it will be up to the committee to decide what's the process that we're going to use to adopt those groupings.

SENATOR CLARK: Okay. Well, I have a recommendation for that all also. I'll send it to you.

CHAIRMAN HALL: Send it to me.

Senator Blue.

SENATOR BLUE: If I could follow up to
that.

With respect to choosing the groupings, the criteria that is developed will apply to that as well. I mean, I know what the standard criteria will be, but even that will apply to the groupings, the clusters, as well as when we get down to the individual districts that we start formulating.

CHAIRMAN HALL: Further discussion or debate.

Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair. Just a couple of questions.

To clarify, we're talking about public comments after the data is released but before the maps are drawn and then a public commenting process after the maps are drawn?

CHAIRMAN HALL: That's right.

REPRESENTATIVE HARRISON: Perfect.

Thank you.

Separately, a question about transparency. We all received a letter on August 2nd, I think all the members of the committee, from a coalition of good government groups concerned about the redistricting
process, and there was a whole list of concerns about transparency.

    I appreciate that the 2019 redraw was
    the most transparent redistricting process we've
    had in this legislature, at least that I'm aware
    of, but the bar was really low, and there were a
    lot of concerns that were expressed about
    inability to hear members clustered around a
    terminal or people going out of the room and
    coming back with maps and that sort of thing.

    I just wondered if we are going to be talking about a transparency proposal for this process?

    CHAIRMAN HALL: Well -- and the lady is welcome to put forth whatever she wants to as part of a proposed plan as to how to actually come in and draw those maps.

    The chair will simply say, as the lady stated, the 2019 process was the most -- it's not even arguable, but it was the most transparent process of redistricting in this state's long history. And so the chair is generally comfortable with the process that was used in 2019.

    But again, that's the purpose of these
committee meetings is to hear from members, and this chair will certainly take into consideration any members' suggestions.

REPRESENTATIVE HARRISON: Just a quick follow-up.

I actually think that the letter that these groups sent us actually contains a list of really solid suggestions about how to improve the transparency of what was otherwise a much better process, much improved process of 2019.

And if I could just add, if we could have our future meetings in the larger room, if it's available, I would be grateful. Thank you.

CHAIRMAN HALL: The chair anticipates having future meetings in larger rooms, but appropriations meeting -- we will likely, the next week, have to meet back in here again because of House appropriations meeting upstairs, but after that, the chair will commandeer -- in his role as rules chair will commandeer the room upstairs. And I think Senator Rabon will agree with that.

REPRESENTATIVE HARRISON: Thank you.

CHAIRMAN HALL: Senator Newton.

SENATOR NEWTON: Thank you,
Mr. Chairman.

Representative Harrison, thank you for that question. It helps us to make a finer point about this committee's role in what the rules of the road for map drawing will be, and that I think is what you're getting at.

And even though Ms. Churchill did a great job explaining what maps can and cannot be imported into the state system, that doesn't mean -- probably doesn't mean, depending on the wisdom of this committee, you can sit at home and draw your own map and submit it and this committee is going to consider that.

There will be rules for the consideration of maps by this committee that this committee will design, and that input that you just described is exactly what we need to see to make those decisions. Thank you.

CHAIRMAN HALL: Further discussion or debate or comments.

Members, the chair will also make clear that the chair laid out the timeline and essentially an end stop deadline that the committee has if we don't want to move filing. And again, that filing opens on December 6th.
According to the Board of Elections, we would need to get these maps done sometime in November. But it's the chair's intention to get it done sooner than that and as soon as we possibly can, of course, because we want folks to have some idea of what the districts are going to look like before the day of filing.

So it will be this committee's goal to get this thing done as quickly as possible. And as evidenced by having this meeting today, going ahead and trying to put forth some criteria in the next week to vote on it, and then having essentially an expedited schedule to get some public comment in, and then we'll move through that public comment at the committee's will and hopefully come back in here and draw maps and get them done as quickly as we reasonably can under the law.

With that said, if there are no further comments or questions, there being no further business before the committee, the committee is now adjourned.

(Transcription from YouTube ended at 56:20.)
STATE OF NORTH CAROLINA

) CERTIFICATE

COUNTY OF WAKE

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 5, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 21st day of December 2021.

Denise Myers Byrd

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NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 9, 2021

Transcribed by:

Denise Myers Byrd, CSR 8340, RPR
Discovery Court Reporters and
Legal Videographers, LLC
4208 Six Forks Road
Suite 1000
Raleigh, North Carolina 27609
(919) 424-8242
denise@discoverydepo.com
CHAIRMAN DANIEL: ...on redistricting. The purpose of today's meeting is to -- for the committee to have discussion only on the proposed redistricting criteria.

I do want to kind of go over the scheduling for the week just so that the committee and the public are aware of that.

So we have scheduled three meetings of the committee for this week, the first one being today, and the next meeting tomorrow we will begin at 8:30. It will be a two-hour meeting for public comment on the criteria. The website will have available sign-up for members of the public that want to reserve a slot to come in to the committee and speak to the committee.

So there will be 30 slots available on the website just to take into account that there may be folks that want to come and speak, that show up, that weren't aware of the way to sign up online. So since we're doing a two-hour public meeting, we anticipate each speaker will be given two minutes as their allotment of time to speak, so we anticipate that we could have
roughly 60 speakers tomorrow morning.

Understand that this room is limited in size, so most likely there's going to be a number of the speakers that will have to wait in a queue outside, and our sergeants-at-arms will be aware of that, and they'll be able to usher in speakers as one speaker speaks and leaves and the next one can come in.

Thursday's meeting will also begin at 8:30, and that will be the meeting to adopt criteria. We expect that meeting to last about an hour. And I would just encourage the committee members to submit your amendments. We invite you to submit your amendments to the criteria in advance so that they can be reviewed in advance and not disrupt the committee time. You know, if we get a last-minute amendment, we may need to take a recess to look at it or something like that. So if you can give it to us in advance, then the chairs can look at that.

The purpose of today's meeting is for the chairs to present to you what we believe is the best criteria for this committee to adopt moving forward in the process. And Senator Newton is going to give the overview of that in
a moment.

I think that kind of covers most of the housekeeping matters, other than that I did neglect to recognize the sergeants-at-arms, and I may have misplaced my list. Let's see.

We have six sergeants-at-arms here serving our committee today in the House. We have Terry McCraw, Bill Moore, and Nina Lage. And in the Senate, Terry Barnhart, John Enloe, and Mike Harris.

One final thing is that when -- Senator Newton's going to go through the criteria one by one, we ask that you just hold your questions until the end and then we'll get to all the questions at that time.

Anything else, Senator, that I need to...

Chairman Hall is caught in a traffic jam but should be here momentarily, so we're keeping tabs on his location. I know when I drove in earlier day, I had to go through two automobile -- or two truck wrecks, actually, so I know there's a lot of hazards out there.

So, Senator Newton, if you're ready, I'll turn the mic over to you, and please --
REPRESENTATIVE DIXON: Mr. Chair.

CHAIRMAN DANIEL: Representative Dixon.

REPRESENTATIVE DIXON: I didn't hear the time for the Thursday meeting.

CHAIRMAN DANIEL: So the two subsequent meetings after today will begin at 8:30.

SENATOR NEWTON: All right. Thank you, Mr. Chairman.

Members, I suppose this will be the portion that is for the auditory learners because we do have -- in front of you, you should have both electronically and available a paper copy of the proposed criteria, so I'm going to walk you through each one.

First is equal population.

No, people do not have copies. I'll ask the staff -- here we go.

CHAIRMAN DANIEL: And the criteria are posted on the committee website, I believe.

SENATOR NEWTON: So raise your hand if you need a copy.

CHAIRMAN DANIEL: So the tree-huggers are the ones do not have their hands raised.

SENATOR NEWTON: All right. Everybody got one that needs one? I see no hands raised
so we'll go ahead.

So the first criterion is equal population. The committees will use the 2020 federal decennial census data as the sole basis of population for the establishment of districts in the 2021 Congressional, House and Senate plans.

The number of persons in each legislative district shall be within plus or minus 5 percent of the ideal district population as determined by the most recent federal decennial census. The number of persons in each congressional district shall be as nearly as equal as practicable as determined under the most recent federal decennial census.

Criterion Number 2 is contiguity. Legislative and congressional districts shall be comprised of contiguous territory. Contiguity by water is sufficient.

The third criterion is counties, groupings, and traversals. Counties, groupings, and traversals. The committees shall draw legislative districts within county groupings as required by Stephenson v Bartlett. I'll spare you the legal citations, but it's Stephenson I,
Stephenson II, Dickson I, Dickson II.

And within county groupings, county lines shall not be traversed except as authorized by Stephenson I, Stephenson II -- I'm sorry -- Dickson I and Dickson II. The full citations are there for those of you who are interested.

Criterion Number 4, racial data. Data identifying the race of individuals or voters shall not be used in the construction or consideration of districts in the 2021 Congressional, House and Senate plans.

Criterion 5, VTDs. Voting districts should be split only when necessary.

Criterion 6, compactness. The committees shall make reasonable efforts to draw legislative districts in the 2021 Congressional, House and Senate plans that are compact. In doing so, the committee may use, as a guide, the minimum Reock, that's dispersion, and Polsby-Popper perimeter scores identified by Richard Pildes and Richard Niemi in Expressive Harms, "Bizarre Districts," and Voting Rights: Evaluating Election-District Appearances After Shaw v. Reno, so that's a law review article.
Criterion Number 7 is municipal boundaries. The committees may consider municipal boundaries when drawing districts in the 2021 Congressional, House and Senate plans.

The eighth criterion is election data. Partisan considerations and election results data shall not be used in the drawing of districts in the 2021 Congressional, House and Senate plans.

Criterion Number 9, member residence. Member residence may be considered in the formation of legislative and congressional districts.

And the final criterion, Criterion Number 10, community consideration. So long as a plan complies with the foregoing criteria, local knowledge of the character of communities and connections between communities may be considered in the formation of legislative and congressional districts.

So, Mr. Chair, that covers the criteria themselves. And at this point, we'd be happy to do our best to answer questions that members may have.

CHAIRMAN DANIEL: Thank you, Senator
Newton. And I do want to -- if I could refer you back to Criteria 3.

SENATOR NEWTON: Yes.

CHAIRMAN DANIEL: Counties, groupings and traversals. I believe you did not read the section on congressional criteria.

SENATOR NEWTON: Oh, I apologize. You are right. That's the break in the page. So let's go back. Thank you, Mr. Chairman,

Back to Criterion Number 3, counties, groupings, and traversals, and add to what I described, division of counties in the 2021 Congressional plan shall only be made for reasons of equalizing population and consideration of double-bunking. If a county is of sufficient population size to contain an entire congressional district within the county's boundaries, the committees shall construct a district entirely within that county.

Thank you, Mr. Chairman.

CHAIRMAN DANIEL: Thank you, Senator Newton.

Senator Clark.

SENATOR CLARK: Thank you, Mr. Chair.
Since the equal population section does not mention the zero deviation standard -- the zero deviation standard as it has in the past, what does the chair plan to impose in terms of a deviation requirement for congressional districts?

CHAIRMAN DANIEL: I think, Senator Clark, that that criteria is intended to be a zero deviation standard. We understand the wording to be that we're going to adopt a zero deviation standard for congressional districts.

SENATOR CLARK: Follow-up.

CHAIRMAN DANIEL: Follow-up.

SENATOR CLARK: Mr. Chair, given the fact that the differential privacy is going to create the blocs that do not have exact populations, what use is it to have zero deviation standard for congressional districts?

SENATOR NEWTON: Mr. Chairman.

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: What Senator Clark is referring to is differential privacy that has injected -- the federal government has injected noise into the data for privacy purposes. We can't change that. There's nothing we can do
about that, so it's still the best data we have.
So we will continue with these criteria with the
data they provide us.

SENATOR CLARK: Mr. Chair.

CHAIRMAN DANIEL: Follow-up.

SENATOR CLARK: Thank you, Mr. Chair.

What does the General Assembly plan to
do in terms of the VRA? What are our legal
requirements, if any?

SENATOR NEWTON: Mr. Chairman.

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: We intend to comply
with the Voting Rights Act.

SENATOR CLARK: Mr. Chair.

CHAIRMAN DANIEL: The gentleman is
recognized for a series of questions.

SENATOR CLARK: Okay. In the counties,
groupings, and traversals, as I guess the
speaker indicated, that we could modify or I
guess get an exemption to the traversal
requirement based upon the requirements or
authorizations of Stephenson I, II, and Dickson I and II.

What are those exemptions that would
allow us to violate the traversal requirement?
CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: Thank you, Mr. Chairman.

I think the holdings in those cases speak for themselves, and I'm not going to try to recharacterize those for you here.

SENATOR CLARK: Could staff enlighten us, please.

CHAIRMAN DANIEL: Ms. Churchill, is that a question you can answer?

ERIKA CHURCHILL: Mr. Chair, that is not a question we have studied up on those cases in depth preparing for this. We're happy to review those cases and report back to Senator Clark.

SENATOR CLARK: Let's see. No more questions at this time.

CHAIRMAN DANIEL: Any other members that would like to have a question or a comment?

Senator Marcus.

SENATOR MARCUS: Thank you, Mr. Chair.

I would like to ask about the two bullet points. One is the voting district's bullet point and then the municipal boundaries bullet points. I notice that sometimes when we
talk about not splitting the VTDs or municipal
boundaries, we talk about them in the same
sentence. I noticed they're broken out here in
two separate bullet points, and I wonder if
that's on purpose, if they will be handled
differently.

I guess the first question is the VTD
should only be split when necessary. In the
past we've said when necessary to comply with
population requirements, but here we're just
ending it with when necessary. What is the
intent there? Is it, as we've done before, to
deal with population differences, or would
something else be considered in there as well?
And then I have a follow-up about the municipal.

CHAIRMAN DANIEL: Senator, do you have
a comment on that?

SENATOR NEWTON: Mr. Chairman and
Senator Marcus, I'm not aware of any substantive
change created by that break in the sentence.

SENATOR MARCUS: A follow-up.

CHAIRMAN DANIEL: Follow-up.

SENATOR MARCUS: Is it implied that
"when necessary" means to comply with the
population requirements set forth above, then,
or is there a reason why it just says "when necessary," period?

SENATOR NEWTON: My belief is that that refers to sort of the hierarchy, if you will, of the criteria, and where a criterion is legally mandated, that takes priority over the question you are asking, so I think that's the answer.

We're going to comply with the law even if it's necessary to do something we may not prefer to do with respect to a VTD.

SENATOR MARCUS: Okay. And then if I could, on the municipal boundaries part, it says the committee may consider municipal boundaries, but it doesn't say anything about attempting not to split municipalities.

Is that what is intended to be said here, that we're going to try to keep municipalities together when possible?

I'm just not sure what it means to say that we can consider the boundaries without saying in what way we're considering them or for what purpose we're considering them.

SENATOR NEWTON: Right. Mr. Chairman.

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: This is new to the
congressional criteria but not to the State and House processes. So by respecting, we mean we're going to make an effort to keep them whole.

SENATOR MARCUS: Okay. I would just point out that that's not spelled out in any way here, so I would recommend that we consider that.

And if I can have one more question, Mr. Chair.

CHAIRMAN DANIEL: Follow-up, Senator Marcus.

SENATOR MARCUS: Thank you.

And then on the member residence, I notice it also says that member residence may be considered in the formation of legislative and congressional districts. It doesn't say for what purpose. It doesn't say, as we have in the past sometimes, to protect incumbents or to avoid double-bunking. It just says that you can consider where members live. And it doesn't say if we do it for one, we should do it for all, or if we don't do it -- you know, when we should do it, and I wondered if there's any more you could enlighten us on what's intended by that bullet
point.

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: Thank you.

I think what you said is accurate. It reads the way it reads and means what it means, And there's a degree of flexibility when and if we have to cross that bridge.

SENATOR MARCUS: Okay. So I'm hearing you say that you agree it's, to a certain extent, vague and you want to keep it that way.

SENATOR NEWTON: Well, no, I'm not saying that at all. I'm saying that that's an appropriate criterion to allow us to consider residence when we're drawing districts if you've got -- well, period.

SENATOR MARCUS: Okay. Thank you.

CHAIRMAN DANIEL: And again, this is a discussion period for members to look at the criteria and suggest amendments that might be beneficial to the body.

Senator Clark, do you have another question?

SENATOR CLARK: Yes, I have a question since you mentioned the amendments. In what form should we submit the amendments? And I
guess we can start at any time, or is it after
the public hearing tomorrow?

CHAIRMAN DANIEL: I mean, you could
submit them any time between now and Thursday,
and even at Thursday's meeting. It just might
be helpful to submit them before Thursday.

Can staff help members put that in a --
it's not like a bill format.

SENATOR CLARK: Right. So that's why I
was wondering how do you want that handled? Any
particular way? Does a paragraph put this in
instead of that or something?

ERIKA CHURCHILL: Mr. Chair, we are
happy to assist any member who wants to submit
some sort of changes or alterations. We will do
our best to come up with a method that will be
understandable, what is the difference between
the proposed criteria and the suggested
criteria. Obviously, it's not going to look
exactly like a bill or an amendment, but we will
do our best to help members come up with
something consistent so that the committee will
have hopefully an ease of consideration.

CHAIRMAN DANIEL: And I think along
those lines, when you're drafting it, if you can
kind of make it so that it's redlined like a
normal amendment would be so that the members
can see what the suggested change is.

ERIKA CHURCHILL: Yes, sir, I'm glad to
try.

SENATOR CLARK: Question, Mr. Chair.

CHAIRMAN DANIEL: Yes, sir. Senator
Clark.

SENATOR CLARK: Okay. On your bullet
here under election data, you indicate that
election results data shall not be used in the
drawing of districts in the 2021 Congressional,
House and senate plans.

Can election data be used for the
analysis of such plans that have been submitted
via ensemble analysis?

SENATOR NEWTON: I'm sorry. Mr. Chair,
would you mind repeating that question.

CHAIRMAN DANIEL: So I think, Senator
Clark, to answer your question that this -- and
this is just the same criteria we had in 2019.
The election data will not be used on the public
computers in drawing districts. After a
district is -- after a proposed map is drawn,
then members can ask staff to overlay whatever
they want on it as far as that goes.

SENATOR CLARK: Oh, that's good. We weren't able to do that the last time because I inquired. They didn't load election data into the system the last time.

CHAIRMAN DANIEL: Okay. Staff's telling me that I'm not remembering 2019 correctly and that we didn't have election data entered into the public terminals.

ERIKA CHURCHILL: Mr. Chair, if I might.

In 2019, for the public-drawing terminals that were available to each member to utilize, there was no election data, there was no voter registration data. However, we did have a means, if Senator Clark will remember, that we could export that plan into a database to actually report out some reports to utilize the voter registration and the election data.

We can set up to do that again this time if that is what the committees desire.

CHAIRMAN DANIEL: At this point, this the committee hasn't -- you know, we will adopt the policies of the committee with respect to map drawing, and we just haven't done that yet.
SENATOR CLARK: Follow-up.

SENATOR NEWTON: Mr. Chairman.

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: I'd like to address that. But as we are talking about criteria, it is the intent of Number 8, election data, as worded, to say that election results data and maps drawn using that data will not be considered by this committee. Thank you.

SENATOR CLARK: Follow-up, Mr. Chair.

CHAIRMAN DANIEL: Senator Clark.

SENATOR CLARK: Does that apply to the selection of county cluster groupings as well?

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: I believe the answer to that is yes, subject to check.

SENATOR CLARK: Follow-up.

CHAIRMAN DANIEL: Follow-up.

SENATOR CLARK: I notice we do not mention the selection of county grouping and clusters within this criteria. Is it the chair's intent that we include such elements in the criteria?

CHAIRMAN DANIEL: Can you repeat your question?
SENATOR CLARK: I notice that we do not mention the selection of county groupings for the Senate or for the House in this set of criteria. Is it our intent to include such criteria for the selection thereof? We had mentioned the calculation of the criteria groups, but we don't say how we're going to select from amongst the set of maps that will be available or constitutionally compliant from each one.

CHAIRMAN DANIEL: Senator Newton.

SENATOR NEWTON: I would just say to that, Senator Clark, this provision on what I've got as Number 3, counties, groupings, and traversals, is substantially similar to what we used in 2019, and we were successful there getting court approval of that effort.

SENATOR CLARK: Mr. Chair.

CHAIRMAN DANIEL: Senator Clark.

SENATOR CLARK: We didn't make a selection of the county groupings in 2019. The original county groupings were selected in 2011. And actually, they weren't really selected. Only one was introduced for the Senate and one was introduced for the House. And at that time,
there were actually four constitutionally
compliant cluster sets available for the Senate.

    So really I want to know what is going
to be our process from selecting amongst
constitutionally compliant clusters for the
Senate and for the House during this effort.

    CHAIRMAN DANIEL: Well, I know I've
served in three different districts in the last
10 years, so I'm not sure your statement is
correct. We can chew on that and try to get
back to you.

    SENATOR CLARK: Okay.

    CHAIRMAN DANIEL: Any other questions
from the committee?

    Representative Harrison.

    REPRESENTATIVE HARRISON: Thank you,
Mr. Chair.

    I just wanted to follow up on a point
that I had made on Thursday's committee meeting.
And I think you alluded to this a bit in terms
of transparency, the transparency I believe that
was required by the ruling in the Common Cause
decision but also public participation piece.

    Are we going to set that out? Can we
set that out now? Can we set this out when we
adopt the criteria on Thursday? There's been a lot of interest in public participation and how that will play out with this redistricting process.

CHAIRMAN DANIEL: So I think the chairs don't anticipate scheduling the public hearing -- or establishing the public hearing schedule this week, but we will notice a future meeting, whether it's next week or the week after, to try to schedule that and would anticipate probably that starting in September, I would think. The House is -- everybody sort of got preoccupied with the budget at the moment.

REPRESENTATIVE HARRISON: Just a quick follow-up.

CHAIRMAN DANIEL: Follow-up.

REPRESENTATIVE HARRISON: Thank you. Also the issue about the transparency. We'll be adopting that at the next meeting as well?

CHAIRMAN DANIEL: If you're talking about the process by which maps will be drawn, there will be a subsequent meeting at which the committee will have to adopt all of the rules
that we're going to follow in the map-drawing process which I guess would include the transparency.

   REPRESENTATIVE HARRISON: Last follow-up.

   And I very much appreciate that. It sort of needs to be pointed out, we've spent a lot of money, I think something like $10 million, defending maps, that's just state taxpayer money spent on defending maps. So I hope we can adopt a process that we can all agree to that will serve the public the best, so thank you.

   CHAIRMAN DANIEL: Thank you.

   Any other questions or comments from the committee? Seeing none, I know that probably all of you are eager to get to other committee meetings, so this meeting will stand adjourned, and we will reconvene tomorrow morning at 8:30. Is that correct? Okay, tomorrow morning at 8:30.

   (Transcription from YouTube ended at 46:21.)
STATE OF NORTH CAROLINA

) CERTIFICATE

COUNTY OF WAKE

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 9, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 20th day of December 2021.

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Dwight Green (00:02):
Test, test. Joint legislative committee on redistricting, August 10th, 2020, 8:30 a.m., room 544. Recorder, Dwight Green. Test, test.

Senator Newton (00:26):
[inaudible 00:00:26] meeting. I want to welcome the public here to our first public hearing of the Joint Redistricting Committee for 2021. Thank you, members, for being here this morning and doubly thank you to the members of the public that signed up to speak. I'd like to first acknowledge our sergeant-at-arms, the House sergeant-at-arms, Nina [inaudible 00:00:50]. Did I have that pronounced correctly?

Nina (00:53):
[inaudible 00:00:53]

Senator Newton (00:54):
Ah, sorry. I apologize in advance also to our public speakers if I destroy your name. Terry McCraw is here from the House as well. Hi, Terry. From the Senate side, we got Rod [Fuller 00:01:06], there's Rod Fuller, Dwight Green, Dwight, [Sharee Hedrick 00:01:10], Sharee, Chris Moore, and Hal Roach. Thank you all for being here. Appreciate it in advance your help this morning.

Today is going to be limited to an opportunity for the public to comment on the criteria that we provided publicly yesterday. In 2019, we were able to engage in an overall process that was largely supported by both parties and transparent to the public. I think the expectation is that we are going to largely stick to or improve upon that process as we head into 2021 redistricting here today. Part of that improvement process is listening to suggestions from the public. Again, that's why we're here today.

The purpose, focusing on criteria, let me just check my notes here. There will be later opportunities for the public to have input on the map drawing. That's really not the subject for today. I'm not going to cut anybody off if they want to go beyond the criteria. We do prefer... We think it'll be more productive if you stick to the scope of the intended public comments today which are the criteria that we talked about already.

I also want to mention that the House in particular is tied up with budget work, so you may see some folks coming and going today both on the House and the Senate side for different reasons. There is no disrespect intended to our members of the public. We have lots of eyes and ears here. We are going to capture your good comments even if one or another of us is not in the room at the time you speak. What you're saying to us is important, and we will capture the substance of that no doubt. I just want to tell you in advance some will have to come and go, and no disrespect is intended at all. Anything else?

Let me turn to Chairman Hall. He's good. Chairman Daniel? You're good? With that, let's go. I've got a pre-signup sheet. It was done electronically that we now have in our hands. Our belief is that everyone who is physically here is reflected on this sheet, so I'm just going to go down this sheet. Now, if you got here later and you signed up, that's okay. It looks like we're going to have plenty of time to hear your comments. You'll be given two minutes to make your comments. I'm going to go down this sheet. If we miss you, please talk to the sergeant-at-arms, and we'll make sure you're taken care of. We're going to start this morning with Guy Smith. Is Guy Smith here this morning? Mr. Smith. When you come to the microphone, and this is true for everyone, please state your name and the organization you represent for the record. Thank you.
Guy Smith (04:11):
My name is Guy Smith. I run an operation called the Patriots Business Alliance. It's not really the main reason I'm here this morning. I'd just like to thank you for the opportunity to address you. I guess I'm just crazy to think that we might use the same criteria for redistricting that was used the first time maps were drawn and received pre-clearance from the US Department of Justice without protest since the Voting Rights Act of 1965 was passed. I understand that was the attorney general, Eric Holder, Justice Department. Yes, that's right, back in the ancient year of 2011, the first maps drawn by Republican majority since the VRA of 1965 was implemented.

Sadly because of Democrat's "sue until blue tactics" and the illegal actions of multiple judges and courts owned by Democrats, this General Assembly was forced to act in direct violation of the North Carolina State Constitution as specified in Article II, Section 3, Sentence (4) which reads, "When established, the senate districts and the apportionment of Senators shall remain unaltered until the return of another decennial census of population taken by order of Congress." In Article II, Section 5, Sentence (4) reads, "When established, the representative districts and the apportionment of Representatives shall remain unaltered until the return of another decennial census." I guess I'm just a little baffled that this body and our state government in general doesn't understand, if it ain't broke, don't fix it. Am I wrong? Thank you for your attention. God bless the United States, and God bless the great state of North Carolina.

Senator Newton (06:03):
Thank you for your comments, Mr. Smith. Bob Phillips.

Bob Phillips (06:20):
Good morning. My name is Bob Phillips, and I work for Common Cause North Carolina. I wish I were here today addressing an independent commission as I believe that's really the best way to do redistricting. But since that's not up for consideration, we have this simple plea: Make this redistricting process fair, transparent, and inclusive. A great place to start is abiding by the Common Cause v. Lewis ruling from 2019 that prohibits the use of election and partisan data drawing the maps. Another criteria important to us is to respect communities of interest. We know that this is where past general assemblies have gotten into trouble: packing, clacking, slicing, dicing communities of interest for partisan gains. Don't do it. That's what we're all going to be watching for. Here's a chance to surprise us and do the right thing by respecting communities of interest.

From a process standpoint, we hope you put a premium on public input, and today's a good example of that: have a series, however, of public hearings across the state on the front end before the maps are drawn and on the back end after the maps are created. No one knows their own communities better than your constituents, so help them guide you on where the line should be drawn. It's incumbent on this committee to ensure that all North Carolinians can have a say in what the next decade's voting maps look like.

I'll use the L word here, litigation. The way to avoid it is not to engage in partisan and racial gerrymandering. Our job is to hold you accountable to the important task of drawing the lines in a fair and transparent manner. It's important for the public to have a better understanding of what you are doing when you are drawing the maps. Mr. Chairman, I have submitted some specific recommendations to that end. Common Cause is not interested in outcomes in elections but the process of how things are done. We want redistricting, as I mentioned, to be fair, inclusive, and transparent, a process that instills
confidence from the people that indeed their voice is being heard. I believe those goals are in everyone's-

Senator Newton (08:28):
Thank you, Mr. Phillips. Andy Jackson.

Andy Jackson (08:42):
Andy Jackson, John Locke Foundation. I'm going to start off by saying I'm grateful that the Joint Redistricting Committee's proposed criteria includes a ban on political and racial data for redistricting. The proposed criteria also includes incumbent's addresses. If incumbent's addresses are included in the final criteria list, that consideration should be secondary to other considerations especially compactness.

This leaves us with two major criteria: making districts reasonably compact along with other standards and considering North Carolina's geography and preserving communities of interest. On that second point, preserving communities of interest, that's generally accomplished by not splitting political units particularly counties and voting districts and, where practical, municipalities. Beyond that, claims or communities of interest, of which you're going to hear a lot over the next several months, are often in the eye of the beholder and should be considered within the context of keeping districts compact and preserving political boundaries. Beyond that, I appreciate that we are going to anticipate an open process in the actual drawing of maps. Thank you.

Senator Newton (10:02):
Thank you for those comments. Jenny Kotora-Lynch.

Jenny Kotora-Lynch (10:16):
Hi. My name's Jenny Kotora-Lynch. I'm speaking for myself. I'm an Apex resident for the last 35 years. I had an opening to talk about redistricting in general, but we all know that doing it fairly is the right thing for everybody. So here are my thoughts. Please don't skimp on gathering public comment across the state. I know time constraints are tight, but you don't have to plan a traveling road show to go to every public meeting in each place. Instead, you can let members hold individual meetings in their own districts, livestream them, and record them. Schedule those meetings by next week and publicize them on all your platforms so people can make plans to go. Make it easy for people to get their comments to you. You can't wait till the last minute to notify people of a meeting and then expect a broad, cross-section of views.

Today's a good example. We heard about the meeting last Friday afternoon with the promise that the meeting would run until all attendees have a chance to speak. On Monday, yesterday, at 4:00 we were told a maximum of 60 speakers are allowed. Online signup wasn't possible till almost 5:00 o'clock, not much lead time there and no time to get the word out. This committee can and should do better. The comments we make here today and elsewhere are part of the public record, so give us the chance to see each other's comments as your mapping goes on. We're the voters, and we need to know how you grind the sausage and make the laws, and what's the input that drives the decisions you're going to make. Also I ask, with livestream meetings, keep count of who is listening on the telephone and who is streaming. Then let us know so we know how much interest there is in the community. It helps us to trust, and you want us to trust you. Thank you.

Senator Newton (11:58):
Thank you. Lekha Shupeck.

Lekha Shupeck (12:11):
Hi. My name is Lekha Shupeck. I'm coming here today to comment on the redistricting criteria that were proposed yesterday. These redistricting criteria are unfortunately so vague that I worry that they do not actually constrain the map drawing in any meaningful way. There are many, many criteria that say things like, for example, "Municipal boundaries may be considered, VTDs may be split when necessary," but they don't actually specify when that necessary is or what the terms of "may be considering municipality boundaries" are. Similarly when we look at compactness, there is an academic paper cited that supposedly contains minimum scores. Those minimum scores are not explicitly given, and they only said that they may be considered as a guide. That does not, in my opinion, constrain map drawing in any meaningful way.

Also, the provisions like no racial data and no election data, I assume in practice mean that that data is not going to be uploaded to the software used by legislators to draw maps. However, that does not say anything about the outcome of the maps. We know you are legislators. You know your precincts in your areas, in your districts well. You have a lot of that information in your heads. We also know that maps are going to be allowed to be uploaded to that software from outside of the software not natively drawn there. We do not know how those maps will be evaluated for the use of election and racial data. So in essence, the criteria that we are seeing are not criteria that seem to meaningfully constrain the map drawing in a way that will result in maps that have fair representation for the people of this state.

Senator Newton (14:00):
Thank you for those comments. Jennifer Rubin.

Jennifer Rubin (14:14):
Hi. My name is Jennifer Rubin. I'm the vice president of the League of Women Voters of North Carolina. Redistricting is very important for the 18 leagues across the state. On behalf of the League of Women Voters we would like to encourage you to take the following steps into consideration. A redistricting timeline should ensure the opportunity for informed public comment at every step of the process before and after maps are drafted. We recommend meaningful public comment opportunities throughout the state with options for written public comment. Increased transparency throughout the redistricting process should be ensured through broadcasting and recording of public hearings and making proposed maps fully accessible to the public. In addition to these steps, we ask that in the drawing of districts, there is respect for communities of interest and that redrawing districts avoids division of counties, municipalities, and precincts. These recommendations provide a blueprint for meaningful public input which will make our 2021 redistricting process more fair, inclusive, transparent, and timely. Thank you for the work you do on behalf of the people of North Carolina.

Senator Newton (15:31):
Thank you, Miss Rubin. Marilyn Hartman.

Marilyn Hartman (15:41):
Thank you. Hi. My name's Marilyn Hartman. I live in Durham. I think the most important criteria to me, the one that I'd like to see prioritized by the General Assembly is one that would end partisan gerrymandering. In other words, I'm calling on you to create a prohibition on favoring or disfavoring a
political party. This means that political affiliation data should be used but only to make redistricting fair. Every member of the legislature knows the election data in their head even when that data are not explicitly considered, so let's use this information fairly.

Right now I believe there are slightly more registered Democrats than Republicans in North Carolina. In 2020, it was 36% versus 30%. This means that our elected officials should be more equally divided between Republicans and Democrats. This is important to me because I believe in fairness. With current partisan gerrymandering we have a disproportionate advantage for Republicans, and that's not what democracy looks like. We've had gerrymandering by Democrats in the past, and that's not fair either.

Partisan gerrymandering matters. In recent years it has resulted in many of us not having our voices adequately represented by our elected officials. It has meant that despite the fact that a majority of North Carolinians favor access to health insurance for everyone, too many people in our state live without it. It has meant that although most people in North Carolina send their children to public schools, these schools are inadequately funded by our General Assembly. In Congress, it means we have few gun control laws that most North Carolinians are favor of such laws.

I could go on, but the bottom line is if we didn't have partisan gerrymandering, we would more likely have more laws and policies that reflect the values of the majority of voters in this state. I'd like to see the General Assembly adopt the proportionality criteria that is being used by Ohio as one of our state's high priority criteria. With this criteria, the portion of districts for each political party would closely mirror the portion of voters from each party based on data from the last 10 years. I'd be open to other ways of reducing partisan gerrymandering, but at the end of the day I hope you will establish a set of criteria that are fair to people regardless of their political persuasion. This is what-

Senator Newton (17:44):

Jennifer Bremer (17:59):
Hi. My name's Jennifer Bremer, and I'm a redistricting nerd from Orange County. I'd like to comment on something that I'm pretty sure no one else will, the choice of the Pildes and Niemi article to set a standard for how compact the districts must be. This is a bizarre choice, frankly, because Pildes and Niemi set no such standard. Their article was published back in '93 shortly after the explosion in racial gerrymandering in the 1990 redistricting round. That's the round that gave us the infamous snake, otherwise known as CD-12, one of the most contested racial gerrymanders in the country. Pildes and Niemi rated it the single worse district in the country. In the last round the legislature wisely decided to end the controversy by coiling it up neatly and stuffing it into a basket called Mecklenburg County.

Back in the '90s, Pildes and Niemi wanted to find the very worst gerrymanders that had just been drawn. Lacking the tools we have now, they decided to look only at compactness. They picked two measures, Polsby, Popper and [inaudible 00:18:58], that each defines scores from zero, least compact, to 100, the most compact. They arbitrarily picked a score of 10 out of 100 as their cut off for really, really bad compactness. Obviously, a score of 10% out of 100 is not a measure of good or even good enough. It's a score signally truly awful.

Some time ago just to be sure, I contacted Professor Pildes, now at NYU Law School, to confirm that this cut off was not meant to be a standard of any kind and confirm it he did. So when former Representative Lewis set 10 out of 100 as the minimum compactness score and cited their article, this was basically a little David Lewis joke. Perhaps he was disappointed that no one got it. Maybe he was
amused to see the judges pick it up in their decision. I was not. Someone's clerk needs to be talked to. While David Lewis left the building a year ago and his little joke needs to go away, too. Please talk to the experts and set a real standard for acceptable compactness.

Senator Newton (19:58):
Thank you, Ms. Bremer. Aylett Colston.

Aylett Colston (20:11):
Hi. I'm Aylett Colston. I live here in Raleigh. When it comes to drawing fair voting maps, I'd really like to see an open process with citizen participation and access at all levels and steps in the process. We're here today to talk about criteria. We would like to see impartial criteria that does not include considering the address or location of incumbents. So your districts will have to be apportioned substantially on population. Obviously, one person, one vote. They also should not intentionally or unduly favor or disfavor any political party. Communities of interest should be considered in drawing electoral districts provided that such districts do not dilute the effective representation of minority citizens. No use or consideration should be made of the address of incumbents.

Now in the past, both Democrats and Republicans have prioritized protecting incumbents. I know we often talk about bipartisanship, so one bipartisan way to deal with this is do something no one's completely happy with, and that is completely disallowing use of the address of incumbents and candidates when it comes to drawing voting districts. That's my bipartisan suggestion for you.

Additionally, we need to talk about the priority of criteria, and compactness should not be prioritized over other community considerations. Compactness, mathematicians have done studies, and we see that compactness does not prohibit parties from stacking the decks in their favor. Also, to jump on what Jennifer said, if you insist on using compactness as a primary criteria, I would suggest you look at a method like the population polygon or something other than the Polsby/Popper which has been shown not to be as effective as we would like. Thank you.

Senator Newton (22:09):

Harry Taylor (22:30):
I'm Harry Taylor from Charlotte. I'm with the League of Women Voters. Democracy refers to a government with supreme powers vested in the people, and that power is to elect through representatives in free elections from time to time as prescribed. Rigging election district lines via gerrymandering for political power has nothing to do with democracy. Rigging election district lines via gerrymandering for political power is dishonest. It's anti-democratic. It's unethical, but it's entirely legal because this body continues to choose to do nothing about it. I'm here today to ask you to do something about that. We can have democracy or we can have gerrymandering, but we can't have both.

On the brink of a new decade, 35 of you are impaneled to create maps to take back to your various chambers for approval to decide who's going to vote for who for the next 10 years. From the time you're sworn in to office, you were bestowed an honorific. You're called for the rest of your life, honorable people. There's nothing honorable about election rigging. I'm here today to ask you on behalf of 10 and a half million North Carolinians to create fair, balanced districts for the next 10 years for the US House, North Carolina House, North Carolina Senate so that on general election day from here on in,
for the next 10 years every single person on that ballot has an equal chance to win that race. Thank you for listening to me today, Your Honorables.

Senator Newton (24:13):
Thank you, Mr. Taylor. William Doom.

William Doom (24:19):
Thank you. My name is William Doom, and I am a long-term resident of Davidson County. I'm representing myself. There are several nations all around the world that have an official political party. If you're a member of that political party, you can be selected as a candidate. The government selects the candidates. If you are not a member of that party, your vote has no voice. That's the way it feels to many of us in Davidson County.

A gerrymandered district is a sign that the legislature does not respect the idea of self-governments. It has no intention of representing the interests of the constituents. Being in a safe district means you do not have to carefully listen to your constituents to get reelected. The result is that the government is less and less responsive to the citizens. The government is less and less trusted by the citizens. Cynicism and the disrespect of the government rise. It's a destructive force. Excuse me. The only way to rebuild trustworthy, honest, responsive government is to get rid of gerrymandering. To do that, election maps must be drawn with fairness as a central criteria. If we could have compact districts with constituents sharing many common interests, we could confer with our fellow constituents and then inform our representatives of our preferences, and our representatives could hear our voices and actually represent us. Thank you very much.

Senator Newton (26:04):
Thank you, Mr. Doom. Kathy Wheeler.

Kathy Wheeler (26:16):
Good morning. My name is Kathy Wheeler. I live in Summerfield in Guilford County. I'm here because I know how fragile our elections and all things related including redistricting really are. So I'm here to try to strengthen them by offering comment on these criteria. My major concern relates to the low priorities given to two of the criteria. This will mirror some comments you've already heard. I believe they should be of higher priority. Municipal boundaries at number seven and community consideration at number 10. In most cases, the common interest in a municipality and in a community are the best reason for keeping them together. That's how to best meet the legislative needs of the voters in these entities. If split apart, those needs are diluted and are not met.

In addition to the low priority of these criteria, I'm concerned, as others are, that the criteria are written to say "They may be considered." I believe that should be changed to "They will be considered." I believe it should be mandatory to study the common needs. I also believe these priorities, as I said before, should be higher than number seven and number 10.

My other concern is on the criteria on use of racial data and election data. The criteria say that these data shall not be used. However, what is in place to prevent knowledge versus actual data about racial makeup and election results from being used to influence the drawing of maps? There should be some safeguard written into the criteria to check for maps along the process based on knowing racial and electoral information. Thank you.
Senator Newton (28:05):
Thank you for those comments, Ms. Wheeler. Allison Riggs.

Allison Riggs (28:21):
Good morning. My name is Allison Riggs. I'm the co-executive director for programs and chief counsel for voting rights at the Southern Coalition for Social Justice. There are two problematic elements of the proposed criteria made public yesterday that I'm going to address. First, it is neither appropriate nor required to draw districts race blind. As long as redistricting has occurred, it has been a tool used to harm voters of color. Beyond compliance with the Voting Rights Act, it is entirely appropriate to advance race equity, to consider race in the drawing of districts to ensure that voters of color are not being cracked or packed. Additionally in Covington v. North Carolina, this legislative body tried the same thing with respect to race blind redistricting. A three-judge panel, including Republican and Democratic appointees and a unanimous Supreme Court, rejected your race blind remedial drawing of two Senate districts and two House districts. In fact, there's apparently not a federal court judge out there who agrees with this approach, and we urge you to abandon that criteria.

Second, the criteria of no election data and considering incumbent addresses is in inherent conflict and represents a farcical commitment to non-partisan line drawing. We know that when you protect incumbents, you protect your ill-gotten gains from a decade of partisan and racial gerrymandering. You are fooling no one. That criteria means nothing. We urge you to address and amend these criteria. Thank you.

Senator Newton (30:12):
Thank you, Ms. Riggs. Cheryl Tung.

Cheryl Tung (30:22):
Good morning, and thank you chairs and committee members. My name is Cheryl Tung, and I am president of the League of Women Voters of Wake County. The league has spent decades advocating for fair maps and for a transparent process that encourages public participation. The redistricting process is your duty and one that directly impacts the lives of North Carolinians. What you do over the next three months will impact voters for the next 10 years.

While the delay in census data has made the redistricting process challenging, there are many aspects of redistricting that should have been initiated months ago. This committee should have met, voted on, and put in place the processes and rules for the upcoming round of redistricting. There are criteria that were discussed within days of this week's census data release should have already been decided. While we commend you for opening a public comment portal, we are disappointed that we have not yet seen public hearings scheduled across the state. These hearings should provide opportunities for those especially in rural areas and in communities of color to have their voices heard on what constitutes their community of interest. The fact that these have not been scheduled or are being rushed with the excuse of census delays leads to the conclusion that it is your intention to yet again deny the public opportunities to participate for the state and provide adequate... I'm sorry, while you draw maps that serve your own interests. We ask this committee to hold several hearings across the state and provide adequate advance notice for these hearings and gain a better understanding of communities of interests as a redistricting criteria component.

In addition, we ask that you do not use member residency as a criteria component. We know the state legislatures like playbooks and have been using them around the country. I would invite you to
take a look at this playbook that was mailed to all of you in January of this year. It is a playbook on how to have transparency in redistricting, a playbook about providing the public with sufficient time to evaluate maps and providing the rationale for these maps, in effect, a playbook on how to gain the trust of the citizens of North Carolina.

Senator Newton (32:26):
Thank you, Miss Tung. Gary [Foreman 00:32:28].

Gary Foreman (32:28):
Thank you. My name is Gary Foreman. I'm from Durham. I represent [inaudible 00:32:40] and myself. I just wanted to draw the attention while you're making these criteria that we have two major issues already that we have a majority of Democratic voters in this state but we have a congressional ratio in the House of Representatives of eight to five. The other criteria and the thing that we have to be aware of is that whatever you guys say goes. There's only one other state in the entire Union that is not subject to veto, and that's Connecticut. You can be bullies through all of this. Please don't do that. The other criteria that I want to address myself to, which you hear a lot through here, is the criteria you adopted for preservation of communities of interest. That is in the sense that they're not diluted by cracking or packing and that the outcomes of these criteria be testing using the technology that's available to all of us now. That's what I have to say. Thank you.

Senator Newton (33:59):
Thank you, Mr. Foreman. Kathy Greggs.

Kathy Greggs (34:14):
Thank you. Thank you for allowing us to come and speak. My name is Kathy Greggs. I'm the co-founder and president of Fayetteville Police Accountability Community Taskforce, but today I come here with All in One from Cumberland County. First, I want to make sure that we understand what the word democracy means. I say this coming from an Army combat veteran of the United States Army along with Senator Kirk deViere. First, I want to make sure that we understand. Senator Kirk deViere has been assisting our community with understanding the redistricting of maps because some people don't understand what exactly this means. This is very important for the people, and democracy for the people should be heard. I ask that we allow the people that live in these communities to come and speak as well as everyone else that's sitting here. The people that are disenfranchised and de-marginalized and has not been able to vote should be able to say how they want their communities to look and who they want to vote for.

Then we also have issues where we have Army bases here where Army people don't even understand the voting process. We need to make sure that we educate the people and give them awareness on what is really going on for the next 10 years so we can live here in [inaudible 00:35:18] the actual way of life, livable conditions, instead of us asking you how we want to live. We should be able to tell you what we want. We should be able to ask you to actually listen to us. Democracy is always with the people and will always be for the people. We speak for the people by the people. Thank you.

Senator Newton (35:38):
Thank you, Ms. Greggs. Karla Icaza De Austin. Is Ms. De Austin here? Ah.

2021-08-10_Committee_Joint (Completed 11/13/21) Transcript by Rev.com
Karla Icaza De Austin (35:50):
Good morning. Thank you for allowing us to speak. I'm also from Fayetteville, North Carolina, Cumberland County. I'm an Army veteran. Today, I'm here to represent myself as an Army veteran. As an Army veteran we took an oath to defend our country against all enemies foreign and domestic. I'm sure everyone here has taken that oath to serve the people here. I'm just asking today to look at that. Active duty and veterans have been to and continue to go other countries to fix their government. Yet we come back home and this is what we have. We have a government that doesn't seem to be for us, because why? Redlining, gerrymandering, racial disparity, disparities, excuse me. It's a shame to me. It's kind of disgusting that I've been to other places to help their government. I have to come back home, and it's 2021, and we're still fighting this. It's kind of sad.

So I'm asking you to put your hand on your heart. There's active duty members. Contrary to popular belief, these active duty members and veterans, they don't make that much money, so they're living in these districts and these poor areas that are getting gerrymandered. These are people that our government sends out for all of our liberties, for all of our freedom. Yet they're not being given an equal opportunity to vote. They're not being given an equal opportunity to live their American dream. So I ask you to please do the right thing. Do the right thing. That's all we're asking you to do and represent the people that you took an oath to represent. Thank you.

Senator Newton (37:38):
Thank you, Ms. De Austin. Caitlin Metzger.

Caitlin Metzger (37:54):
Good morning. My name is Caitlin Metzger. I'm a Durham County voter. I want to comment on two main things today. First, the process that got us to this public hearing, I believe, was not given sufficient notice. In my day-to-day job I talk to voters all across the state, and many people, especially working people especially student voters and young voters, could not be here on a Tuesday morning at 8:00 a.m. We live in a vast state. In order to get to Raleigh, it really wasn't acceptable. I just want to encourage you to hold more public hearings and also give us more notice to get people here.

The second thing in terms of the criteria, I just want to urge you to move, as others have said, municipal boundaries as well as communities of interest higher on the list. It is not okay with me that incumbency is protected higher than communities of interest. The voters of North Carolina should be protected and be listened to and be respected, and they need to be higher on the list of criteria that you're considering. Thank you so much for your time.

Senator Newton (39:00):
Thank you. Did you mention, do you represent an organization?

Caitlin Metzger (39:04):
I do work in an organization called You Can Vote, but today I'm here as a Durham County voter.

Senator Newton (39:08):
Thank you. Andrew Silver.

Andrew Silver (39:28):
I'm from Durham. I'm a member of Carolina Jews for Justice, Common Cause, ACLU, NAACP, League of Women Voters among others. The most important safeguard for ensuring that districts are fairly drawn is that no data on political affiliation of voting records be allowed. The only purpose for using such data is to gerrymander the districts so that many districts are either safely Republican or safely Democrat. This makes the general election pointless and makes the primary elections decisive. Having representatives elected essentially by a single party promotes extremism so that politics have become more partisan with the two parties unable to work together. Representatives in seats safe from challenge by the other party are able to ignore their constituents, and the legislatures are, because of gerrymandering, unresponsive to the public interest. Thank you for calling my name even though I didn't see the signup online.

Senator Newton (40:38):
Certainly, no problem. Thank you, Mr. Silver. Robert Cushman, I believe is here.

Nina (40:49):
Morning.

Senator Newton (40:49):
Good morning.

Robert Cushman (40:51):
My name is Robert Cushman. I'm from Durham, North Carolina. I'm a 15th generation American, a Mayflower descendant, and have been working as a spatial analyst and a mapper for the past 25 years. I, like most Americans these days, agree with Mr. Silver that discourse has become more polarized, more divisive than ever before, and I do think that the electoral mapping is the root cause of much of this indifference.

I don't have the same thought as he does. I do think you have to look closely at the electoral party affiliation of the voters to ensure that you have proportional representation in each of the districts you create. We're a 50/50 state, a purple state. It should be easier to build consensus here than always else. Yet we have, much as he said, people from the right leaning further to the right, people from the left leaning further to the left so that they can win their primaries.

I think the electoral districts have to look more like North Carolina. You can ensure that within some limited bounds that you have equal representation from the different parties in the districts. Everybody should be able to woo my vote. I'm a moderate, but I'm not represented. There's either an extreme left or an extreme right. Many independents, moderate Republicans and moderate Democrats, such as myself, don't feel like we have any representation when November comes around. Let's make the primaries a choice that anybody could win the vote, and only you can do that. I know how important mapping is to the outcomes of this. I am a professional mapper. You can do this for the good of us all. Our representational democracy really depends on your choices. Thank you.

Senator Newton (42:51):
Thank you, Mr. Cushman. We have exhausted the list of signups. If you are in the room and did not sign up but would like to speak, we have time to do that if you would like. Yes, ma'am. If you will state your name and your affiliation, who you're representing before you get started. Thank you. Welcome.
Floyd Jean Busby (43:15):

My name is [Floyd 00:43:16] Jean Busby. I'm representing Action NC. I understand that the drawing of the lines, the redistricting, is to ensure a particular party to be reelected again. Therefore, you don't have to do nothing but just sit and get reelected. We live in a democracy, and we should have people power. You should be concerned about the people and not about your seat. I want to share a story with you about Emmett Till. A young man wrote a book about Emmett Till. I saw this on TV. He did talk about years ago when we had Moral Mondays. We had people come up here every Monday to get laws for the people. A lot of people say that that Moral Mondays did nothing because we still have the same thing. Yet, he did point out that Pat McCrory is no longer governor, so therefore people power. We all changed the laws. We changed the people sitting in the legislature. Thank you.

Senator Newton (44:33):

Thank you, Ms. Busby. Anybody else? If not, we have concluded our business unless the chairs prompt me otherwise. I thank you again for being here. Have a great day. We're adjourned.
(Transcription from YouTube started at 2:41:20.)

CHAIRMAN HALL: ... reiterate what was going on. As the committee members know, last week, a week ago, the chairs told committee members that they could put forth amendments because the chairs intended to vote on this criteria today, and so members have had that week time period to get these amendments in. And the first amendments that any of the chairs saw was well after 8:30 a.m. this morning when the committee started. Most amendments were not completed yet by staff, and so it was on probably -- well, I don't want to -- it was at least an hour or so after the committee was supposed to begin before we even actually had any final amendments.

The chair is in possession, and I think has been passed out, roughly somewhere between 10 and 15 amendments. The chair will tell the committee members that not all of those have actually been put forth at this time. Apparently, there were some members still considering whether they actually want to offer those amendments, so they haven't been signed,
but the chairs directed that those be put out so that, for efficiency purposes, we can just go through the amendments that are in possession of the chairs. And if we come to an amendment that a member does not wish to put forward, then simply tell the chair that and the chair will, of course, allow that amendment to be withdrawn.

For House members, you've probably already seen your email. Session's been delayed until 12:00, and the chair anticipates session probably being delayed again depending on the time that it takes to hear the bills in this committee. The chair understands that this is a very important committee. It's important that we do things here in a thoughtful and deliberative way, and so we're going to give it the time that it needs today.

Members, I'll also start by just making a few remarks because the chair believes that this is really a historic occasion for this committee. As members will remember, in 2019, for the first time ever in the history of this state, maps were drawn without using partisan data and partisan considerations. That was, of course, ordered by court. Most of the members
on this committee were here at that time and probably participated in that, and the members will remember that we passed those maps and that the court reviewed those maps and upheld those maps. That was an historic occasion. This state's over 200 years old, and as far as the chair can tell, since the inception of this state, maps have been drawn by a legislative body, and they have been done using partisan means. But again, for the first time ever, in 2019, that did not take place. That was court ordered.

Today's committee meeting is notable and historic because for the first time ever, without a court order, but with doing it voluntarily, the chairs have put forth a set of criteria before you, not -- voluntarily not using election data and partisanship. And so far as the chair can tell, that's the first time that that has ever happened in the history of this state and perhaps the first time that it's happened in this country. I know other states have decided to go in different routes. They've used independent commissions and they've done other things, but the chair is not aware of any
other states who have just voluntarily kept the ability to draw the maps but agreed to not use that partisan data and partisan consideration.

And so I hope that the members of the public and I hope that the committee members recognize through this criteria that's been proposed the commitment of the chairs to make significant and reasonable efforts to attempt to limit the partisan consideration and election results data from being used in the drawing of these maps.

Additionally, the chair does want to point out, one thing the chair heard often in public comment earlier this week, and that was that -- that there was some ranking of the proposed criteria of the chairs, and that's not the case. And the chair understands that that was an easy mistake or a misunderstanding that members of the public could have had. They were simply looking at a list of criteria and perhaps they thought that list was ranked. Again, it was not ranked at all. The -- certain provisions on the criteria are constitutional. Obviously, those have to take precedence over those areas that are not constitutional, but
otherwise, those -- those items are not ranked at all.

Members, the data -- as most members of the committee know, the data will be released by the Census Bureau today at about 1:00 p.m., as best we can tell, and so it is the goal of the chairs of this committee to adopt this criteria this morning. And one of the reasons for that is as we all understand, the redistricting process is a very litigious process, not just in North Carolina but really across the country, and because of that, the chairs think it's important to get criteria adopted before the data comes out so that no one can reasonably say that the chairs somehow took the data and then drew the criteria to meet the desires of the chairs. It would be impossible for the chairs to have done that. The chairs have, obviously, put out criteria already. The committees will vote on whether to amend that criteria this morning or not, but it was important before that criteria came out -- before the data came out to get the proposed criteria out.

Members, I'll go ahead and tell you, I expect at some point next week to have a
committee meeting to discuss what the committee wishes in terms of a public comment period, whether here or across the state. There's no -- we have not -- the chairs have not set a date for that yet, but check your email over the course of probably tomorrow the chairs will try to get you notice out, but again, that meeting will be for purposes of the committee discussing how we want to go about public comment. And of course, the portal is open, will remain open. Members of the public have the opportunity to continue to comment on any matter that they see fit that's before this committee, or any matter not before this committee if they see fit, but members of the public are encouraged to submit comments as to what the public schedule should be.

Members, with that being said, the chair will turn to Chairman Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair. And I guess I just thank you for those comments and also want to revisit briefly some of the discussions on Monday. There was a question or two that came up regarding proposed criteria that we said we would, you know,
address later on, so makes sense to address

today. So I will let -- if the chair would
recognize Senator Newton. He would like to make
some comments.

CHAIRMAN HALL: Thank you,

Mr. Chairman.

And before the chair does that, the
chair also failed to note one thing, and that is
this is not technically a joint committee. This
is the House Senate -- the House committee and
the Senate committee voluntarily meeting
jointly, and so because of that, we really need
to take two sets of votes on any amendments that
are put forth today as well as the final set of
criteria. So the method that we'll use to do
that is when the House members vote on a given
amendment or criteria, I will chair, and when
senators are voting on the same, Chairman Daniel
will step up here to chair so that there's --
the chair just wants to get that out there so
there's no confusion. If there's any questions
about that -- I know that's not typically how
it's done in most of our committees, but we're
really taking two votes on each of these today.

Are there any comments or questions
about that from the committee members?

Seeing none, Senator Newton, the
gentleman is recognized.

SENATOR NEWTON: Thank you,
Mr. Chairman.

The couple of questions I wanted to
address that came up on Monday. The first is
related to county groupings to be used in the
2021 House and Senate plans. As the criterion
that we have proposed says, we will use the
state constitutional standard as interpreted by
the North Carolina Supreme Court in
Stephenson I, Stephenson II, Dickson I and
Dickson II to create these county groupings.

These decisions specify the procedure
for how the county grouping process works and to
give effect to the state constitution's whole
county provision and the one person, one vote
principle. I will not recite verbatim what
those decisions say, but in layman's terms, that
means that once the county population data is
available, either -- we will use it to identify
the maximum number of single counties that can
support either one legislative district or
multiple legislative districts using the ideal
district population within plus or minus
5 percent and keep those counties whole for the
purpose of drawing districts.

Next, we will find the maximum number
of two county pairs that can be identified that
either support one legislative district or
multiple legislative districts factoring in
population requirements, and we will consider
those two county groupings. Next, we'll do the
same for three county groupings, then four, then
five and so on until there are no more counties
in the map to be grouped.

What I want to make clear about this
criterion today is that it will control how the
county grouping formula is applied, but we are
not adopting county groupings today. We will
meet again at a later date for the Senate and
the House to separately vote on county grouping
plans for their respective maps, and they will
be adopted by these committees. So there will
be more time for input from members and the
public prior to those votes to adopt county
groupings taking place.

The second question I want to address
is the decision to exclude racial data from
being used by this committee in the drawing of districts. Of course, we understand that North Carolina is obligated to comply with Section 2 of the Voting Rights Act when drawing districts in the 2021 Congressional, House, and Senate plans, but during the last decade, the Supreme Court told us that there is not sufficient evidence of racially polarized voting in North Carolina to justify the consideration of race when drawing districts.

If you have new evidence or new studies of racially polarized voting in North Carolina, we would be willing to examine that evidence, and nothing in this criteria prevents any member from bringing forward such evidence during this process.

Thank you, Mr. Chairman.

CHAIRMAN HALL: Members, the chair's now going to go into --

SENATOR BLUE: Mr. Chairman.

CHAIRMAN HALL: Senator Blue.

SENATOR BLUE: Yeah, I had a quick question of Senator Newton.

CHAIRMAN HALL: The gentleman is recognized for a question.
SENATOR BLUE: Senator Newton, in looking at Stephenson, the first criteria that the court says is that you have to determine what the VRA districts are, and I'm wondering how you determine a VRA district without examining the question of race which is what it's predicated on. And if in fact during the process of drawing clusters, we draw them and then you get information or an indication that a district might be a VRA -- a Section 2 district specifically, that you -- somebody brings evidence that there is sufficient racial polarization in the voting that you have to apply the laws, as evolved, over the last 50 years, that then throws everything else that you're doing about clusters -- or that we're doing about clusters -- not everything, but a significant number of issues about how the clusters look and we go back to the drawing board anyhow.

So with respect to choosing clusters and determining whether they're necessary, I take it that you're waiting to see, whether from the committee or from interested parties, whether there are suggestions of a required VRA
SENATOR NEWTON: Mr. Chairman.

CHAIRMAN HALL: The gentleman is recognized.

SENATOR NEWTON: Thank you. Thank you for that question, Senator Blue.

As you're aware, in 2019, when we drew, we did not consider race in the drawing of those maps, and the court ultimately adopted or embraced that process. And so we're going to do the same thing here. We're going to follow that same process, but as I suggested in my comments, if at any point there is a belief that there's a violation of Section 2, we need to know that. We'll -- we'll, you know, act appropriately at that time.

SENATOR BLUE: One quick follow-up.

CHAIRMAN HALL: The gentleman is recognized.

SENATOR BLUE: The reason and subsequent to 2011 that there were not the other issues on the VRA is the districts had already been drawn and the question got to be -- without considering race, the question got to be which of those districts you could justify as
continuing VRA districts, and so the court did another analysis on concepts of just packing, cracking, stacking, those things, and that's what we were responding to and what Rucho, whatever those cases were in the -- in the last decade. So there had already been a determination by us, as mapmakers, that there were two or three districts that merited continuation in their current form in order to avoid a Section 5 -- especially a Section 5 attack.

Now, I know that that's been muted since 2013, but even trying to avoid a Section 2 attack on the overall redistricting process. And the only aspect of it had to do with overcompensating in non-VRA-required districts, not the VRA districts other than for the Senate, Cumberland, Guilford, and I don't think -- at the last rendering, one of the districts in eastern North Carolina, either Pitt, Greenville, Wayne, Lenoir district, was challenged because of that concept, but it wasn't aimed at whether or not a VRA district actually existed. I know there were no polarization studies done, no evidence presented, and the effort was made to
relate back to 2001 studies to justify it.

But I think that -- I think that
Stephenson makes it relatively clear that before
you consider clustering of groupings, you have
to make that VRA determination.

CHAIRMAN HALL: The gentleman is
recognized.

SENATOR NEWTON: Senator Blue, thank
you for your analysis on that. The chairs have
considered the various options, and we will
comply with the law. And the methodology we
used in 2019 passed muster, and we're going to
continue with that methodology, but thank you
for those concerns.

SENATOR DANIEL: Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: I'd like to send
forth an amendment.

CHAIRMAN HALL: Senator Daniel is
recognized to send forth an amendment.

The members should have -- if you look
at the top right of your proposed amendments, it
will say who it's offered by, and this one is
offered by Senator Daniel. It's a proposed
amendment to criteria for -- it says Proposed
Criteria for, An Amendment to Propose Criteria for. And rather than asking on each one of these does every committee member have a copy of the amendment, if we come to an amendment and you don't have a copy of it, if you will just simply let the chair know and the chair will ensure that you get a copy of the amendment.

Senator Daniel, the gentleman is recognized to debate the amendment.

CHAIRMAN DANIEL: Thank you, Mr. Chair, and thank you, Senator Newton, for your comments.

In order to make it clear that the committee intends to comply with the Voting Rights Act, I propose this amendment to just add a sentence under the criteria regarding racial data. The amendment would simply add the sentence "The committee will draw districts that comply with the Voting Rights Act." And I would just ask for the committee's support.

SENATOR CLARK: Mr. Chair.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: Request to speak regarding the VRA requirements.

CHAIRMAN HALL: Well, if we're -- if
it's on the amendment, that's fine. We're
debugging the amendment right now. And members
of the committee will have ample opportunity to
discuss the -- well, frankly, any matter that
the member wants that's relevant to the
committee, but we're on the amendment now.

So the gentleman, if he wishes, is
recognized to debate the amendment.

SENATOR CLARK: Well, my comments
actually are relative to the amendment.

CHAIRMAN HALL: Well, then the
gentleman is recognized to debate the amendment.

SENATOR CLARK: Thank you.

I consider the amendment to be
unconstitutional because Stephenson does say,
first, legislative districts required by the VRA
shall be formed before non-VRA districts are
created.

If there has been a court ruling that
nullifies that requirement by Stephenson, I ask
that the chairs provide that to this committee
or the staff provide that to this committee if
not today, then soon.

CHAIRMAN HALL: Further discussion or
debate on the amendment.
Senator Blue.

SENATOR BLUE: One question of Senator Daniel.

In the amendment to criteria for, suppose you put a comma after the word plans, and then put except as -- except for purposes of compliance with Voting Rights Act.

CHAIRMAN DANIEL: Senator Blue, I mean, I prefer the amendment as written. You know, we sort of deliberated this at length and went over various versions that we could have considered. I think it probably -- I think it has the same effect as your language. Of course, members can submit additional amendments.

CHAIRMAN HALL: Further discussion or debate on the amendment.

Hearing none, we'll start with House vote. Are any members going to call division? Okay.

Hearing none, all those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: In the opinion of the
chair, the ayes have it, the ayes do have it, and the amendment is adopted. And the chair will now yield to Chairman Daniel for the Senate vote.

CHAIRMAN DANIEL: Senate members, all in favor of the amendment I just proposed, would you please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: Opposed nay.

UNIDENTIFIED SPEAKER: Mr. Chair, call for division.

CHAIRMAN DANIEL: That's out of order in the Senate.


CHAIRMAN DANIEL: All opposed nay.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: In the opinion of the of the chair, the ayes have it and the amendment passes.

CHAIRMAN HALL: Members, the next amendment the chair will take up is Senator Clark's amendment, and this is Number 6, Proposed Criteria Number 6. Says Amendment to
Proposed Criteria Number 6. Do all members -- and it's dealing with the issue of compactness. Again, if any member has any problem at all, if they don't have a copy of it, let the chair know.

Senator Clark, the gentleman is recognized to debate the amendment.

SENATOR CLARK: Okay. Thank you, Mr. Chair.

This particular amendment, essentially all it does is adds an additional item that can be considered in terms of compactness measures, and it is called the cut edges, and additionally it says that we could also rely on compactness measures that are contained within the software that we will be using for redistricting.

CHAIRMAN HALL: Thank you, Senator Clark.

Members, the chair will speak to this particular amendment, and you'll see, as we go through this, the chairs will just generally respond to the various amendments.

The chair believes that the amendment, number one, it contains a measure that the chairs are not familiar with. In the past, the
chairs -- this committee has used various methods to measure the district, so to speak, on compactness. And as you'll see in the chair's proposed criteria, we do recognize the Polsby-Popper and the Reock scores. That's what's been used in the past in this body, and that's what courts have ultimately upheld. So the chairs would ask that the members vote against this amendment.

Further discussion or debate on the amendment?

Hearing none, the House will -- Senator Marcus.

SENATOR MARCUS: Thank you. I would just like to point out that there -- there are better methods, more modern methods, that are listed in Senator Clark's amendment. Just because we've always used only two doesn't mean that that's the way we should continue to operate when there are more clear and better methods that could also be incorporated. The amendment doesn't suggest we should get rid of Polsby-Popper or Reock but include some other very good methods by which we can test districts. And if the chair's not familiar with
them, perhaps we should pause and let the chair
become familiar with them because they're good
basis on which to determine whether maps are
drawn fairly.

CHAIRMAN HALL: Further discussion or
debate on the amendment.

If not, the House will now go into a
vote.

All those in favor of the amendment,
say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: In the opinion of the
chair, the nos have it, the nos do have it, and
the amendment fails.

We'll now shift to the Senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

For the Senate members, all in favor of
the amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, nay.

COMMITTEE MEMBERS: Nay.

CHAIRMAN DANIEL: In the opinion of the
chair, the nos have it. Thank you.
CHAIRMAN HALL: Members, the next amendment will be from Senator Clark again. This is his Proposed Amendment to Criteria Number 2. This is dealing with contiguity.

Senator Clark, the gentleman is recognized to debate the amendment.

SENATOR CLARK: Thank you, Mr. Chair.

UNKNOWN SPEAKER: Mr. Chair, two is missing from this line, sir.

CHAIRMAN HALL: Okay. If the sergeant-at-arms will ensure that members who raise their hands on each one of these are brought a copy of the amendment.

And so, Members, if you will -- on each one of these amendments -- the chair will try to go slow, but just every time raise your hand high and I will look out and try to direct sergeant-at-arms as well to get those out.

So we'll -- Senator Clark, just one second, let's give those members a chance to take a look at this amendment.

And for the sergeant-at-arms, there are some members who are not on the committee who are in the back, and so the chair would direct the sergeant-at-arms to, number one, focus on
the committee members, and once you've got the committee members amendments, then if you will make sure that the other members not on the committee in the back will get a copy of the proposed amendments.

Okay. Senator Clark, the gentleman is recognized to debate the amendment.

SENATOR CLARK: Thank you, Mr. Chair. This particular amendment just clarifies that point contiguity -- excuse me -- point contiguity will not be permitted. That's not mentioned in the previous version.

CHAIRMAN HALL: Is there discussion or debate on the amendment?

Chairman Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair. Thank you, Senator Clark, for the amendment. The chairs considered this at length and would ask the committee -- we think it's a good amendment and would ask the committee to adopt it.

CHAIRMAN HALL: Is there further discussion or debate on this amendment? Hearing none, the House will move into a vote.

All those in favor of the amendment
will say aye.

  COMMITTEE MEMBERS:  Aye.

  CHAIRMAN HALL:  All those opposed, no.
  The ayes have it and the amendment is adopted.

  We'll move into a Senate vote.

  CHAIRMAN DANIEL:  Thank you, Mr. Chair.
  For the members of the Senate, all favor in Senator Clark's amendment, please indicate by saying aye.

  COMMITTEE MEMBERS:  Aye.

  CHAIRMAN DANIEL:  All opposed no.
  The ayes have it and the amendment is adopted.

  CHAIRMAN HALL:  Members, the next amendment is proposed by Representative Reives, and this is the amendment dealing with free elections, the free elections clause. It's Representative Reives free elections.

  Again, members of the committee will raise their hands if they don't have a copy. The chair sees Representative Brenden Jones, not sure what's going on over there with Representative Brenden Jones.

  Representative Reives, the gentleman is
recognized.

REPRESENTATIVE REIVES: Thank you Mr. Chair.

And I hope that this is self-explanatory. And what it is saying is that -- as you said, it references the free elections clause and to ensure the results of elections will reflect the will of the people; that the district lines not be drawn in a manner that will likely provide any political party seats in congress or in the General Assembly that is disproportionate to the election strength of that party. We ask you to support the amendment.

CHAIRMAN HALL: Thank you, Representative Reives.

And, Members, the chair will -- is also going to take this amendment. The chair would respectfully ask members to vote against this amendment. And the reason why, I'll go back to my opening comments, and that is for the first time ever, this is a redistricting committee that intends to vote on these maps -- on a set of criteria, rather, that does not take into account political data and partisanship, and
this amendment would actually require us to go back on that. It would actually require us to consider election data at some point in order to meet whatever standard is in this proposed criteria.

And finally, the chair would just say that the chair disagrees with the interpretation of Common Cause v Lewis that is set out in this proposed amendment. And again, the chair would ask that you -- respectfully that you vote against the amendment.

Is there further discussion or debate on the amendment?

SENATOR CLARK: Mr. Chair.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: This does not require that we use election data in the construction of the districts. We could use election data in the analysis of the districts once they had been approved by the committee.

CHAIRMAN HALL: Further discussion or debate.

Representative Reives.

REPRESENTATIVE REIVES: And I would reemphasize that point, that I think that the
way I would read the agreement and the way I would read the case, we're absolutely asking -- in fact, it seems to me that it's actually asking the opposite and more in line with what the chair is saying, respectfully, that we don't want to use political data that would allow us to do that and that this is completely an analysis amendment when it comes down to it, and so that would be something that we would have to do post taking care of these.

CHAIRMAN HALL: Further discussion or debate on the amendment.

Representative Hastings.

REPRESENTATIVE HASTINGS: Yeah, I was just going to say, with all the respect I have for Representative Reives, the amendment does seem somewhat vague to me, and so that's the reason I'm not going to support it.

CHAIRMAN HALL: Further discussion or debate on the amendment.

If not, the House will now vote, and the question is -- before the House is -- the question before the House members of the committee is the adoption of the amendment.

All those in favor will say aye.
COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: In the opinion of the chair, the nos have it, the nos do have it, and the amendment fails.

We'll move to the Senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair. Members of the Senate, all in favor of Representative Reives' amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: In the opinion of the chair, the nos have it and the amendment fails.

REPRESENTATIVE RICHARDSON:

Mr. Chairman.

CHAIRMAN HALL: Representative Richardson.

REPRESENTATIVE RICHARDSON: Inquiry of the chair.

CHAIRMAN HALL: The gentleman's recognized to communicate with the chair.

REPRESENTATIVE RICHARDSON: Earlier,
there was a Senate ruling saying the Senate rules didn't call out for a division. Do our rules apply as it relates to our votes?

CHAIRMAN HALL: That's right. The House rules applies. It applies to House rules and vice versa for the Senate. And that's why on the first vote the chair asked if anyone intended to call division, and that's each House member's right if they wish to do that.

REPRESENTATIVE RICHARDSON: Just wanted to clarify that. Thank you.

CHAIRMAN HALL: Yes, sir.

Representative Reives, we're going to go back to you. This is Representative Reives' amendment on general policy emphasis, general policy emphasis. The chair doesn't see any hands raised.

Representative Reives, the gentleman is recognized.

REPRESENTATIVE REIVES: Thank you.

And what this will be saying is that we will not be splitting any municipalities, counties, groupings, or VTDs in order to give favor to any voter, any candidate, or any political party. I ask you to support the
amendment.

CHAIRMAN DANIEL: Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

In regard to this amendment, the chairs did consider this at length and feel that this criteria would be impossible to abide by without considering political data, and therefore we would feel like it would be a violation of our -- the intent of the criteria and would ask for the members to vote against it.

CHAIRMAN HALL: Representative Reives.

REPRESENTATIVE REIVES: And I would just say respectfully, just as with the other amendment, that this would be -- the intent of this amendment would be for post-map analysis, not for anything to be considered when drawing the map.

CHAIRMAN HALL: Further discussion or debate on the amendment. Hearing none, the House will move into a vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.
COMMITTEE MEMBERS: No.

CHAIRMAN HALL: In the opinion of the chair, the nos have it and the amendment fails.

We'll move to the Senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

Members of the Senate, in regards to Representative Reives Amendment Number 2, all in favor of the amendment please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, nay.

COMMITTEE MEMBERS: Nay.

CHAIRMAN DANIEL: In the opinion of the chairs, the nos have it and the amendment fails.

CHAIRMAN HALL: Members, the committee will be at ease just momentarily.

[At ease.]

CHAIRMAN HALL: Members, now we're going to move to Senator Marcus' Amendment to Propose Criteria Number 9. This deals with member residence, Proposed Criteria Number 9 from Senator Marcus.

SENATOR MARCUS: Thank you, Mr. Chair.

CHAIRMAN HALL: One second,

Senator Marcus. The chair is going to make sure
we have -- everyone understands which -- which one we're dealing with. So if you'll get --

SENATOR CLARK: Mr. Chairman, may I come to the podium.

CHAIRMAN HALL: Come on up.

The committee will be at ease again momentarily.

[At ease.]

CHAIRMAN HALL: Okay. Members, as the chair said earlier, the chair was aware that perhaps some members had amendments drafted and sent to the chairs that they didn't necessarily want to put forth to the committee.

The chair -- Senator Marcus, the chair's in possession of three possible amendments from the senator. Will the lady read the proposed amendment that you intend to put forth.

SENATOR MARCUS: If it suits the chair, Senator Clark is anticipating -- I don't know why my name is on it, but he was anticipating running the first amendment on this criteria. If we could give him the floor, he can speak to that.

CHAIRMAN HALL: Okay. Then the chair
has conferred with Senator Clark on the matter, and it's -- we can make the technical change later to put Senator Clark's name on it, and Senator Clark can certainly debate it.

Before we move into that, though, can the members give the chair some guidance as to which of these proposed three amendments that Senator Marcus wishes to -- obviously, the one that Senator Clark has shown the chair and that is the one that's the most simple. It just says delete Proposed Criteria Number 9.

Senator Marcus, does the lady wish to send forth any of the other two amendments that -- that have been put forth to chairs?

SENATOR MARCUS: Yes, Mr. Chair. So the amendment that I seek to put forward -- it's hard to distinguish among these since they're not numbered -- begins The residence of members shall not be considered in the formation of congressional districts.

CHAIRMAN HALL: Okay. And to be clear -- so there is one other amendment that begins with incumbency protection, the mapmakers may take reasonable efforts and so on. And on that amendment, the lady does not wish to put
that amendment forward.

SENATOR MARCUS: I did not request this.

CHAIRMAN HALL: You can change your mind later on, but --

SENATOR MARCUS: I'm not changing my mind. I never requested this, so it -- I don't know why it has my name on it, but I am not putting it forward.

CHAIRMAN HALL: Okay. All right.

We'll do away with that one, and we'll begin, then, with Senator Clark.

And, Members, if you're not confused enough already, Members, this -- Senator Clark is going to present the amendment that says Senator Marcus on the top right, and it says Amendment to Proposed Criteria Number 9 is delete Proposed Criteria Number 9.

Do any committee members feel that they don't know where we're at? Which would be completely reasonable at this point.

Okay. Do all committee members have that amendment?

UNIDENTIFIED SPEAKER: Yes.

CHAIRMAN HALL: Okay. All right.
Senator Clark, the gentleman is recognized.

SENATOR CLARK: Thank you, Mr. Chair.

Essentially what this will do is say we are not going to consider incumbency in the establishment of congressional or legislative districts.

CHAIRMAN HALL: And the chair will speak to this amendment as well.

Members, the chairs have already included in our proposed criteria some account for member residence, and we have included in there that the member residence may be considered in the formation of legislative and congressional districts. And the chairs feel that this is a traditional redistricting criteria that has been long used, that this committee's used it in the past. The chairs believe that it's best that this committee and this body continue to use this proposed criteria. So the chair would ask you to vote against the amendment.

Is there further discussion or debate on -- Senator Blue.

SENATOR BLUE: Yeah, just a quick
question, Mr. Chair.

Since residence is not -- I can understand looking at residence in legislative districts, since you have to live in them and you got to live in them a year before the election, but in congressional districts, there's no residential requirement. And what you effectively do is figure out a way to skew the map and not for any particular purpose, but if somebody is in a district and serving it well, they don't have to live there. We've had that instance, I think, in the current congressional delegation. I know that was the case in the delegation prior to 20 -- the one elected in 2020.

So what is the reason for considering congressional residence?

CHAIRMAN HALL: Well, thank you for this question, Senator Blue. And the chair would just simply respond by saying that this body has long used member residence both for legislative districts. As the gentleman correctly notes, a member has to live in their residence, there's a time period for that, as the gentleman knows, and the gentleman is
correct that congressional candidates don't necessarily have to live in their districts whether they should or not. But the chair will again say as recently as 2019, the committee has considered the member residence of both legislative and congressional members, courts have upheld that practice, and the chair believes that it works well for the efficient drafting of maps. And so again, the chair would ask that members vote against the amendment.

Further discussion and debate on the amendment. Hearing none, the House will move into a vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN HALL: All those opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN HALL: In the opinion of the chair, the nos have it and the amendment is defeated.

We'll move to a Senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair. Senate members, we're voting on Senator Clark's amendment regarding member
residence. All in favor of the amendment please say aye.

  COMMITTEE MEMBERS: Aye.
  CHAIRMAN DANIEL: All opposed, no.
  COMMITTEE MEMBERS: No.
  CHAIRMAN DANIEL: In the opinion of the chair, the nos have it and the amendment fails.
  CHAIRMAN HALL: Members, we will -- we'll go back to Senator Marcus on her other amendment. And this is an amendment to Proposed Criteria Number 9 dealing with member residence. It begins -- strikes out "member" and says the residence of members may -- I'm sorry -- "the residence of members shall not be considered in the formation" and it goes on.

  Senator Marcus, the lady is recognized to debate the amendment.

  SENATOR MARCUS: Thank you, Mr. Chair.

  It has been made very clear to this body through public comments that voters don't want elected officials to draw maps in districts that favor ourselves. I believe that in the past maps have been drawn with an eye on where incumbents live in order to give certain members a favorable district and others a tougher
district. And the member residence criteria as it's currently proposed, as was handed out to us at the beginning of this week, is so vague that it could and likely will still allow for such favoritism to occur this time around.

So we proposed earlier -- Senator Clark just discussed with you an amendment to eliminate consideration of member residences completely. Since that was rejected, I think it's important that if we're going to consider member residence that we do so in as minimally a way as possible, so that's why I'm submitting this compromise which is to say for the reason Senator Blue pointed out, congress people do not have to live in their district, there's no need to contort districts in order to accommodate their residence, so my amendment would say we should not consider congressional members' residence when we draw the maps, but as Senator Blue pointed out, members of the General Assembly are required to live in our districts and the court in 2019 did give permission to this body to not double-bunk legislators since we have to live in the district, and so this amendment would allow for the residence of
members of the General Assembly to be
considered -- or shall be considered, I should
point out, in the formation of legislative
districts for the sole purpose of avoiding
placing more than one incumbent in the same
election district. And I ask for your support
of this amendment.

CHAIRMAN HALL: Thank you,
Senator Marcus.

Members, the chair will again speak to
this amendment. And many of the same points the
chair made earlier on the prior amendment apply
to this amendment, so the chair won't restate
those, but the chair will just simply say that
the proposed criteria in the chair's amendment
gives the committee the latitude to adequately
make considerations about member residence. And
members will be allowed to put forth -- when the
map drawing begins, the members are welcome to
put forth a map that doesn't take into
consideration those matters.

And so for those reasons the chairs
believe that the current criteria is sufficient
and appropriate for this committee and would ask
you to vote against the amendment.
Further discussion or debate on the amendment.

Representative Reives.

REPRESENTATIVE REIVES: Just an inquiry of the chair.

CHAIRMAN HALL: The gentleman is recognized.

REPRESENTATIVE REIVES: So under your belief under the information or the amendment, the criteria as it stands right now without taking the amendment, what reasons would you say that you feel that residency can be taken into consideration?

CHAIRMAN HALL: Thank you for the question, Representative Reives. And again, as the standard lays out, it just simply may be considered, and so that depends on whatever any committee member wants to put forth to this committee as to why one district or the other may be needed to be drawn where it's at.

And again, just like we did in 2019 and that we've done in the past and the member -- the gentleman has been here through many redraws at this point and understands how this provision plays into there, into that analysis,
and the chair anticipates, just as we've done in
the past in other redraws and the maps that
we're currently sitting under that have been
upheld, that we'll interpret those the same way.

Further -- Senator Marcus.

SENATOR MARCUS: I would just like to
clarify if I could, Mr. Chair, a point.

CHAIRMAN HALL: The lady's recognized.

SENATOR MARCUS: Thank you.

The way it's currently drafted, without
an amendment, the words "may be" are very vague.
That says to me that we might help some members,
current members to stay in their districts and
we might not help others, and that to me is a
problem. We can't have a vague standard like
that. That's why my amendment would make it
very clear that if we're going to do it for some
members, we have to do it for all, and that's
why the importance of the word "shall be" is in
there instead of "may," and I'd ask for your
support of this amendment to make sure it's done
fairly.

CHAIRMAN HALL: Further discussion or
debate on the amendment. If not, the House will
move into a vote.
All those if favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: Nos have it, the amendment fails. We'll move to a Senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair. All members of the Senate who are in favor of Senator Marcus's amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: The nos have it and the amendment fails.

CHAIRMAN HALL: Members, the chair mentioned a moment ago the chair had another proposed amendment to Criteria Number 9, and it has Senator Marcus' name on it, but Senator Marcus, as she has said, did not ask for this one to be drafted. And so the chair would simply ask committee members -- the chair's going to read this and ask if the committee member who had this drafted will please let us
1 know who this is so we can determine whether you
2 want this amendment to be put forth or not.
3
4 The amendment reads "Incumbency
5 Protection. The mapmakers may take reasonable
6 effort to not pair incumbents unduly in the same
7 election district."
8
9 "The mapmakers may take reasonable
10 efforts to not pair incumbents unduly in the
11 same election district."
12
13 Again, this is for Proposed Criteria
14 Number 9. Do -- does any member recognize this
15 proposed amendment?
16
17 UNIDENTIFIED SPEAKER: Consider it
18 abandoned.
19
20 CHAIRMAN HALL: Okay. It sounds like
21 this one is an orphan, and we will abandon this
22 amendment.
23
24 Okay. Members, the next amendment is
25 to Proposed Criteria Number 7. This is
26 Senator Clark's amendment, and this deals with
27 municipal boundaries.
28
29 SENATOR CLARK: Mr. Chair.
30
31 CHAIRMAN HALL: Senator Clark, just one
32 second.
33
34 Okay. All right, the gentleman's
recognized to send forward -- to debate the
amendment.

    SENATOR CLARK:  I withdraw the
amendment.

    CHAIRMAN HALL:  Okay. The gentleman
wishing to withdraw his amendment, the amendment
will be withdrawn.

    Members, the next -- the next amendment
is from Representative Reives, and it deal -- it
begins with general policy emphasis and then it
deals with post-map-drawing policy, and it looks
like this is just -- instead of being an
amendment to any particular piece of criteria,
in the chair's criteria, this is -- this would
just simply add to the criteria.

    Seeing no members with their hands
raised -- Representative Reives, the gentleman,
is recognized.

    REPRESENTATIVE REIVES:  Thank you.

And, Mr. Chair, I would be withdrawing this.
The first part of this has already been
addressed. The second part of this, there's an
amendment that I think has been submitted by
Senator Marcus that I would defer to.

    CHAIRMAN HALL:  Okay. The gentleman
wishes for his amendment to be withdrawn, and so it will be withdrawn.

Okay. Back to Senator Marcus, this is an amendment on post-map-drawing policy, post-map-drawing policy. Looks to be, again, another amendment to the criteria as a whole and not an amendment to any specific number in the criteria. Post-map-drawing policy,

Senator Marcus.

Senator Marcus, the lady's recognized to debate the amendment.

SENATOR MARCUS: Thank you, Mr. Chair.

This is an amendment that attempts to address the problem that we know will come up which is maps cannot be drawn with consideration of partisan data or previous election results, but they will be analyzed after they are proposed, and we believe that they should be analyzed to see if there is a disproportionate advantage to a candidate or a political party using that data. So this attempts to make clear that that data will not be used in drawing the maps and only for analyzing them afterwards so that the public will know whether they're tilted or not. I ask for you to support the amendment.
CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

CHAIRMAN HALL: The gentleman is recognized.

CHAIRMAN DANIEL: And thank you for the amendment, Senator Marcus. I think the committee -- the chairs feel like that we want to draw a line in the sand, that we do not intend to use partisan data in the map-drawing process and don't want to inject it in any way, shape, or form into our criteria. Obviously, there may be outside third party groups that do analysis of our maps and that's fine, but we don't intend to do that as a committee.

CHAIRMAN HALL: Further discussion or debate on this amendment. Hearing none, the House will move into a vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: Nos have it, the amendment fails. We'll move to the Senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair.
All members of the Senate in favor of Senator Marcus' amendment please indicate by saying aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN DANIEL: All opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN DANIEL: The nos have it and the amendment fails.
CHAIRMAN HALL: Members --
Representative Reives, we'll go back to the gentleman.

This is post-map-drawing policies. Does the gentleman still wish to put forth this amendment?

REPRESENTATIVE REIVES: Happy to withdraw it.
CHAIRMAN HALL: Okay. The gentleman withdraws his amendment.

Okay. Members, now we're back to Senator Clark's -- another amendment from Senator Clark. This is Purpose of Criteria.

It's Purpose of Criteria.

SENATOR CLARK: Thank you, Mr. Chair.
CHAIRMAN HALL: Senator Clark, the gentleman is recognized.
SENATOR CLARK: Thank you, Mr. Chair.

I, too, Mr. Chair, I went online and -- not went online myself, but I did review a lot of the comments that were provided online, and one consistent was that this particular criteria should be rated higher than this one or that one should be rated higher than that one, and as you indicated, we did not establish a priority for the criteria, but I think that we should. And this particular amendment attempts to do that by stating that -- let's see where are we at.

Therefore, the priority of precedence for compliance shall be as follows: First, equal protection; second, contiguity; third, Voting Rights Act; fourth, county groupings, whole counties, communities of interest/community considerations, whole municipalities, whole VTDs and then compactness.

CHAIRMAN DANIEL: Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair, and thank you, Senator Clark, for the amendment.

The chairs considered this amendment and believe that we're not prioritizing our criteria, we're harmonizing our criteria. We're
going to consider all of the criteria and try to comply with all criteria when possible -- whenever possible in drawing the maps, and therefore we don't feel that the criteria should be placed in any particular order and would ask the committee to vote against the amendment.

CHAIRMAN HALL: Further discussion or debate on this amendment.

Senator Marcus.

SENATOR MARCUS: Question.

CHAIRMAN HALL: The lady's recognized for a question.

SENATOR MARCUS: If we're not going to explicitly prioritize -- we know that they will conflict from time to time, so what are -- what are gonna -- how are we going to handle that if we're not saying one thing is more important than another, if they conflict, who and how will we decide which one to follow first?

CHAIRMAN HALL: Senator Daniels.

CHAIRMAN DANIEL: Senator Marcus, I think we fully intend to comply with all state and federal laws and court decisions regarding the criteria and how it's applied to the maps, and that would be our -- I guess our guiding
star in that regard.

SENATOR MARCUS: Follow-up.

CHAIRMAN HALL: The lady's recognized.

SENATOR MARCUS: It's my understanding that the courts haven't clearly said -- have not made all these decisions for us already, and so my fear is if we leave it vague about which order these criteria will be considered in, the public doesn't know, members of this committee don't even know how we will resolve conflicts when the criteria do conflict.

CHAIRMAN HALL: Further discussion or debate on the amendment. Hearing none, the House will move into a vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: The nos have it, the amendment fails. We'll move to a senate vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

All Senate members in favor of the amendment please indicate by saying aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: The nos have it. The amendment fails.

CHAIRMAN HALL: Members, the next amendment will be from Senator Blue, begins with Voting Rights Act.

SENATOR BLUE: Thank you, Mr. Chairman.

CHAIRMAN HALL: Just one second, Senator Blue. I want to make sure every member's got a copy.

Looks -- Senator Jackson, Representative Hardister, right here in the middle. Yeah, just keep your hands up, Members, if you will. Again, we're on Senator Blue's Voting Rights Act amendment. And chair will give just a moment to let these members get a copy. Okay. The chair believes all members have a copy at this point.

Senator Blue, the gentleman is recognized.

SENATOR BLUE: Thank you, Mr. Chair.

The amendment is sort of self-explanatory. I'd simply say that for the four decades since the 1980s redistricting,
starting with Gingles versus Edmisten and through Shaw versus Reno and through the series of cases at the early part of this century and the cases in the last redistricting cycle, North Carolina has basically been the state with the chin out before the Supreme Court to get our redistricting plan struck down. And we've spent tens of millions of dollars over that time period, from the '80s forward, to have the Supreme Court basically say no to all of those efforts that we've done.

And so this is an effort to make sure that we make an effort to try to save the taxpayers what now is collectively more than $50 million in efforts in futility by setting forth that -- related to Senator Daniel's earlier amendment that we know what the Voting Rights Act requires, we know what the Supreme Court has said, and this is the language that they have used with respect to -- in both Cooper versus Harris and Covington versus North Carolina that you got to do to comply with the Voting Rights Act.

And I just offer the amendment so that it's constantly before us so that we don't get
tempted to sort of skirt to the edge again and
cost the taxpayers another 10 or $20 million
defending this thing back up through the Court
of Appeals or the Supreme Court -- or a
three-judge panel and the Supreme Court, so I
move the adoption of the amendment.

CHAIRMAN DANIEL: Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair, and thank you for the amendment, Senator Blue.
Certainly, you've been involved in this process for a long time and have a lot of knowledge about that.

The chair, you know, we considered this particular issue as, you know, Senator Newton discussed at the beginning of the committee meeting over the last few days and, of course, we amended this criteria at the beginning of the committee meeting today to make it abundantly clear that the committee will not -- or intends to comply with the Voting Rights Act in drawing districts, and therefore I would just ask the committee to reject the amendment. The criteria explicitly states we will not use racial data in the drawing of the maps and -- but will attempt,
in all respects, to comply with the Voting Rights Act. And certainly we'll -- if any evidence of racially polarized voting in any part of North Carolina is presented to us, that would be something that would need to be looked at, but would ask that the members reject the amendment.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: Thank you, Mr. Chair. I'd like to ask a few questions.

You may have mentioned it, but it really slipped my mind. How do we intend to comply with the Voting Rights Act if we don't use the racial data that is required to comply with it?

CHAIRMAN DANIEL: Well, I think, Senator Clark, just as -- thank you for the question. Just as Senator Newton explained at the beginning of the meeting that, you know, in the event that evidence is presented to the committee that there's racially polarized voting in North Carolina, then that might be something the committee would need to address. And at this point, you know, the courts in 2019 and even the Democrats own expert have said that
there's not racially polarized voting in North Carolina, and so, you know, that's sort of where we think we're at.

SENATOR CLARK: Follow-up.

CHAIRMAN HALL: The gentleman is recognized.

SENATOR CLARK: Given that the Stephenson requirement is there that we do VRA districts first, is it not incumbent upon the General Assembly itself to perform racial polarized studies in order to make that determination that as we are here today that there is no racial polarization within North Carolina with regard to voting.

CHAIRMAN HALL: The gentleman is recognized.

CHAIRMAN DANIEL: And I think to answer your question, again, I think, you know, based on the 2019 decisions of the court and the Democrat's own expert, we don't feel that that is necessary at this point at the outset of the map drawing.

CHAIRMAN HALL: Further discussion or --

SENATOR CLARK: Mr. Chair.
CHAIRMAN HALL: Senator Clark, follow-up.

SENATOR CLARK: Were we considering all of the VRA districts during the 2019 court -- within the 2019 court case?

CHAIRMAN DANIEL: I don't really have any further comment about this amendment, Senator -- or Representative Clark.

CHAIRMAN HALL: Is there further discussion or debate on the -- Senator Blue.

SENATOR BLUE: Just one quick comment, Mr. Chairman. In order to make sure that the record is straight, I don't know that there's any testimony that there is no polarized voting in North Carolina. In fact, I think it's just the opposite.

CHAIRMAN HALL: Further discussion or debate.

REPRESENTATIVE RICHARDSON: Yeah. You know, some -- some things make perfect commonsense to me. This amendment I think protects us in the long run, and I think we ought to adopt it.

CHAIRMAN HALL: Senator Newton.
SENATOR NEWTON: I'd like to comment on why we should not adopt the amendment for a very different reason.

The amendment is Senator Blue's summary of the case law. If we start summarizing every aspect of case law related to redistricting, we'd never stop with criteria. So I appreciate the interpretation and the summary. We are going to comply with the law as it is handed down in those decisions, period. We don't need a criteria to do that.

CHAIRMAN HALL: Further discussion or debate on -- Senator Fitch. I mean, Senator Lowe. I'm sorry. Excuse me.

SENATOR LOWE: I look so much different than Senator Fitch.

I think we should adopt this, and I think that -- you know, my mother used to always say if it's not in writing, it ain't so. And I think we need something clearcut for this body to look at. And I think to wait and to push that off is certainly not a good thing, and I hope that we will accept this. Thank you.

CHAIRMAN HALL: Further discussion or debate.
Representative Hawkins.

REPRESENTATIVE HAWKINS: Thank you, Mr. Chairman. This is just a question for Senator Daniel.

CHAIRMAN HALL: The gentleman is recognized to put forth a question.

REPRESENTATIVE HAWKINS: Thank you.

It's just a simple question. How -- if we -- if we find that African Americans-voters of color are packed and stacked, then what do we do in your opinion?

CHAIRMAN HALL: And if the Senator will yield, the chair will just simply state -- add one thing to the discussion. We've talked a lot about that 2019 case, but there was a case before that called Covington in which the General Assembly did redraw maps not using any racial data at all, and of course, those maps were upheld. And this body, and I believe our congressional districts as well, were run on after the redraw of Covington which was a racial gerrymandering claim. Again, this body came in, redrew those maps just like we are proposing -- just like the chair's proposing and this criteria, redrew those maps without using race
and those maps were upheld, and the chairs feel that this is the best path forward to ensure that this committee and ultimately this body can draw and adopt a set of maps that are upheld by the courts.

CHAIRMAN DANIEL: Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: And so I think, you know, another point to remember -- for the entire committee to remember is if you -- or Representative Hall made comments at the beginning of the committee meeting that our process is unprecedented, and at this time we're going to voluntarily have a transparent process that's done in public, all map drawing will be done in public, it will be live-streamed. And so, you know, for all -- for many of the concerns that have been addressed or expressed by members of the committee, you know, that is a deterrent for any type of, I guess, mischief, if that's what the opposing party is suggesting. It will all be transparent, it will all be done in public, and certainly once maps are proposed, then members of the opposite party can make whatever suggestions they want to in our
respective committees or whatever allegations in
the respective committee. So I think, you know,
that's the safeguard on the process that's never
been done before, and we intend to follow that
as we've stated.

SENATOR CLARK: Mr. Chair.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: Just a point for a
question for clarification.

The maps that were drawn as a result of
the Covington case, I think that was intended to
cure the racial gerrymandering; is that correct, sir?

CHAIRMAN HALL: Yes. Part of those
were upheld and the court withdrew -- redrew
some of those maps, Senator Clark.

SENATOR CLARK: That's right. So it
was not the General Assembly's maps that were
adopted. It was the maps that were generated by
the special master; is that correct?

CHAIRMAN HALL: The majority of the
maps were adopted by the General Assembly. The
other -- the rest of the maps were adopted by
the special master, and that was up to the
court.
SENATOR CLARK: Thank you.

CHAIRMAN HALL: Further discussion or debate on the amendment. If not, the House will now move into a vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: The nos have it. The amendment fails. We'll move to the Senate.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

All members of the Senate in favor of Senator Blue's amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: The nos have it. The amendment fails.

CHAIRMAN HALL: Members, the next amendment will be Representative Hawkins' amendment, Proposed Criteria Number 10. And it is dealing with community consideration. And we'll give the members a moment to find that
amendment.

Okay. Representative Hawkins, the gentleman is recognized.

REPRESENTATIVE HAWKINS: Thank you, Mr. Chairman. I appreciate it. I appreciate everyone's time because not only are we doing the important work of redistricting, we're also, in the House side at least, doing the budget. Who thought it would be fun to have all this fun together, right.

But this particular amendment deals with I think the crux of the matter: communities of interest. We all know that making sure that we keep communities that are similar, that have like understanding, who can talk about things that matter to them cohesively is important, and so keeping communities of interest whole is good for all North Carolinians. And so simply what this is saying is that we shall make reasonable efforts to preserve communities of interest in the construction of congressional house and senate districts.

I'll point to, because I was a member of this committee in 2019, my friend to my right. We -- I think everyone learned what
Tabor City was, if you remember that pretty fondly. We talked about it and Columbus county and that grouping quite a bit, but it was -- it was -- it was important to keep that piece -- that city together, that community together because they understood what they had in common.

Similarly, as proposed, is that we want to make sure and clarify that communities of interest include but are not limited to populations that share racial, cultural, ethnicity data, identity. They also share common history of marginalization and/or discrimination, natural resources, populations prone to excessive damage due to natural resources, a la Tabor City, and are organized by bodies that inform the decisionmaking processes of their community. That includes higher education institutions. That includes public schools of which, again, Tabor City and some of those other areas, you know, are not immune to.

And so one case in addition to that specific around higher education is North Carolina A&T State University. I think we all know that the largest HBCU in the country
exists in Greensboro, yet it is split between
districts. And so when we start to think about
what that community potentially has in common,
we need to make sure that we're keeping it
whole.

And so, you know, I just wanted to make
those comments and hope that everyone will vote
for this amendment. If you don't do it for me,
do it for Representative Brenden Jones and
Tabor City. Because as Senator Blue said, we
spent millions on defending maps over the last
decade, and if we do not get this right, what
will we do again: spend millions, Senator
Daniel.

And I want to also close by saying that
2019 is our floor and not our ceiling, and so I
hope that we will all use that as our guiding
principle to ensure that we can build on the
2019 process so that this 2021 process will move
us forward and make sure that we don't have to
go through another decade of multiple map draw.

Thank you, sir.

CHAIRMAN HALL: Thank you,
Representative Hawkins.

Members, the chair will take this one.
The chair thanks Representative Hawkins for his always thoughtful additions to the redistricting committee. And the chair respectfully would ask the committee to vote against this amendment, and here's why: The chairs believe that the current criteria does account for a number of different criteria that could be encapsulated in some areas of this proposed amendment. Also, the chair -- it's the chair's understanding that community of interest is a legal term of art and that could throw some unintended consequences into this criteria that the committee may not actually intend to do.

The amendment also mentions not using affiliation relationships with a political party, so election data, for example. And as the committee now well knows, the chairs have said that we don't want to use that election data. And I know this is not saying you can do that, but the chairs believe it to be, again, an unnecessary piece of language in the amendment.

And chair would, you know, finally say, you know, it speaks to local neighborhood and so it's one of those things that if we're describing -- literally we're going to always
consider these local neighborhoods, that can become difficult to do as well.

Again, the chair thanks the member for a thoughtful amendment, but the chair would have to respectfully ask the committee to vote against the amendment.

Is there a discussion or debate on the amendment. Hearing none, the House will move --

SENATOR MARCUS: Mr. Chair.

CHAIRMAN HALL: Senator Marcus.

SENATOR MARCUS: I'd like to speak to the amendment, if I could.

CHAIRMAN HALL: The lady's recognized.

SENATOR MARCUS: Thank you.

I think we need to make the point that public input that we have asked for from the public for purposes of drawing criteria is overwhelmingly in favor of an amendment like Representative Hawkins. There have been more comments in favor of an amendment like this than any other topic, from my reading of those online and in-person comments.

As the criteria's currently written, I think it's vague. There's no definition of what
community means, and it only says that we --
that those communities, quote, may be
considered, which again, as is the problem with
other criteria, means that it might not be and
that's unacceptable. I think this is a really
important amendment and we should support it.

CHAIRMAN HALL: Further discussion or
debate. Hearing none, the House will move into
a vote.

All those in favor of the amendment
will say aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN HALL: All those opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN HALL: The nos have it. The
amendment fails. We'll move to the Senate.

CHAIRMAN DANIEL: Thank you, Mr. Chair.
Members of the Senate, all in favor of
Representative Hawkins' amendment please
indicate by saying aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN DANIEL: All opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN DANIEL: The nos have it and
the amendment fails.
CHAIRMAN HALL: Okay. Members,
Senator Clark's amendment on VTDs, voting
district splits, voting district splits.
Senator Clark, the gentleman is
recognized when he's ready to debate the
amendment.

SENATOR CLARK: Thank you, Mr. Chair.

This particular amendment essentially
just states that to the extent that a VTD is
split that it shall not conflict with a higher
priority criteria and the geographic integrity
of the VTD shall be preserved.

CHAIRMAN DANIEL: Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair.
Thank you, Senator Clark, for the amendment.

I think we sort of discussed this in
general terms before. Just to reiterate, we're
not prioritizing criteria, we're harmonizing our
criteria. And we already do have a criteria
that says that voting districts should not
be -- should be split only when necessary, so
therefore I would also respectfully ask that the
members vote against this amendment.

CHAIRMAN HALL: Further discussion or
debate on the amendment. Hearing none, the
House will move into a vote.

All of those in favor will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: The nos have it and the
amendment fails. We'll move to the Senate.

CHAIRMAN DANIEL: Members of the
Senate, all in favor of Senator Clark's
amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: In the opinion of the
chair, the nos have it. The amendment fails.

CHAIRMAN HALL: Members, the next
amendment will be Representative Harrison's
amendment dealing with equal population. It's
equal population. This is Proposed Amendment to
Criteria Number 1.

Representative Harrison, the lady's
recognized.

REPRESENTATIVE HARRISON: Thank you,
Mr. Chair. And just to clarify, because I
believe you all might have two copies of
amendment of Criteria 1 in front of you, and the
one that I am proposing would strike the
language "as nearly equal as possible in the
congressional district drawing" and replace it
with "within plus or minus 150 people of the
ideal district population."

CHAIRMAN HALL: Representative
Harrison, if we can suspend just one moment.

Okay. So the chair does have two
proposed amendments from Representative
Harrison.

Where's the other one.

REPRESENTATIVE HARRISON: It's
Criteria 1.

CHAIRMAN HALL: One of them deals with
within plus or minus 150 people; the other, the
chair's going to have to locate to make sure we
can -- okay.

Is the lady withdrawing the other
amendment?

REPRESENTATIVE HARRISON: I am, and I'm
sorry if I wasn't clear.

CHAIRMAN HALL: No, that's fine.
The lady is withdrawing her equal
population amendment that just simply strikes out the very last sentence of that criteria, so that amendment will be withdrawn.

The amendment that the lady is putting forth, Members, is again an amendment to Proposed Criteria 1. And the amendment, if you'll look down in the body of the amendment, equal population says within plus or minus 150 people of the ideal district population. That is the amendment that the lady's putting forth.

And, Representative Harrison, the lady's recognized.

REPRESENTATIVE HARRISON: So I will explain, and I believe I talked about this in the 2019 redraw as well.

So there have been several court decisions, most prominently the US Supreme Court in Tennant versus Jefferson County, that allowed for deviation in the drawing of congressional districts. If I heard Senator Daniel correctly on Monday, I believe he said that as nearly equal as practicable meant zero, zero deviation. So this amendment would allow for a minimal amount of deviation based on the Tennant precedent, when the Tennant precedent actually
allows seven-tenths of a percent of deviation, which is a pretty significant number. This just proposes 150 people which is equivalent to .02 of the ideal population for North Carolina congressional districts. So this just gives flexibility to the map drawing and may be able to avoid split precincts and those sorts of problems, and I would urge your support. Thank you.

CHAIRMAN HALL: The chair thanks the lady, and the chair will handle this amendment. Members, the chairs believe that the safest legal way to draw these maps is through zero deviation. And of course, this way, the amendment from Representative Harrison, would not follow zero deviation, so the chairs believe that the safest path forward is to do that traditional redistricting criteria, the one that this committee has used, one the body has used I guess at least in the most recent history and go zero deviation. The chair would ask the members to vote against the amendment.

Further discussion or debate on the amendment.

SENATOR CLARK: Mr. Chair.
CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: And this particular proposal is also intended to take into consideration the fact that the census block data at the block level is not accurate as it was in the past. The Census Bureau has intentionally introduced error into the data for the protection of privacy, so the notion that we're going to really have a great degree of resolution that will support a zero deviation standard is sort of farcical.

CHAIRMAN HALL: Well, and the gentleman -- as the gentleman knows, there has been what they're determine noise put into the data to try to protect folks' privacy, the chair understands that, and so the chairs believe that, really, all we can do is go based off of the numbers that the census gives us. Whether that accounts for noise or not is not 100 percent accurate. All we can do is go with those numbers and try to do zero deviation of those numbers. And again, the chairs believe that to be the legally safest path forward for this committee and the body.

Further discussion or debate on the
amendment. Hearing none, we'll move to a House vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN HALL: All those opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN HALL: The nos have it. The amendment fails. We'll move to the Senate.
CHAIRMAN DANIEL: Thank you, Mr. Chair. For members of the Senate, all in favor of Representative Harrison's amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN DANIEL: All opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN DANIEL: In the opinion of the chair, the nos have it. The amendment fails.
CHAIRMAN HALL: Okay. Members --

REPRESENTATIVE HAWKINS: Mr. Chairman.
CHAIRMAN HALL: Representative Hawkins.
REPRESENTATIVE HAWKINS: Can we be advised on what's happening with the session in the North Carolina House because it's 12:30.

CHAIRMAN HALL: Well, the chair is
going to check the chair's text messages and
e-mails.

    REPRESENTATIVE HAWKINS: Thank you.

    CHAIRMAN HALL: Well, the chair's
confident -- the chair sees one senior
 appropriations chair sitting over here, the
majority leader and the rules chair's here, so
the chair's confident that the member's not
missing any votes. So I anticipate session is
going to be delayed until this committee
finishes its business which hopefully won't be
too long.

    REPRESENTATIVE HAWKINS: Thank you.

    CHAIRMAN HALL: Members, the last -- I
think the last -- we're out of amendments.

    There is one document that the chair
wants to --

    SENATOR CLARK: Mr. Chair.

    CHAIRMAN HALL: Senator Clark.

    SENATOR CLARK: May I approach the
dais.

    CHAIRMAN HALL: Yes, absolutely.

    [At ease.]

    CHAIRMAN HALL: There is actually one
more amendment and -- Mr. Sergeant-At-Arms, has
this one been passed out yet, this last one that
you -- okay.

Members, the amendment the chair is
referring to is Senator Clark's amendment
dealing with counties, groupings, and
traversals. Counties, groupings and traversals.
Will members raise their hand if they don't have
a -- Senator Clark. Okay. Sergeant-at-arms
will get -- will please distribute a copy of
that amendment, and --

Okay. And, Members, the chair's
informed that the House will not go into session
until this committee has completed its business
today.

Representative Warren.

REPRESENTATIVE WARREN: Thank you,
Mr. Chair. I was just curious. The one
amendment that was accredited to Senator Marcus,
and I think we identified it was actually
Senator Clark's, on Proposed Criteria Number 9,
the member residence, was that withdrawn? Did I
just --

CHAIRMAN HALL: You know, the one that
was withdrawn, and the gentleman will have to
get with staff to determine which one was
actually withdrawn.

Representative Stevens.

REPRESENTATIVE STEVENS: [Inaudible.]

CHAIRMAN HALL: Yeah, we're waiting right now. We're handling some other business. We're handling some old business, it sounds like.

Members, the chair is also in possession of a document that is, I don't know, three and a half pages long. It says Proposed Criteria for Redistricting August 12, 2021, and the chair was just given this.

Does any member -- I'm going to hold it up. Has a member put this forth as an amendment? There's no name on it and it was given by staff.

Senator Clark.

Okay. Members, this is the last amendment that the committee is in possession of. This again is Senator Clark's amendment to Proposed Criteria 3, counties, groupings, and traversals. The chair believes the committee is in possession -- all members are in possession of it now.

Senator Clark, the gentleman is
recognized to speak to the amendment.

SENATOR CLARK: Thank you, Mr. Chair.

There are quite a few moving pieces in this one so I'll just focus on a few components here. Let's see. If we go down to the third paragraph, it states "The committee shall select from the total set of constitutionally compliant county grouping maps, one each for the House and Senate, a grouping map that shall be used for the construction of House and Senate districts. When choosing from among constitutionally compliant county groupings maps, the grouping map closest to zero population deviation shall be used."

And the purpose of this particular one is to make sure we understand that there will be more than one constitutionally compliant set of grouping maps and therefore we have to have in place some sort of mechanism for deciding amongst those constitutionally compliant maps which we will select.

Then the following paragraph says "To achieve population balance in the 2021 congressional plan, some counties must be split. The number of counties that may be split shall
not exceed 14 which is the number of congressional districts."

The reason for this particular provision is to provide specificity in terms of how many counties can be split. There is none in the criteria as currently stated.

And it says "When splitting counties, reasonable efforts shall be made not to split communities of interest."

And then the final one says that after making any available single-county congressional districts -- and this relates to the one in the first paragraph which I skipped -- but it says "After making any available single-county congressional districts, any two-county grouping with a total population sufficient to contain a congressional district within the combined borders, the committee shall construct such a district and the larger of the two counties, based upon population, shall remain whole and not be split."

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

Thank you, Senator Clark, for the amendment. Of course, the chair -- or I would
remind the committee that a future vote will happen on the county groupings, so this amendment in part is not appropriate at this time. The chairs feel like that the -- this criteria as currently drafted, as is shown on the top of Senator Clark's amendment, is entirely appropriate and adequate for this particular topic, and would ask that -- respectfully that the committee reject the amendment.

CHAIRMAN HALL: Further discussion or debate on the amendment. Seeing none, we'll move into a House vote.

All those in favor of the amendment will say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: The nos have it. The amendment fails. We'll move to the Senate.

CHAIRMAN DANIEL: Thank you, Mr. Chair. Members of the Senate, all in favor of Senator Clark's amendment, please indicate by saying aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN DANIEL: All opposed, no.
COMMITTEE MEMBERS: No.
CHAIRMAN DANIEL: The nos have it and the amendment fails.
CHAIRMAN HALL: Okay. Members, that's all the amendments the chair has in the chair's possession. So now we will move to the criteria -- Representative Harrison.
REPRESENTATIVE HARRISON: [Inaudible.]
CHAIRMAN HALL: Okay. We will move to the criteria -- the chair's proposed criteria now as amended. And, of course, that has previously been sent out, and it was amended today, but if any members feel like they need to get another copy of that, then the chair will so direct.
Representative Harrison.
REPRESENTATIVE HARRISON: Thank you, Mr. Chair.
I did not propose it today after consultation with folks about the potential of adding some criteria related to transparency, which is something we've heard about from the public speakers and online comments, and I wanted to propose a process for transparency,
but I didn't want to include it with the criteria because it didn't seem to fit, and I just wanted to make that point on the record, and I hope to bring it forward next week. Thank you.

CHAIRMAN HALL: Absolutely. And the lady, Representative Harrison, and all members are encouraged to put forth whatever their thoughts and opinions are on the way that we should conduct this process, how we should go about whatever level of transparency the committee sees fit. And the committee, of course, has a little bit of time to look at those things because, of course, we're not going to have enough data to draw any maps we believe for at least three and a half weeks so we've got some time. And we want to do public comment, really, before we start drawing those maps. So do give us your ideas about how you want to see the process ran.

Mr. Chair.

CHAIRMAN HALL: Senator Daniel.

CHAIRMAN DANIEL: Mr. Chair, I would move at this time for the adoption of the criteria as amended and ask that staff engross
that into a new document and provide it to the committee members and also post it on the committee website.

CHAIRMAN HALL: And you want them to make technical changes as needed, I believe, Senator Daniel.

CHAIRMAN DANIEL: Yes.

CHAIRMAN HALL: Okay. Members, is there -- Representative Hawkins.

REPRESENTATIVE HAWKINS: This goes back to since we're moving forward on these, it was a question that I just didn't get a ton of clarity on.

When was asked, you know, regarding Senator Blue's statements about, you know, packing of African Americans, and like what happens -- what happens if we find that there ends up being, based on our -- you know, our best outlines of not using racial data, if we find that African Americans have been packed, what do we do? And so I understand -- and I'm -- you know, I'm not a country lawyer, but I want to make sure because people are asking those kinds of questions online, and we want to make sure that this process is above, you know,
reproach, right, that we move forward and we hope that we will not be in litigation for the next decade. And I again just want to make sure I'm asking that question clearly because it didn't come across as clear in the first.

CHAIRMAN HALL: Okay. Well, Representative Hawkins, the chair will try to answer that question as best I can. Again, knowing this is a committee, it's a body that makes a decision. We're agreeing -- or at least we're proposing in this criteria not to use racial data at all in the drawing of these maps, but as Senator Daniel has said, members of the committee and members of the public are welcome to gather whatever evidence and put forth evidence that might fall under Section 2 of the Voting Rights Act, that that may require some use of racial data. And, of course, that will be up to this body, to this committee, and ultimately two bodies of the two chambers as to whether to consider that and how to do that. But at this point, none of that evidence has been put forth.

SENATOR CLARK: Mr. Chair.

CHAIRMAN HALL: Senator Clark.
SENATOR CLARK: Thank you, Mr. Chair.

And I did ask the committee earlier on, and I want to restate my request, and that is that the committee provide any ruling that specifically nullified the requirement of Stephenson that states that first legislative districts required by the VRA shall be formed before non-VRA districts are created.

CHAIRMAN HALL: Further discussion or debate.

Again, Senator Daniel has made a motion on the criteria -- post criteria as amended. Seeing none -- Senator Marcus.

SENATOR MARCUS: I just -- I guess a point of clarification. I'm going through my notes here and just want to be clear that we are now being asked to vote on the criteria that were handed out on Monday with the addition of Senator Daniel's amendment.

CHAIRMAN HALL: That's correct, Senator Marcus.

SENATOR MARCUS: And by my count there were 12 Democratic amendments. Only one -- only one carried, and that is Senator Clark's on Criteria Number 2, so that is now part of the
criteria that we're voting on.

CHAIRMAN HALL: That's right. There
was one Republican amendment adopted and one
Democratic amendment adopted.

Further discussion or debate on the
motion. If not, the House will move into a
vote.

All those in favor of Senator Daniel's
motion will signify it by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HALL: All of those opposed,

no.

COMMITTEE MEMBERS: No.

CHAIRMAN HALL: The ayes have it and
the motion carries. We'll move to a Senate
vote.

CHAIRMAN DANIEL: Thank you, Mr. Chair.

Senate members, all in favor of the
criteria -- of adopting the criteria as amended,
please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: The ayes have it and
the criteria is adopted.
CHAIRMAN HALL: Okay. Members, a couple of housekeeping items for staff that the chair has been passed up, and the chair is going to call on Erika Churchill to explain these. Number one, the chair anticipates instructing central staff to process the legacy data from the Census Bureau. Ms. Churchill, will you -- will you discuss what that means.

MS. CHURCHILL: Yes, sir. That means that the Information Systems Division will receive the Census Bureau legacy data whenever it is released by the census, which we anticipate to be sometime today, and it means they will begin processing that data for use in the Maptitude system and our reporting engines which allow us to actually produce the bills that technically is what the General Assembly is enacting.

CHAIRMAN HALL: Okay.

MS. CHURCHILL: And as long as we have the instruction to begin that processing, we will begin it as soon as the Census Bureau releases it.

CHAIRMAN HALL: Okay. Members,
with --

SENATOR CLARK: Mr. Chair.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: I have a request. Once the data is downloaded, can the ISD provide us with the county population data. That's pretty easy.

CHAIRMAN HALL: The chair will so direct that that will be provided when it's downloaded.

MS. CHURCHILL: As soon as we have it available and we've done our few little cross checks for quality assurance, we'll be glad to post that to the web.

CHAIRMAN HALL: Let the chair clarify. That will be sent out once it's in a readable format to where it can be sent out and properly read --

MS. CHURCHILL: Yes, sir.

CHAIRMAN HALL: -- and it has been checked, as the lady said, for any technical issues.

MS. CHURCHILL: Yes, sir.

CHAIRMAN HALL: Senator Clark.

SENATOR CLARK: Yes, but the Census
Bureau provides those files, and essentially it's nothing but a CSV file that you can access -- access via Microsoft Access. All I'm asking for is the 100 counties and what is the population of those counties. There's no quality check required for that.

CHAIRMAN HALL: Ms. Churchill, the lady is recognized.

MS. CHURCHILL: I will not speak for our Information Systems Division. I do know that they want some time to make sure that what they are inputting into the General Assembly systems is the same as what the Census Bureau is delivering. If we have available from the Census Bureau the CSV file, obviously, it will be available on the Census Bureau's website. We are happy to post a link at the General Assembly's website.

SENATOR CLARK: Thank you, Mr. Chair. I'll get it myself.

CHAIRMAN HALL: Okay.

Members, the chair intends to make that direction to staff to process the legacy data from the Census Bureau without objection. So ordered.
Members, staff has requested instructions for central staff, that is, to develop a 2021-2022 residency layer. I think that's self-explanatory.

Ms. Churchill, this committee has adopted a set of criteria that allows it to consider incumbency of members, and the staff just needs to be able to overlay that on the map.

Did I say that pretty much correct in simple terms?

MS. CHURCHILL: Absolutely. And just as a reminder for those of you who have been here before as these residency layers have been developed, we will be contacting each of you individually to confirm what your residency is. We do ask that when we make that contact that you sign and return to us. We will also be making the same contact of all 13 congressional delegation members for the same information.

CHAIRMAN HALL: Members, as previously stated, the chair anticipates the committee meeting at some point next week to discuss how this committee will go about the public comment portion of our work and, again, by way of
example, the chairs will be listening to hear whether the committee wants to hold meetings all across the state or here in this room via video feed, whatever the committee's wish may be.

So if committee members will, you can go ahead and start putting forth some of those suggestions. We want to come back in here and have, again, an open, transparent discussion next week about what committee members feel would be the best path forward on the public comment period. Don't know that we will necessarily make a decision on that criteria next week, but we'll see how it goes.

Also, the public comment portal is going to continue to be open. Again, members of the public are encouraged to send forth any thoughts they have about the entire process, especially right now, how they would like to see public comment conducted moving forward now that we have criteria adopted.

And, of course, members are encouraged to reach out to their constituents and hear what they have to say about it.

Just momentarily, the committee will be at ease.
[At ease.]

CHAIRMAN HALL: At this point, there is no further business before the committee today and therefore the committee is now adjourned.

(Transcription from YouTube ended at 4:14:51.)
STATE OF NORTH CAROLINA  
COUNTY OF WAKE  

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 12, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 12th day of December 2021.

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NORTH CAROLINA GENERAL ASSEMBLY

JOINT COMMITTEE MEETING

AUGUST 18, 2021

Transcribed by:

Denise Myers Byrd, CSR 8340, RPR
Discovery Court Reporters and
Legal Videographers, LLC
4208 Six Forks Road
Suite 1000
Raleigh, North Carolina 27609
(919) 424-8242
denise@discoverydepo.com

– Ex. 979 –
(Transcription from YouTube started at 21:36.)


Members, I wanted to point out, I guess, first, you should have two things that are in front of you. They are the county populations according to the 2020 census, as well as the ideal district ranges for those spreadsheet detailing those as well as relisting the county populations.

We had intended this morning -- we may hear some from Erika Churchill in a minute, but we wanted to open up this morning for discussions on the public hearings and the public hearing schedules. We had a few comments about that coming in, and we wanted to give
opportunity to bring those up in front of the committee.

So beginning on that point, are there any comments or questions regarding —

Pricey -- Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair.

I distributed to the chairs yesterday afternoon a proposed draft of the public process and the transparency, and it's based on the August 2nd letter that we all received, all the committee members received, proposing a more transparent and public-friendly process and -- which was required by the 2019 court on the remedial maps. And I just put together a proposal that incorporated those, and they reflect a lot of the public comment. We were -- I was going through the comments last night. There were something like 290 requests for a more transparent process on the online public comments that had been received the last three days.

So I just offered it to you all. I'd like to offer it to the committee for discussion. I think it also includes a timeline
that reflects the schedule that is proposed in
the document. Thank you.

CHAIRMAN HISE: Members,
sergeant-at-arms will be handing out the
presentations we have -- or the copies we have
of the comments from Representative Harrison.

Representative Harrison, while the
sergeant-at-arms is giving those out, would you
like to summarize for us.

REPRESENTATIVE HARRISON: Sure.
Basically -- so it's -- I don't want to go -- I
guess I'll just start.

The setup in a way that could apply to
future redistricting processes, so the first
item just starts with starting the redistricting
process immediately upon legacy data release.
Obviously, that has started, but this is meant
to be more universally applied, and providing
redistricting information on NCGA website.

That has been a complaint that we've
heard from the public, and this more easily
found and tracked information on one site on the
General Assembly that would include all the
information, comments filed, meeting notices,
draft maps, and any related data and
information, and added a comment about the fact that we heard a lot from folks who wanted to see the public comments that had been submitted online that have not been available to the public. Now, I've talked to staff about the feasibility of that, but a lot of folks feel that would be important.

The third item is to permit written and oral public comment, ensuring that all North Carolinians have a chance to submit comments either through a portal, email, postal service, or in person. And this would apply before maps are drawn and after final maps are drawn but before they're voted on by the committees.

The next item, Number 4, would ensure quality video and audio broadcast in public meetings. This was an issue we heard about in the last process. As technology improves, this seems to be easy to comply with.

Also, I think in this one, there would be -- the commission -- the committee would stop drawing maps until any technical issues are resolved if there is a problem with video or audio feed.
And then Number 5 is holding public hearins throughout the state. The proposal in the letter from the advocates indicated they thought 13 hearings reflecting the current 13 congressional districts. I realize there will be a 14th, but we don't know where that will be yet. That would address regions around the state where individuals could give input and also making sure that there is a remote option for those who cannot get to the site or who have COVID concerns, as we are still dealing with that, and making sure that the schedule of public hearings is two weeks' notice. I think that folks have been concerned about finding out about a public hearing the night before, and that would set up a process where folks had good notice.

Number 6 is disclosing all third parties involved in redistricting, that the committee would disclose all consultants and counsel to members of the legislature and committees of either house and who are paid by state funds and will be participating in the redistricting process. And that requirement would occur within 24 hours of adoption of the
criteria or engagement.

And the committee consideration of maps, which is Item Number 7. Now, the committee should only consider maps that comply with all the following:

Item Number 1 is that any criteria, systems or data used in developing of the maps have been disclosed to the public in advance of its use.

Number 2 is that the map was released online for public comment and the public had adequate time to review the map and submit comments.

Number 3 is that the map was drawn in public view, including livestreaming of the drawing.

And then Number 4 would be a written documentation justifying the district's chosen.

8 would require the disclosure of initial draft maps. After receiving an incorporating public comment, these should be released online for additional public comment within 30 days of the committee starting the map-drawing process.

And then Number 9 also relates to the
timeline that submitting the final proposed maps to the General Assembly should be publicly released no later than 21 days -- released online no later than 21 days after the draft maps are released.

And the maps should be -- the final proposed bill should be sent to the appropriate chamber within 10 days of the release of the final maps.

And that contemplates adequate time for public notice and input, but also recognizing the short timeframe that we have to get through this process but leave enough time at the back end where folks -- candidates that are considering running know what the districts are going to look like or any issues that need adjudicating could get resolved before -- well in time since filing, I believe, starts on December 6th.

So that's the proposal that I'd like the committee, and I'd like to offer it for the committee's consideration. That's the substance. And then separately, there is an actual timeline proposed. Thank you.

CHAIRMAN HISE: Thank you,
Representative.

Any questions or comments from members of the committee?

Questions or comments about the process in general for public hearings?

Senator Marcus.

SENATOR MARCUS: Thank you, Mr. Chair.

I was not here when we did statewide redistricting back in 2011, and I have heard various people mention how it was done then, specifically, how many public hearings were held across the state. And I wondered if staff, or maybe anyone who was here at that time, could clarify how many public hearings were held last time around. I'm trying to assess whether 13, as proposed here, is similar to what we did before or significantly less. I've heard that there were as many as 60 hearings across the state. I don't know if that's true or not. I wondered if anyone could address that. Thank you.

CHAIRMAN HISE: So I can confirm I was not involved in 60 hearings, that's coming in, but we did multiple sites at times that would occur at the same hearing, that's at coming in,
but staff may be able to give you some specific numbers, but I would categorize it as similar in scope.

ERIKA CHURCHILL: Mr. Chair, if I might, we're happy to count up, but I don't know that it's going to be an apples-to-apples comparison because, as Senator Hise mentioned, in the 2011 round of redistricting, as we were technologically capable of doing something that today seems like old hat, at the time it was almost novel, and it was to have interconnected public hearings via technology.

So there may have been five sites around the state, but it was technically one public hearing because everyone in every site was hearing and seeing all of the other people, or at least that was the attempt. I do realize that a couple of times the technology failed a little bit, but remember, that was 10 years ago.

But we're happy to count up all of the locations that the General Assembly went to. Just know that the number of hearings, from a technical perspective, may be a little less than the number of sites where the General Assembly went.
SENATOR MARCUS: Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR MARCUS: Thank you for that.

Yeah, I would be interested to know all of those details just so we -- I think the public expects something similar or maybe even better than what we had in 2011.

Your answer raises, for me, some questions I hope this committee will address about what these public hearings that we're proposing will look like, how they'll be run, Will they be livestreamed for anyone who wants to watch to watch? Are they going to be, as Ms. Churchill said -- what was that word you used -- simultaneous across the state?

ERIKA CHURCHILL: Simultaneously interconnected.

SENATOR MARCUS: Right. I think it's important that we have some guidelines and expectations in place. How many members of this committee will be at any of those -- any individual public meeting so the public doesn't feel like they're just speaking to a screen but to actual legislators and those sorts of things.

Being new to this process, I'm just
throwing those questions out there, hoping that we'll address some of them today.

CHAIRMAN HISE: Thank you.

Any other questions?

Senator Perry.

SENATOR PERRY: Thank you, Mr. Chairman. If we could, if we're going to have staff look into that, I don't know the value of a single reference, a single data point. If we could go back to 2001, also, so that we've got kind of a run rate approach and understand how it's been done over time, I think that'd be helpful. Thank you.

CHAIRMAN HISE: And I'll also say both 2001, 2011, we were under the requirements of preclearance, and a lot of those hearings were based on very specific things required for preclearance. So that's coming in.

Any other questions that are coming?

If not, I think Erika Churchill has to hand out --

Representative Carney.

REPRESENTATIVE CARNEY: Thank you, Mr. Chairman.

I just wanted to acknowledge what is in
this proposal that we just had handed out. A lot of that has come from the public hearings. If you all have gone back and listened to any of those, I think a lot of these requests are coming from the public and some members' input. So I do support the direction that we're going in and being very inclusive on having the public weigh in at every step of the way for all of us as we chart our way through this.

Thank you, Mr. Chairman.

CHAIRMAN HISE: Thank you.

REPRESENTATIVE HARRISON: Mr. Chair.

CHAIRMAN HISE: Representative Harrison.

REPRESENTATIVE HARRISON: Thank you. I wondered about the process here. I will just add that I looked up the very specific comment that was made about the amount of taxpayer money that went into defending and litigation on redistricting. It was a little over $11 million in the past decade. And I appreciate the committee's commitment to making this a more transparent process, including the public participation piece, so I'm mindful of that. I'm hoping we can do this right.
But I offer this up as a -- I don't know how to describe this. I offer this up as a proposed redistricting process for a formal vote. I knew that -- I believe last week Chair Hall indicated that we would be talking about the public process today. I just see a handout related to that. So I'd like to offer this up as a proposal for a vote, please.

CHAIRMAN HISE: For this meeting as a whole, we are not anticipating taking any votes and have moved in that direction for what we may propose or others. So we're holding this for discussion only, and we will continue to read that, but we have all received what you have presented.

REPRESENTATIVE HARRISON: Thank you.

CHAIRMAN HISE: Thank you.

So seeing none again, this room gets a little confusing.

Does everyone have the proposed weekly schedule of public hearings that's coming in? If they do, I'm about to recognize staffer Erika Churchill to explain what's here in this proposal.

ERIKA CHURCHILL: Okay. Thank you,
Mr. Chair.

As Senator Hise mentioned, this is the proposed list of counties in which public hearings would be conducted prior to the development of maps. In alphabetical order, they would be Caldwell, Durham, Forsyth, Jackson, Mecklenburg, Nash, New Hanover, Pasquotank, Pitt, Robeson, trying to group like areas of the state with like areas of the state.

The proposal of the weekly schedule would be the week after Labor Day, which technically starts on Labor Day, would be Caldwell county. The next week would be one group of folks going to the western part of the state, Jackson and Mecklenburg counties, and one group of folks going to the eastern part of the state, Nash, Pasquotank, and Pitt. The week of September 20th, Durham and Forsyth. The week of September 27th, New Hanover and Robeson.

And we would strive to use university system facilities or community college facilities depending on their availability.

CHAIRMAN HISE: Members, I think I would also state that we're going to put this out for comment. We're open to any suggestions.
as we finalize this kind of plan and others. We'll have the chairs put that out. I think it's important to recognize that we're an environment that may require potentially a lot of flexibility in being able to do these. We will put out the schedule, and we will hold to it as we can, but we're looking at various requirements and other things that could impact any one of these. We're not aware of any at this point for holding a public hearing, but we will -- I think it's important to realize that, as the chairs know, we will need the ability to adjust maybe quickly and on the fly as those occur.

So Representative Harrison and Senator Blue.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair.

I just noticed that Guilford county is not on here, the third largest county in the state. I see Forsyth is, but Forsyth is not Guilford. I just wondered if there would be any appetite for adding a Guilford hearing. Thanks.

CHAIRMAN HISE: Thank you. Representative, a lot of counties are not on
here.

Senator Blue.

SENATOR BLUE: In light of your
observation, Mr. Chairman, and I think it's
totally spot on, it seems to me that
collectively and what I see missing are
schedules in the exceptionally rural parts of
the state. I'd suggest one up in the
northwestern part of the state, on the edge
of -- you know, from Watauga county down because
if people are traveling, especially if they got
long distances to travel to a public hearing --
now, if all of these are virtual or something,
that's different, but if they got to travel, you
probably want to make it as less stressful as
possible.

And the same thing with respect to the
northeastern part of the state. And if you want
some real drama and great participation, you'd
probably add Wake county anyhow, since it's sort
of a central place, and it's also a place that
probably has got more redistricting within it
than any other, but just some ideas.

And I'm especially sensitive to this in
the extreme areas of the state because of
transportation and because of the other issues related to the times in which we live. And when I say northeast, I'm talking about maybe Northampton, Hertford, some of those places. I noticed that Pasquotank is on, and that is a central part, but that is a long ways generally speaking. And the same thing as I was talking about, whether it's Avery or Ashe or in that area.

CHAIRMAN HISE: I appreciate your comments. I'd be more than happy to discuss those coming in.

Representative Hawkins.

REPRESENTATIVE HAWKINS: Yes, sir.

Thank you, Mr. Chairman.

And to overlay with Senator Blue's statements, I absolutely agree. And one of the places -- well, let me first start, thank you for proposing this so that we have something to react to, but one of the places that is missing, of course, is the Sandhills area, between sort of Fayetteville and Charlotte. You know, those areas are, of course, not really close to much in our state, and so we want to make sure that everybody understands and feels like they're
counted. One of the other pieces to also
mention is making sure that we at least have one
in some of our most populous counties.

And I did, before going to my next
question, wanted to go back to something that
Erika Churchill mentioned was that they had one
site but multiple, I guess, sort of a satellite
arrangement in previous redistricting hearing
sessions. Can someone explain that a little bit
further to me so that I can sort of understand
how that operates because, you know, otherwise,
if you're looking at a Wake or a Mecklenburg,
you know, it can take you a good long ways to
get from one side to the other, and we want to
make these as convenient as possible for people
who want to attend in person and not have to
teach, you know, an hour-ish to go from
somewhere like Guilford county to have to come
to Durham county, which I invite everyone to
come to Durham county, but I want to make sure
that this process at least is convenient for
them.

CHAIRMAN HISE: The chair will respond
to that briefly to give you the best explanation
of how 10 years ago and somewhere in the middle
it also occurred again, when we were doing the public hearings.

They were holding a central meeting generally here at the General Assembly. They would then connect to an area in the west and/or an area in the east and put them on various screens that were here, and then they would go through some rotation. They would say, okay, first, we're going to hear from this site, then this site, maybe this site here, then this site, this site.

I will say, at least from my memory, there were a lot of technical challenges for responding between the multiple sites, and the transition between sites did not create an efficiency of process. I guess I'll leave that as kind of the neutrals, I would say.

I don't know how much those kind of things have changed, but I will say that -- and the amount of technology and others you had at different areas in the sites varied greatly for what was available and how it could do, and so the participation at different areas varied for individuals. Some would have a lot of people show up and some would have a handful of people
show up, and as we tried to balance all that, there were some headaches.

I will also say that one of the other considerations for as we do it now or as we did it then, is the staffing required to be at every single site at a simultaneous time, that was what's coming in that had to do that, and that includes sergeant-at-arms staffs, that may include capitol police staff, that includes central staff, that includes ISD staff, and how you make sure that people's viewing of that, if they were just on the viewing areas was a monumental task.

So that's my, from 10 years ago, close summary. I think some people that have been around for that time period are nodding their heads, that's with coming in.

So this is a more broken-up process on this schedule that focuses on a particular area when we have the public comments there, but again, this is up for proposal.

REPRESENTATIVE HAWKINS: Okay. Thank you.

One last follow-up, Mr. Chairman.

CHAIRMAN HISE: Sure.
REPRESENTATIVE HAWKINS: I appreciate that thorough answer.

And this is probably, of course, already set in stone, but are we married or willing to extend the schedule at all from the week of September 6th to the week of September 27th? Are we married to it, or is that up for debate or potential --

CHAIRMAN HISE: We have not said I do, so this is the proposal for the prenup.

REPRESENTATIVE HAWKINS: Thank you for that. I'm glad that option is on the table. Thank you, Mr. Chairman.

CHAIRMAN HISE: Thank you.

SENATOR CLARK: Mr. Chair.

CHAIRMAN HISE: Senator Clark.

SENATOR CLARK: When do we plan on making a decision regarding the sites?

CHAIRMAN HISE: I would hope the chairs will be able to have something out -- we're still having comment on it. I would hope the chairs will be able to have something out next week for kind of the sites that would be in these areas. I know there's specific sites they're looking at at this area, but there are
some technical things that would need to be nailed down with those facilities. Again, mostly they're attempting to use community colleges and universities for this process. So they're opening for classes right now and trying to figure out how they're planning for students and responding to the virus as it's coming out. So a lot of that's in flex right now as to whether you can have an event on their --

SENATOR CLARK: Okay. Thank you, Mr. Chair.

One more comment.

CHAIRMAN HISE: Yeah.

SENATOR CLARK: Okay. For the area that I perceive the Robeson site will be handling, I think that Cumberland county might be a more appropriate location, so I would appreciate if that consideration could be considered.

CHAIRMAN HISE: Okay.

Any other questions or comments?

Senator Marcus.

SENATOR MARCUS: Thank you, Mr. Chair.

It's hard for me to assess the proposed weekly scheduled public hearings without knowing
when this committee expects to have draft maps available. To me, that has to go hand in hand.

I'm sort of guessing based on Representative Harrison's proposal, if we're going to accept that, that initial maps would be released by September 30th, that all these hearings would happen before then, which I think we do need to have a full round of hearings before the initial maps are released.

But then I hope that this committee is also going to have hearings similar to this schedule after those proposed maps are released. Because just like in this committee, once we see something that we can, as Representative Hawkins said, react to, I think the public will feel the same way and want to be able to comment on the maps.

So are we going to talk about that today, the schedule for hearings after maps are released, as well?

CHAIRMAN HISE: So we do not have proposals of this for consideration today on beginning of the map-drawing process and others. I will say that historically, we have completed this statewide open hearing in that process
before we begin that.

But I will say that as maps are proposed, as maps are put out, and I don't know if it would be the joint committee or the separate Senate or House committees, almost every committee I've ever dealt with has public hearing in regard to the legislation proposed in front of the committee, and I believe even some of the rules of the chambers may require that.

As we move through this process, I think there would be plenty of opportunity in addition to this to comment on anything that would continue to move out. This is not to cutoff the public. I think we would intend to keep the public comment portal open for the entire period.

SENATOR MARCUS: Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR MARCUS: Are you saying that once the initial maps are drafted, there will only be public hearings in this building, more like a typical committee, and then online, not another round of statewide meetings?

CHAIRMAN HISE: Unless somebody corrects me otherwise, that has been the
historical utilization of the public hearing process. We have not or aren't considering any different proposal, so --

SENATOR MARCUS: Follow-up comment if I could.

If we're only going to do one round of statewide hearings, it would be my thought that they would be more useful after draft maps are available, then. People are going to have reactions to the actual maps and want to speak to us, and I don't think just a typical public hearing in this meeting at that point in this building would be sufficient.

CHAIRMAN HISE: Okay. Any other questions or comments?

All right. Members, we will attempt to continue to work on this process and see what we can adapt from comments today and see how quickly we can get you something out from the chairs regarding the public comment schedule.

So seeing no other questions or comments and having exhausted the agenda, this committee will stand adjourned.

(Transcription from YouTube ended at 50:05.)
STATE OF NORTH CAROLINA

)   CERTIFICATE

COUNTY OF WAKE

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Joint Committee Meeting held on August 18, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 21st day of December 2021.

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UNKNOWN MALE: House Committee on Redistricting, Tuesday, October 5, 2021, 643 LOB.

CHAIRMAN HALL: Committee will come to order. The Chair apologizes for delay in getting started this afternoon. Thanks to the committee members for their patience.

Members, I want to start off by thanking you all, the members, staff, and the public who chose to participate in our public hearings across the state over the last several weeks. I think we heard varying opinions. It was great to see folks engaged, and we had members, many -- many member, not even just the folks on this committee, but several members of the House and the Senate, who are not on this committee, who attended those meetings and gave folks a chance to be heard about what they want this process to look like.

The purpose of today's meeting is to -- just to do some Housekeeping to give folks an idea of what the map-drawing process is going to look like. And we anticipate, beginning tomorrow, starting the map-drawing process, and so we want to lay out very clearly what the criteria will be -- or rather the rules will be for this committee for drawing maps.
So we'll just jump right into it. We're going to have four terminals. And if you look around this room, you see the big screens. There are going to be four of those. One will be dedicated to the chair of this committee. One will be dedicated to the minority leader, or his designee. I should have said on the first station, it will be dedicated to the chairman or chair's designee. And then the other two will be for any other committee member, or any member of the House who wishes to come in and draw on those terminals.

For now, the plan is to go from 9:00 to 5:00 each day. So we'll come in, gavel in at 9 o'clock. This committee room will stay open throughout the day. Those of you who have been through this before, you know it's not like a typical committee where we're always with a chair standing up here, like I am right now. What we typically do, we'll gavel in, and folks can go draw.

We may take breaks throughout the day. We may just leave the committee room open. We want to be cognizant of staff, let them be able to eat lunch, and that sort of thing, so we may take a few breaks and there. But by and large, the committee room is going to be open from 9:00 to 5:00. We're
going to plan to do that Monday through Friday, for now.

So, as of right now, chair anticipates having this committee room open throughout the rest of this week, until Friday at 5 o'clock. But the chair will say that if significant progress is made, we may not keep the committee open all day on Friday, so that we don't have to keep staff here. And obviously, folks will be -- members will be traveling back to their districts. To prevent them from having to travel back on Friday night, we may go ahead and may not have a committee meeting Friday or may end the committee early on Friday. So just wait and see on that front.

And this is a rule that I want to make sure all members are clear on, but this committee, and the House as a whole, will only consider maps that are drawn in this committee room, on one of the four stations. So if a map is not drawn on one of these four stations, in this committee room, during those committee hours that the committee is open, then those maps will not be considered for a vote by this committee, and of course, will not be considered for a vote by the House.

And we'll be able to know because when you
put a map into one of these computers, that becomes a matter of public record, and we can tell which were drawn on these computers. It has to be drawn in this committee room.

When this committee is open, we'll maintain a live stream and live audio during the whole time of map-drawing, so that the process will be, we believe, just about as transparent as we humanly can do. And that's what we heard in public comment. We heard folks say, "We want a transparent process."

Well, that's what we're going to give the public. We're going to give the members of this body and the public a transparent process where we draw maps in this room with a live audio feed and a live video feed. And we're going to create a rule that we're only going to consider the maps that are drawn in this room, in the House, in this committee, and ultimately, in the House.

Members, we're going to continue to have session, of course, regular session, throughout this process. As the members know, we're still dealing with the budget right now. And so, obviously, the speaker is aware that this process of redistricting takes a lot of labor, and we'll give us ample time to do that. But we have to continue with the
business of the House in general, so we'll do just
the best we can on that, understanding we're
operating under a tight time line.

And we've talked about that a lot
throughout this committee process that, because of
the delay in the census data, we're just now getting
to a point where we can draw these maps, after doing
the public comment we wanted to do. But with filing
coming in December, we really need to get these maps
drawn as close as we can, or at least by the end of
this month, if not sooner.

That's going to be our goal to try to get
these things done by the end of the month. That way
we can give the board of elections time to get
ballots printed and let folks know what districts
they're going to be in, so they can decide if they
want to run or not run. Whether they be members of
this committee, or folks who are not in the General
Assembly at all.

Members, with that being said --

REPRESENTATIVE RICHARDSON: Mr. Chairman,
can I have a quick question?

CHAIRMAN HALL: I'm going to take questions
in a little while, but you know, if it's something
that's really important right now, okay. All right.
I'm going to take questions at the end.

So for ground rules, that's it for now. I may have left something out, and if so, members can ask me in a moment.

The second step in today's committee is going to be the presentation of the optimum county groupings that have been come up with by the non-partisan staff. And so the chair is going to turn this over to Erika Churchill, in just a moment, to make a presentation on the optimum county groupings that have been crafted by the non-partisan staff.

But what the chair will ultimately say about these groupings is: in years past, if you've been on this committee, you know that we have adopted certain groupings. Chair does not anticipate adopting any particular grouping this time around because there are multiple options within the county groupings. And that's what you've got in front of you, and that Ms. Churchill is going to explain in more detail here in just a bit.

Rather than limit any member of this committee into just certain groupings, what the chair anticipates is that members can use whichever combination of the groupings that you see before you, in drawing whichever map a member sees fit to
1 draw.

2 The only groupings that will be considered
3 are those that are in the packet that's in front of
4 you. These were initially put forth by Duke
5 University, and a non-partisan staff has also drawn
6 their own groupings and confirmed that the Duke
7 groupings were correct. And so we're confident that
8 using the algorithm, as required in the law, that
9 these are the possible groupings -- the possible
10 optimum groupings.

11 Again, I'll answer questions momentarily on
12 that front. But with that, the chair is going to
13 turn it over to Erika Churchill to speak to the
14 county groupings and to also show an example of how
15 to use the terminals when drawing the maps.

16 Ms. Churchill, you're recognized.

17 MS. CHURCHILL: Thank you, Mr. Chair. As
18 you mentioned, central staff, were asked to take a
19 presentation by Christopher Cooper, Blake Esselstyn,
20 Gregory Herschlag, Jonathan Mattingly, and Rebecca
21 Tippett from the quantifying gerrymandering group,
22 which is a non-partisan research group centered at

24 And they produced a paper entitled, "North
25 Carolina General Assembly County Clusterings from
the 2020 Census." It was posted by Mr. Herschlag on August 17, 2021. And we took it as a recipe, because throughout this, they gave instructions as to what they believed were the optimum county groupings.

I would note that they particularly say, "However, there are often multiple optimal county clusterings that minimize county splitting." And they reference two other blogs that they have posted. The release of the 2020 census data allows us to determine the possible county clusterings for both the North Carolina State House and State Senate redistricting processes.

The one part of Stephenson v. Bartlett which this analysis does not reflect, is compliance with the Voting Rights Act. To determine the county clusters, we used the implementation of the court order procedure described in Carter, et al." The site they gave for Carter, et al. is "Optimal Legislative County Clustering in North Carolina" by Daniel Carter, Zach Hunter, Dan Teague, Gregory Herschlag, and Jonathan Mattingly. Statistics and Public Policy Volume 7, 2020.

For the state House, what you have before you in hardcopy, on the screen, and I believe they
will be posted to the web, are the nine maps that
resulted from this paper with respect to the North
Carolina State House. The very first one does not
have the entire state assigned. They call this the
fixed groupings. Throughout the maps that we'll go
through, you will find that these will be hash
tagged. A little bit of crosshatching on them to
identify these are the ones that this particular
group say are the optimal.

They created 33 clusters containing 107 of
the 120 districts that are fixed based on
determining optimal county clusters. 11 of these
clusters contain 1 district, meaning that 11 of the
120 House districts are fixed.

So as you're looking at the map, whether in
hardcopy or online, you will see that there is a
letter assigned to each. I'm just going to pick on
Carteret and Craven, in the eastern part of the
state, in the blue shading, it is Q2. The Q is just
an easy letter reference if you need to talk about
that particular grouping with anyone. The 2 means
that that is population sufficient for 2 House
members. The same if you look just to the left, in
the gray, the green Lenore Jones BB cluster, or
grouping, has a 1 underneath it, meaning that would
be a single member grouping.

So the white areas that are left can each be assigned two different ways. So that would get you to the lovely House maps that are left.

(Sound interruption)

So starting with the Western area that was left kind of unassigned, needs to be grouped. As you will see it on the Duke House 01 map, it would be districts HH and II. The first option here would be to combine Surry, Wilkes, and Alexander to create a two-member district. And Alleghany, Ashe, Watauga, and Caldwell to create a two-member district.

If you will skip over to Duke House 05, this would give you a visual of the second option for this particular grouping. It would be a combination of Surry, Alleghany, Ashe, and Wilkes for a two-member grouping. And Watauga, Caldwell, and Alexander for a two-member grouping.

Staying on the Duke House 05, and heading east to the southeast, the options in that southeast area here would be to combine Wayne and Sampson into a two-member district. Duplin and Onslow into a three-member district. And Pender and Bladen into a one-member district.
And so if you just fast forward one to Duke House 08, the second option in the southeastern corner would be to combine Wayne and Duplin into a two-member district. Sampson and Bladen into a one-member district and Onslow and Pender into a three-member district.

Duke House 05 will be our example of the northeastern corner. Option one would be to combine Hertford, Gates, Pasquotank, and Camden into a single-member district. And Currituck, Dare, Hyde, Pamlico, Beaufort, Washington, Tyrrell, Perquimans, and Chowan into a two-member district.

The other option in the northeastern corner, if you will go to Duke House 06, you can see a visual of that. The single member district would be Currituck, Pasquotank, Perquimans, and Tyrrell. The two-member district would be Beaufort, Pamlico, Hyde, Dare, Washington, Chowan, Camden, Gates, and Hertford.

Each of the multimember districts throughout all of these would need to be divided into single-member districts for compliance with Stephenson opinion.

I should probably note, just so that everybody is aware, the ideal population for a North
Carolina House district is 86,995 people, according to the 2020 Decennial Census, with a plus or minus 5 percent deviation. That leaves a range of 82,645 to 91,345 people.

CHAIRMAN HALL: Okay, members. The chair is going to give Ms. Churchill an opportunity in a moment to display and give an example of how the terminals will work.

But if that is it for your presentation on groupings, if you'll stand there for just a second.

MS. CHURCHILL: Yes, sir.

CHAIRMAN HALL: Committee members, do any members have any questions for legislative staff at this point about groupings? And again, chair's going to take some questions at the end.

Representative Torbett.

REPRESENTATIVE TORBETT: Just if she could repeat the numbers she used there at the last time. There was three. There was a total and the range.

MS. CHURCHILL: Okay. Ideal population for a North Carolina House of Representatives districts, 86,995. Creating a plus or minus 5 percent range of 82,645 to 91,345 people.

CHAIRMAN HALL: The chair is going to make sure that all committee members have a document
showing the ideal population for each level of grouping. So for one-member grouping, two-member. And I know we've had that in the past, and it may have already been passed out at one of the meetings we've had. So let's make sure, if we will -- we'll send that out to the committee via email, and we'll have some paper copies at the meeting tomorrow.

MS. CHURCHILL: We will actually have a laminated copy at every station.

CHAIRMAN HALL: Okay, great.

MS. CHURCHILL: And we will also be glad to email that out to everyone. It has been passed out at a previous meeting.

CHAIRMAN HALL: And we're going to go ahead and have paper copies for folks to be able to take with them if they want to.

MS. CHURCHILL: Glad to take care of that.

CHAIRMAN HALL: Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair. Thank you, Erika.

If I heard you right, so did you -- when you started -- and I've got the article in front of me from Doctors Mattingly, et al. -- did you say that the fixed -- the fixed clusters -- we're working from a basis of the fixed clusters, and
those represent 107 of the 120 members; is that right?

MS. CHURCHILL: Yes, ma'am.

REPRESENTATIVE HARRISON: And then our options are to figure out how to manipulate the other white, unshaded counties, and that's what we're going to be doing with the other map options?

MS. CHURCHILL: Mr. Chair?

CHAIRMAN HALL: Lady is recognized to respond.

MS. CHURCHILL: Yes, Representative Harrison. With the crosshatched districts in the Duke House fixed, that would establish the groupings for 107 of the 120 districts. Of that 107, 11 -- or of the 33 clusters, 11 of those clusters would be single-member districts. The remainder would still need to be divided into single-member districts. So the counties in white that have no shading, no crosshatching, would be the options to combine together to create the remaining 13 House districts.

CHAIRMAN HALL: And members, and for those folks listening at home, the chair has often referred to these maps as groupings, and you hear Ms. Churchill refer to them as clusters, and those are synonymous terms, just for those listening, to
make sure everybody understands. If you've been
through this before, you know that. But if you're
new to this committee, or you're listening online
and haven't watched this committee before, that may
be confusing.

But is that your understanding,
Ms. Churchill?

MS. CHURCHILL: Yes, sir. There's actually
three terms that I've heard for it. There's the
clustering, which is the phrase that the group from
Duke used in their paper, which is what I was
reading from. There's also groupings, which is kind
of in the court orders, as well as clustering. The
other phrase I've heard used to describe this is
podding, or creating a pod. I believe all three to
be completely interchangeable.

CHAIRMAN HALL: That's right. That's the
chair's understanding as well.

Representative Harrison.

REPRESENTATIVE HARRISON: Mr. Chair, if we
have questions about the clusters and the process,
should we ask them now of you and the committee, or
do you want her to talk about the technical and then
have the questions after that?

CHAIRMAN HALL: At this point, if you've
got a question for the chair, let's just wait. This is just questions for right now to Ms. Churchill. She's not going to leave after this. She'll be right up here, so if we have another question for her later. But while they're there at the podium, the chair thinks it's appropriate to give members the opportunity to ask them questions.

Representative Warren.

REPRESENTATIVE WARREN: I've got a question for Ms. Churchill.

I'm sorry, when you look at the white clusters, and the different iterations of them on the following maps, I noticed that the numbers stay the same within those configurations. So is this just a matter of looking at those particular counties in terms of their connection to each other, continuity of it, or the contiguousness of it, or whatever the word is we're looking for there?

MS. CHURCHILL: So, Mr. Chair, if I might?

CHAIRMAN HALL: Lady may answer.

MS. CHURCHILL: So you are absolutely correct. So starting kind of in that western corner, the counties of Surry, Alleghany, Ashe, Watauga, Wilkes, Caldwell, and Alexander, that white area has a population in it sufficient to support
four single-member districts. So it becomes a question of how to group those counties together to best create districts that are in compliance with Stephenson. And there are two options there. Both would be two-member districts. It's just a matter of what the committee chose to use.

REPRESENTATIVE WARREN: And follow-up?

CHAIRMAN HALL: The gentleman is recognized.

REPRESENTATIVE WARREN: So, Ms. Churchill, one of the things I noticed in the hearings I attended was some folks in the general public not having an understanding that we try to do these in terms of, not breaking down counties or municipalities, but to stay within the mandates of the population, and you're staying within this cluster. That, in some cases, creates a situation where you have no choice but to comply with the district's population; is that correct?

CHAIRMAN HALL: The lady is recognized.

MS. CHURCHILL: I will attempt that one. And I'm going to pick on the chair for just a moment. His home county of Caldwell --

CHAIRMAN HALL: Join the club.

MS. CHURCHILL: -- as an example.
According to the federal decennial census, it's 80,652 people, which is outside that ideal range of 82,645 to 91,345 for a single-member district. So it would need to be combined with some other contiguous county to create a single-member district. Or it would need to be divided with some other contiguous counties to create two single-member districts. That would be up to the committee how they wanted to do that.

REPRESENTATIVE WARREN: Thank you very much.

CHAIRMAN HALL: Further questions or any comments for legislative staff?

REPRESENTATIVE DIXON: Thank you, Mr. Chair.

Ms. Churchill, without having to add them up, how many House seats are there in the white area including Duplin and then this white area with Tyrrell?

MS. CHURCHILL: So --

Mr. Chair?

The area --

CHAIRMAN HALL: The lady is recognized.

MS. CHURCHILL: -- including Duplin, Wayne,
Sampson, Bladen, Pender, and Onslow is population sufficient to support six single-member House districts. That northeastern corner beginning at Pamlico, running all the way up to Currituck and over to Hertford, is population sufficient to support three single-member districts.

REPRESENTATIVE DIXON: Thank you.

CHAIRMAN HALL: Further discussion or any questions for legislative staff?

Okay. Ms. Churchill, if you want to give us an example of how to use these terminals, the lady is recognized to do that.

MS. CHURCHILL: I'm going to ask Will. He's going to come up and help me.

CHAIRMAN HALL: Along with -- yeah, absolutely.

MS. CHURCHILL: So I would note a couple of things, as Will is getting us started. Each one of these terminals will be directly fed to a livestream. An audio from that terminal will be fed to the livestream. There will not be a video associated with that terminal. There will be a video of the room that will be seen by the public. The public here in the room can choose to use the screens here, or they can choose to use the North
Carolina General Assembly Wi-Fi to log on, if they wanted to focus on just one of the four terminals.

And I'm going to walk over to the terminal, so we can turn that on, so you'll see what it's going to look like. So from here, you will be able to see a House plan. And so, these are just examples that we have been testing to make sure that everything works. These are existing plans; they are nothing new. We just wanted to make sure that everyone had a map that could be seen, can be used; the software works.

So this is what you would see on the screen in the room. We will leave this up and going until after the committee adjourns, so that someone can walk around and see what an actual drawing station would look like as you were sitting at it to engage with the staff to instruct us how to draw a map of your choosing.

CHAIRMAN HALL: And, Ms. Churchill, if you will describe what's the large TV to your right for?

MS. CHURCHILL: They are identical. So a staff member will be sitting at the smaller screen. Member, or whoever -- whatever group of members are together, will have the larger screen available to them to stand behind, to sit behind, just so that
it's a little larger, a little easier to see.

CHAIRMAN HALL: Members, do we have any questions for -- questions or debate about how the process will work in terms of what Ms. Churchill has just described? Again, I'm going to stand for some questions.

Representative Torbett.

REPRESENTATIVE TORBETT: Just for reference, it's my understanding -- I think she eluded to it -- the staffer is there to actually to the map drawing with assistance and information from the member; is that how that's going to work? Because some of us in here have never done map drawing.

CHAIRMAN HALL: The staff folks are there because they understand how to use the software, but it will be completely up to the member to direct the staff member as to how to draw those maps. And staff will -- it wouldn't be appropriate, of course, for staff to make decisions about how to draw. But to answer your question, yeah. You're absolutely right. It will be up to the member to tell the staff member, who knows how to use the technology, how to draw.

Representative Carney.
REPRESENTATIVE CARNEY: So I'm not sure if this question is for now or later, but. So if I come in as a member and I'm drawing on a map, and I leave the room, somebody else comes in, draws another map, and then I want to make an amendment, how does that work?

CHAIRMAN HALL: The chair is going to initially respond to that and let Ms. Churchill respond to sort of the mechanics of how that works. But, in the past, what has happened is, if you go in and draw a map, and let's say you want to take a break and go eat lunch, or whatever it is you want to do, you can save your map in the system, so that somebody doesn't come behind you and start drawing on the map that you've already created. So you'll be able to save that. You'll be able to come back later on and draw that map.

Now, Ms. Churchill, is that correct, in terms of technology?

And I'm going to continue on with that to try to answer what I think your whole question is, but yeah.

REPRESENTATIVE CARNEY: Okay.

MS. CHURCHILL: So, yes, sir. Unlike with our drafting system where you were used to us being
able to get to any prior iteration that we have
drafted for you, the mapping software doesn't work
quite like that. But we are set up internally to
make sure that the map that you closed out before
you stepped away to get a bite to eat or go to a
committee meeting is always there.

When you come back, we will be copying that
map to pick up exactly where you left off, so that
we will always have that first map, just in case
something goes wrong, and you just need to go back
to it. So there will be an option for you to pick
up wherever you left off and continue going from
there. There will be an option for you, if you
really like what you -- hated what you did in that
second session, you can go back to the first session
and pick up again and start over.

CHAIRMAN HALL: And to answer your question
about how to, perhaps, change a member that another
member's drawn -- and I guess the real question is
amendments -- there will be an opportunity for
members of the committee to put forth amendments on
whatever map or maps this committee ultimately takes
up.

And the chair anticipates, as we've done in
the past, members can decide whether they want to
put forth a whole map of the state as an amendment, or whether they're just wanting to amend certain groups or I guess even certain districts. Members will be given an opportunity to put those forth.

REPRESENTATIVE CARNEY: So just a follow-up.

CHAIRMAN HALL: Yes. Lady is recognized.

REPRESENTATIVE CARNEY: And I have never drawn these maps before, so that's why I have all these questions. So these amendments would come -- our amendments would come after we have a map?

CHAIRMAN HALL: Yeah. So if the lady will think about it just like a normal committee meeting, where a bill is before the committee --

REPRESENTATIVE CARNEY: Right.

CHAIRMAN HALL: -- and members are putting forth their own amendments, or perhaps they're wanting their own bills to be put forth at a given time. Really, the easier way to think of it is, members are wanting to put forth their amendments to the bill that's on the floor. The opportunity to do that will be there.

If, let's just say that you like the map that's before the committee, but for a couple of the groupings, and you know, rather -- if you just want
to focus your argument, or whatever the case may be, on those two groupings, the lady can say, look, here are the two groupings. I'm just putting those forth as an amendment. I'm okay with the rest of the map. The opportunity to do that will be given.

REPRESENTATIVE CARNEY: Thank you very much.

CHAIRMAN HALL: And let me say with that, obviously, we're under a tight time constraint. And so we don't have time for the committee to consider 100 maps from every member, you know, who's on there. So at some point, the chair will have to limit that. But as of now, the chair doesn't anticipate having to limit members amendments or proposed maps. Chair thinks that we'll be able to do that in a time efficient way, and still get our work done in time for filing.

Other questions or debate again for legislative staff?

REPRESENTATIVE RICHARDSON: Mr. Chairman?

CHAIRMAN HALL: Representative Richardson.

REPRESENTATIVE RICHARDSON: If I might. Would it be the best practice if when we're drawing -- if we're doing a map, that we articulate our reasonings? Like the criteria that we have listed
and adopted, like communities of interest, should we -- if we do an amendment, or do part of a map, or do part of a district, should we state the reasoning on there that it follows the criteria and which criteria it follows or just not comment? Or what are we -- give us some guidance on that.

CHAIRMAN HALL: You know, that's really up to each individual member as to what they want to say while they're drawing the map. And if a member wants to say, "Here's why I'm doing this," every member is free to do that. This committee has adopted a set of criteria that's to be used in drawing the maps, and so that will be the member's choice whether they think that is a best practice or not a best practice.

Further questions or debate?

Representative Carney.

REPRESENTATIVE CARNEY: Thank you, Mr. Chairman. So if -- did I hear you or Erika say that the public is going to have access to all these portals; is that correct?

CHAIRMAN HALL: So --

REPRESENTATIVE CARNEY: As we are drawing.

CHAIRMAN HALL: -- I'll let --

Ms. Churchill, go ahead and answer that,
and I may weigh in.

MS. CHURCHILL: Okay.

So, Representative Carney, as this is set up currently, a member of the public can choose to look at what is happening at station one online. A member of the public could choose to come to the room and sit in the back and could see all four stations going simultaneously. But to the best of our knowledge, the public will not be standing behind a station, over your back, over staff's back, instructing, conversating, that kind of thing.

REPRESENTATIVE CARNEY: Okay. Just a follow-up.

CHAIRMAN HALL: The lady is recognized.

REPRESENTATIVE CARNEY: So will that -- each time a member comes and draws a map, is that archived for the public?

CHAIRMAN HALL: So the chair's understanding is that any map that's drawn by a member of this committee in this committee room becomes a public record.

Ms. Churchill, will you speak to that?

MS. CHURCHILL: Yes, sir.

Our understanding, as well, because this map is being drawn in public before the committee,
it is a public record. We will have a copy of it. It will be saved forevermore. At this time, we have not been instructed to place any of those maps online. If the committee so instructs, we will be happy to do that.

REPRESENTATIVE CARNEY: So that -- may I just comment why I’m asking that question?

CHAIRMAN HALL: The lady is recognized.

REPRESENTATIVE CARNEY: Is through the public hearings, I was -- attended a lot of those, and that was one of the questions that kept coming up over and over again is, will the public have an opportunity to be a part of drawing these maps, or seeing, actually having access to the drawing of these maps, publicly. That was why I was going that way.

CHAIRMAN HALL: Representative Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Thank you, Mr. Chair.

And thank you, Erika.

Still on that same vein, in talking about the public, and the maps that we’re going to see, we know that the public has had that keen interest, by attending the sessions, as well as the feedback that
they have given. So what steps are you proposing to assure that the public be involved in these maps that represent them?

CHAIRMAN HALL: And if the lady will indulge me to wait just a minute, until I can let Ms. Churchill sit down. Because the chair is going to take questions like that one, for example.

If there are any other questions for Ms. Churchill --

And I will come back to you, Representative Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Thank you so much.

CHAIRMAN HALL: Representative Torbett.

REPRESENTATIVE TORBETT: Thank you. I was going hope I think this one fits in this segment. Is there intent -- should we have an anomaly or a glitch in the technology, do we think the mapping should suspend until such time that that glitch will reconnect or --

CHAIRMAN HALL: We'll deal with that if and when it happens at the time. Let's hope it doesn't.

Representative Brockman.

REPRESENTATIVE BROCKMAN: I'm not really sure if this question was answered, but
1 Representative Carney asked if members of the public
2 would know who was drawing maps at the specific
3 time. Will they know, say, for example,
4 Representative Brockman is working on a map at this
5 time; will they know that?
6           CHAIRMAN HALL: Ms. Churchill?
7           MS. CHURCHILL: At this time, the way it is
8 set up, no, sir. They will know that -- they will
9 be able to see what is being drawn on station one.
10 From the audio, they would be able to hear your
11 voice, your instructions, but there would not be a
12 label that was there at all times to say that this
13 is Representative Brockman speaking. We can try to
14 work on something of that nature, if the committee
15 would like.
16           CHAIRMAN HALL: The gentlemen is
17 recognized.
18           REPRESENTATIVE BROCKMAN: But there would
19 be something that says, at the end of the day, that
20 this is Representative Brockman's map; is that
21 correct?
22           CHAIRMAN HALL: Yes. So the chair will
23 speak to that. There will be something on the final
24 map that says who has drawn that map, at least the
25 original part of it. It may be amended, but the
1 amendment will have the member's name on that. And
2 we've done that in the past.
3 Ms. Churchill.
4 MS. CHURCHILL: And I might kind of step in
5 just a little bit to remind everyone that the maps
6 are not what the General Assembly enacts. It is the
7 bill that is sponsored by a bill sponsor, just like
8 every other bill in the institution. The amendments
9 the same way. For an amendment offered by
10 Representative Brockman, the amendment will state
11 that it was offered by Representative Brockman. It
12 will have attached with it a visual of the map, but
13 it is still technically the amendment that the
14 General Assembly is voting on. So yes, sir. All of
15 that will come together.
16 CHAIRMAN HALL: Okay, members. Are there
17 any questions that are just for Ms. Churchill, at
18 this point? I know another one may arise, so she's
19 not leaving.
20 Okay. If not, Ms. Churchill, thank you
21 very much for your eloquent presentation.
22 Members, the chair is going to hand the
23 gavel over to Representative Saine and stand for
24 questions.
25 VICE CHAIR SAINE: All right,
Representative Hall. Are you ready?

CHAIRMAN HALL: I am. And, Mr. Chairman, if you will start with Representative Cooper-Suggs. She had a question that was appropriate for the chair, but I wanted to wait until I got over here to answer it.

VICE CHAIR SAINE: The chair would be happy to do that.

Representative Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: I can wait. I can hold off for a moment. If that's all right.

CHAIRMAN HALL: Okay. Fair enough.

VICE CHAIR SAINE: Fair enough. Thank you, Representative Cooper-Suggs.

Representative Richardson, I think I've got you, and then maybe Representative Harrison.

REPRESENTATIVE RICHARDSON: Mr. Chairman, thank you for taking these questions. When we went to these public hearings, I heard over, and over, and over again several things, you know, communities of interest, you know, and the like. But one thing I heard repeatedly was -- is that the public wanted input after we came up with maps, before we voted on them. I know we're on a tight budget, a tight schedule, you know, with this, and it's going to be
tough. But is it your plan to have some public
hearings after -- before we vote on the final maps,
but while the maps are up for consideration?
CHAIRMAN HALL: Thank you, Representative
Richardson. So what I will say is that I do
anticipate there being some manner of public hearing
on whatever the final proposed version of the map
is, before the House approves that. And we've done
that in the past.

But, you know, I want to speak to what I
think is often missed sort of in the story about
when or how we're going to do public comment this
time around. And that is, the way that we're doing
this, the way this committee, as well as the Senate
committee, has decided to do this process is simply
unprecedented.

The folks on this committee could decide as
a committee that we're not going to do this out in
the open. The law would allow committee members, we
could just simply have somebody draw these maps
behind closed doors, as has been done in the past.
The law would allow the use of election data to be
used in these maps, and there's no binding
precedent, whatsoever, that prevents this committee
from using election data in drawing those maps and
preventing the committee from doing it behind closed doors.

We are voluntarily saying we don't think that's the best way to do this. We think the best way to do this is in this committee room, with these screens, the technology to allow members of the public to watch what's going on, to listen to what we're saying as we're drawing these maps, to literally, in real time, watch us draw these maps. That has never been done before in a voluntary manner.

In 2019, you were here, Representative Richardson, and many members of this committee were here, we did that in some fashion because we were court ordered to. Gentleman's a lawyer, I think he'll agree, there's no binding precedent from that decision, and this committee would be free to go right back to having some consultant draw these behind closed doors, put them on the floor here, and vote on them. But we're choosing not to do that.

We're taking the unprecedented step of being as transparent as I believe we possibly can with the way that we're doing this committee process. Obviously, you know, things can always be done better. We want to do that, if we can. But
the unprecedented amount of transparency should not be lost, not only on the members of this committee, but the members of the public, as they watch us do our business.

REPRESENTATIVE RICHARDSON: Thank you.

VICE CHAIR SAINÉ: Thank you.

Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair.

Thank you, Chair Hall. Looking at -- looking at Doctors Carter, Mattingly, et al.'s article -- and Erika Churchill mentioned this -- they say they want -- that's the one part of the Stephenson v. Bartlett decision this analysis does not reflect its compliance with is the Voting Rights Act.

So I sort of skimmed Stephenson v. Bartlett, in anticipation of this meeting, and I'm just wondering, because that seems a very important point of the Stephenson decision is compliance with the Voting Rights Act. So how -- so we're starting with maps that don't take that into account at all, and I'm just wondering how we're complying with that?

CHAIRMAN HALL: Thank you for the question,
Representative Harrison. As the lady knows, this committee has made a decision to not use race at all in the drawing of our maps. I'll also note that, as you know, there's been a lot of litigation in this state over the redistricting process in general. We've had many, many lawsuits going back to when Democrats were in the majority and since Republicans have been the majority. It's really been no different. We've had many, many lawsuits.

What we've seen in those lawsuits, at least in the last few lawsuits that we've seen, is the plaintiffs in those suits that were trying to set aside those maps have said that there is no legally significant racially polarized voting in North Carolina. That's the plaintiffs and their own experts who are saying that.

We've drawn maps in both 2017 and 2019, not using racial data at all. And those maps have been approved -- groupings, rather -- the lady's question is specifically as to groupings, and I'm sort of answering the grouping and map question in one. But we've used groupings in 2017 and in 2019, not taking into account any sort of racial data at all. And courts have uniformly upheld those groupings that we've used, without using racial data.
So we are going to stick with the criteria of the committee and not consider any racial data at all. And based on the past precedent of doing this, we're confident that that will comply with the Voting Rights Act.

REPRESENTATIVE HARRISON: Follow up?

VICE CHAIR SAINE: You're recognized.

REPRESENTATIVE HARRISON: I appreciate that very thoughtful answer. I actually meant with regard actually to the whole mapping process, so you anticipated my question. But I'm looking at section two, that provides to states that "political subdivisions can't impose any voting qualification or prerequisite that impairs or dilutes, on account of race or color, a citizen's opportunity to participate in the political process to elect the representative of his or her choice."

So how do we know -- if we don't take into account race, how do we know that we're complying with the Voting Rights Act? And I kind of understood you to say that we're relying on past, but I'm just -- can you respond to that, please?

CHAIRMAN HALL: And that's the way -- the way we know is because we've already done it. We've done it before and courts have upheld the drawings
of these maps, the groupings and the districts themselves, without this committee using any racial data at all. We've done that twice now, so I'm confident that, without using racial data, we will comply with the Voting Rights Act.

REPRESENTATIVE HARRISON: One more follow-up, I think.

VICE CHAIR SAINE: You're recognized for follow-up.

REPRESENTATIVE HARRISON: Thank you.

And I guess a lot of my questions have to do with compliance with the Voting Rights Act, and I think I understand your answer is going to be the same, so I'll move to the Common Cause decision that you referenced earlier. And I appreciate the committee's commitment to transparency.

You did say it's an non-binding precedent, so you all don't anticipate -- do you anticipate using any of the ruling from the holding from that decision to guide this process? Do you all feel bound by any of that decision in terms of following the process that the court ordered?

CHAIRMAN HALL: From a strictly legal stance, it's not a binding precedent that anyone is required to follow. But as the lady knows, based on
the criteria the committee has adopted, that is
something that this committee has to follow. And
we've taken a lot of language out of that opinion
and put it into this committee's criteria.

The computers that you see here and the
online audio and video, none of that is binding. We
are voluntarily doing that. You know, frankly, we
learned from that case that perhaps a better process
is one that is just like we're doing -- like we did
then, like we're doing now, as an open and
transparent process. So, you know, while it may not
be binding, the committee has chosen to impose upon
itself some of the principle outlined in the Common
Cause case.

REPRESENTATIVE HARRISON: I think I'm going
stop for now and let somebody else ask questions. I
might have more. Thank you.

VICE CHAIR SAINES: Thank you, Representative Harrison.

I have Representative Cooper-Suggs and then
Representative Hawkins.

Representative Cooper-Suggs, you're
recognized.

REPRESENTATIVE COOPER-SUGGS: Thank you so
much, Mr. Chair, and Representative Hall. Thank you
so much.

My question was -- it goes back to the public's input and that the keen interest that they've had in this process, and we've seen that, you know, as I stated earlier, through the districting process as well as through the online portals too. Over 3000 people have responded, so we know that there's interest out there.

And so my question deals with, what steps are you proposing to assure that the public be involved in the efforts to create maps that represent them?

CHAIRMAN HALL: Thank you, Representative Cooper-Suggs, for the question. So I'll go back to what I said previously in response to, you know, what efforts are we making to make sure those folks can follow this process to make sure that it's doing whatever they feel like it should do. Because some of members of the public feel one way about what this process should ultimately end up with, and others feel in different ways. They're differing opinions.

Again, I think it's important to understand context of what's happened in the past, in this building, for the past 200 years when this body has
drawn maps. What has happened in the past is some
outside entity, a consultant, goes and they draw the
map behind closed doors. We would come into this
committee, just like we're in right now, and throw a
map down in front of the committee members and say,
"Here's the map that we propose."

We're not doing that this time. What we're
going to do this time is a more open and
deliberative process for this committee. We will
literally be drawing on the stations that you see,
so members of the public across the state and, in
fact, across the world, can log onto the website and
watch these maps as we draw them in live fashion.

And then, we've seen that the public
comment portal is actually much more popular than
the in-person public comment method, for one reason
or the other. We get many more comments through
that portal. We get many more emails, as members of
this committee can attest. You receive emails all
the time from folks and, you know, probably messages
in many different ways and phone calls.

So the public has favored that online
portal in telling us how they want to see this done.
That portal is going to stay open throughout this
process, so an individual sitting anywhere in our
state, and again, anywhere in the world, can sit and watch what's happening. Can literally send a comment right then, simultaneous with that drawing going on and say, "I'm watching station four. I don't like what I see in X district," or "I do like what I see in X district."

That's going to be time-stamped. The committee members are going to have a chance to read every one of those. And so, there is ample opportunity for members of the public to weigh in on these maps. Again, in the past, there's been little opportunity because the maps are already drawn.

Folks can come in here and talk all they want, but the map has been drawn.

That's not the case here. We had public comment ahead of time. We're going to draw these in public. And I do anticipate at least some in-person public comment moving forward. With all of that said, I do anticipate at least some form of in-person public comment at the end of this.

REPRESENTATIVE COOPER-SUGGS: Follow-up question.

VICE CHAIR SAINE: You're recognized for a follow-up.

REPRESENTATIVE COOPER-SUGGS: I just want
to make sure I fully understand this. So how are we
1 going to use the comments -- the public comments
2 when drawing these maps? Their actual comments, how
3 are we going to use those?
4          CHAIRMAN HALL: So that's up to each member
5 of this committee to decide what they want to
discern from a given comment. We know that if you
read all of these comments, there are some of them
that you can't do what both of them say. So you can
pick out two messages, and one person wants you to
do one thing; and the other person wants you to do
something else. So what do you do? Well, that's
the decision for each member of this committee to
make, what they want to do in response to that
public comment. What I can tell you this committee
has done in response to that is to ensure that we
have the most transparent process in the history of
this state.
19          REPRESENTATIVE COOPER-SUGGS: Thank you so
20 much.
21          VICE CHAIR SAINE: Thank you.
22          Representative Hawkins.
23          REPRESENTATIVE HAWKINS: Thank you,
24          Mr. Chairman.
25          Thank you, Chairman Hall. I really
appreciate you taking the time, and not only to sort
of travel across the state for these public
hearings, but to take these questions.

And so, one of the things that you
mentioned that I want to follow up on is you said,
"throughout this process." Meaning that the public
comment portal will be opening throughout this --
can you define what that is? Because I know I've
actually received that question on our start and
ending time, so that people know how to engage it
fully, and sort of when their last time is to do so.

CHAIRMAN HALL: I anticipate that public
comment portal being open until at least the time
that this body adopts -- meaning the House and the
Senate, the General Assembly, at least until the
time the General Assembly adopts state House maps,
state Senate maps, and congressional maps. That
public comment portal will stay open until at least
that time.

REPRESENTATIVE HAWKINS: Follow-up.

VICE CHAIR SAINE: You're recognized for a
follow-up.

REPRESENTATIVE HAWKINS: Thank you,
Mr. Chairman.

So a follow-up question is around I think,
you know, earlier, yourself or Erika Churchill mentioned hearings. And so, of course that's probably the most popular question is if we're going to have hearings after this. And you said that that would be up to this body.

Can you give us a time line in the way you see this and when we would kind of make that decision? And when you think that this body should, you know, between now and when we actually have to file, when we need to do that? Because I think, again, a lot of folks would want to know if we're going to sort of go back out on the road and talk about these again.

CHAIRMAN HALL: You know, I'll answer that by saying, you know, as the gentleman knows, we're on an extremely truncated time line, and that's nobody's fault in this body, on either side of the aisle. We just simply didn't get the data in time to do this in the way that it's been done in the past. And especially when you couple it with the fact that the maps aren't being drawn by a consultant somewhere and being delivered here, and us going and voting on them. We're going to do that.

We're going to take the time to draw these
in this committee, out in the open, and that takes
time. As the gentleman knows, you know, we've drawn
these maps together in years past. We haven't done
it this year, for everybody listening at home. He
and I, in the past, we've worked together on drawing
maps in prior sessions.

So it's difficult to say and commit to some
form of public comment afterwards because the
reality is we've got to get these done in time for
the state board of elections to get ballots
finalized. I don't know, frankly, how long it's
going to take us to draw these maps. I expect to
hopefully start to get some gauge as we get in this
thing tomorrow, but for all I know, you know, it may
be the last week of October and we're still in this
room trying to finalize one version of these maps.

And they really need to all be done in the
sense that we need to have some final map in place
before that public comment comes in, so that they
can comment on whatever it is that we're
considering.

Again, I will say that I do anticipate at
least some form of in-person public comment. I just
don't know the method, where it will be at, and how
much it will be, because of our truncated time line.
But I will just again say, the online version has been extremely popular. We've had a lot more comments there than we've had at some of the in-person sites, where we didn't have a ton of people show up. Some sites, we did have a lot, and others, not so much.

So, you know, folks across the state still have the ability to directly communicate with us and they've got the chance to watch this happen live. So, you know, I am satisfied that the public's got ample opportunity to weigh in on what we're doing in.

REPRESENTATIVE HAWKINS: Thank you. One last follow-up, Mr. Chairman.

REPRESENTATIVE SAINE: You're recognized for a follow-up.

REPRESENTATIVE HAWKINS: Again, to be clear, in 2019, when we worked on this project together on behalf of the citizens of North Carolina, we both had -- and everyone did -- had a keen interest in groupings because we understand that the way that counties are grouped directly relates to how districts are potentially drawn. And so one thing that came up last time, but I think we can sort of potentially get ahead of
it this time, is how, you know -- how the committee will approve the entire map. Or is it possible for us to go and approve grouping by grouping, once we go through this process?

Because I think, again, if you remember, a division of the vote in the 2019 session, that would have given us the ability to isolate and really draw down on each individual grouping, which I think could be really helpful. But I wanted to see what the chairman thought about that ability for us to do that this go round, sort of understanding how we did operate in 2019.

CHAIRMAN HALL: You know, I anticipate, as I said earlier, taking up member's amendments that they have, in whatever format that they want to put forth, whether that be an entirely new map or a specific grouping, with the only caveat of saying we can't take up -- every member of this committee can't up with 50 or 100 amendments and us possibly have time to get this done.

So assuming that doesn't take place -- which it hasn't in the past, and so I don't anticipate that being the case this time around -- I think it will be similar to what we saw last time, and that is, you know, members can put the amendment
in whatever form they really saw fit.

REPRESENTATIVE HAWKINS: I keep saying one last follow-up, Mr. Chairman.

VICE CHAIR SAINE: Well we'll give you one last follow-up.

REPRESENTATIVE HAWKINS: And so, you know, I, like you, native North Carolinian, and my birthday is in May, so I was always used to having a May primary. And I understood, you know, why we moved it to March, to play in the presidential. But this is a mid-term, and so, is there any appetite, potentially, to move the primary back to May, in the mid-term, versus the way we do it in presidential years? To give us the ample amount of time to work on these maps and have the potential public comment and have the fun that we did last go round on this project.

CHAIRMAN HALL: You know, I'll answer that question by saying you know, I haven't seen that appetite from the body. You know, I chair redistricting and rules and I will leave it at that. You know, I don't anticipate us moving that deadline back, I think for a number of reasons.

But one of the best reasons, I think, is folks have planned for that for some time now, and I
1 certainly understand the gentleman's argument that
2 perhaps it gives us more time to get it done. But
3 on the same token, you've got folks who have been
4 running for maybe statewide offices, and you've got
5 folks who have planned to run at given times, and
6 so, at this point in the game, I anticipate keeping
7 our filing deadlines as is.
8
9 REPRESENTATIVE HAWKINS: Sure. Well I
10 would just argue, Mr. Chairman, that it gives those
11 people -- North Carolina has ten and a half million
12 people, and it's a pretty big state, so that would
13 give those statewide folks a lot of time to know the
14 people of North Carolina. But I really appreciate
15 your time, Mr. Chairman. And thank you for the
16 ability to ask questions.
17
18 CHAIRMAN HALL: Thank you, sir.
19
20 VICE CHAIR SAINE: Thank you.
21
22 Any other questions?
23
24 Representative Harrison, and then
25 Representative Carney.
26
27 REPRESENTATIVE HARRISON: Thank you, Mr.
28 Chair.
29
30 And Chair Hall, when you were talking about
31 us being bound by the criteria of not using race or
32 partisan data, so any individual can -- any member
of the House can draw a district, will they be bound
by the same criteria?

CHAIRMAN HALL: Yes. So to be clear, only
a map that's drawn in this room is going to be
considered by this committee. And on these
computers in this room, you essentially are bound by
that criteria because there is no racial data or
election data that's loaded into these computers.

But to answer your question, yes.

Everybody will be bound by the same criteria. It's
not that a member that's not on the committee can go
draw whatever map they want to and sort of get
around our rules because they're not on the
committee. They must follow the criteria.

REPRESENTATIVE HARRISON: For a follow-up?

VICE CHAIR SAINÉ: You're recognized for
follow-up.

REPRESENTATIVE HARRISON: But it seems
like if you come in, and you might have the material
with you, it might not be actually loaded in the
software, but you might actually have -- I just
didn't know if there was some way to enforce that,
or how do you plan to do that?

CHAIRMAN HALL: Well, you know, I don't
plan to search every member who comes into this
committee room, nor do I want to do that. I don't
want to know what some of you all have in there.
But, you know, it's one of those things where, at
the end of the day, the members of this committee
are elected representatives. You're elected by your
constituents to come up here and do a job. And, you
know, I'm not going to -- I always try not to
question people's motives when they do something,
and I think this falls in that same vein.

So, you know, members can -- are free to
handle those issues as they see fit, but they will
follow the criteria in the sense that that data is
not in these computers. But I'm not going to -- I'm
not going to search their bags when they walk in.

VICE CHAIR SAINE: Recognized for a follow-
up.

REPRESENTATIVE HARRISON: Thank you.

Appreciate that.

And I think in 2019 we had a portal open
for the public to draw maps. Are we planning on
doing that this time around?

CHAIRMAN HALL: We are.

And if the chair will recognize
Ms. Churchill to speak to that.

MS. CHURCHILL: Yes, ma'am. Representative
Harrison, there will be two public terminals available for use starting tomorrow morning at 9:00 a.m. The public will be asked to schedule in advance, so that they can assure that a terminal is there during the time that they want to use it. They will be asked to bring a thumb drive, or other device where they can save their work, because the terminal will be reduced back to its original state when they leave.

REPRESENTATIVE HARRISON: I appreciate that.

I think I have two more questions, and they're quick, hopefully. I don't want to belabor the point, but in the last meeting we had on August 18th, several of us had gotten together and advocates had proposed a public participation process and a transparency process.

We also all received a letter from Caroline Fry, on Friday, that came from a large group of advocates asking for procedures to be followed by this committee. One of those is transparency related to third-party participation, disclosure of that. Is there any plan to the extent that folks are consulting with counsel or data people, or -- is there any plan for disclosure of that sort of issue?
CHAIRMAN HALL: You know, in the same vein of -- as chair of this committee, I'm not going to make it a practice to search people's folders or their bags when they come into this room. I'm also not going to inquire into everybody that they're talking to one way or the other. Again, we're all elected here. You've got a duty to your constituents, and you've got the decision to make as to how you want to carry out that duty. But I, as the chair of this committee, I'm not going to police who folks are talking to.

REPRESENTATIVE HARRISON: I appreciate that. And just last follow-up. I don't think I was asking about policing, but just disclosure. And I think that was what the public was asking for.

Thank you.

VICE CHAIR SAINE: Thank you.

I've got Representative Carney and then Representative Hawkins.

Representative Carney.

REPRESENTATIVE CARNEY: Thank you, Mr. Chairman, and Representative Saine.

And Mr. Chairman, thank you for taking all of our questions this afternoon. I want to go back to the drawing of these maps in this room. And I
guess I am one that envisioned, at first, that this committee would come in here for two weeks, gathered around the maps, work together in a non-partisan way to draw these maps out in the public, as you've stated. But I'm hearing now, and I'm understanding, member -- when you said any member can come in here from 9:00 to 5:00 Monday through Friday for two weeks -- correct me if I'm wrong.

CHAIRMAN HALL: That's right.

REPRESENTATIVE CARNEY: But any member of the legislature. House members in here, and I guess the Senate will be doing the same. So it is going to be beyond -- the map drawing will go beyond just the committee members; is that correct?

CHAIRMAN HALL: Yes. And one thing I do what to correct that you said. You said Monday through Friday for two weeks. I don't know if it's going to be two weeks or not. I don't know how long it's going to take. But -- and I understand why the lady is asking the question.

And, you know, having done this in a similar fashion in 2019, what ends up happening when you leave this committee room open for that long, it gives members an opportunity to come in and draw as they see fit. Just as you and I have the right as
House members to draft -- to have drafted whatever bill we want to have drafted.

The reason that we're doing it that way is, you know, we wouldn't tell members, prior to the filing or bill drafting deadline, we wouldn't say, you know, only certain members can file bills. You know, sometimes that may be preferable for our given caucuses, but unfortunately, maybe unconstitutional.

So, in the same vein, I want to give every member of the House an opportunity to be able to draft their bill, so to speak, if they want to do that. But you also see happening, especially sort of in peak hours, so to speak -- so, you know, in the mornings I would anticipate on like Tuesday, Wednesday, Thursday, you're going to have several people in here. And Representative Hawkins and I have done this in the past. Some of those parts of the maps that we're under right now, he and I literally drew together in this committee room. I mean, substantial parts of them. We didn't have to agree on every single thing, but substantial parts of them, you know, we sat down and drew them together.

So some of that will happen. You know, members may ask members from given districts to come
over and say, "Hey, what do you think about, you know, this given area? You know it better than I do." So that's going to be allowed, I mean, that teamwork, so to speak. But the reason for leaving it open so much is just to give members the opportunity to have their voice heard, so to speak, in this committee room.

REPRESENTATIVE CARNEY: So a follow-up?

VICE CHAIR SAINE: You're recognized.

REPRESENTATIVE CARNEY: If there are 120 members out of 120 -- let's say every member decided to come in and put something in to these maps, a little section, or their own, or whatever, their own districts, how do we pull all of that together? And I know staff will be the ones that will pull that so that it meets all of the criteria, and pass all the must, or whatever. Will we come up with one map, or two, or three maps that then the committee would vote on? I'm just asking.

CHAIRMAN HALL: I think we'll have multiple maps that the committee will vote on. You know, just like with any other committee, if you're not a member of this committee, if you want to draw a map, you're going to need to get a member of this committee to present that for you. Just like on any
other committee, if you've got a bill that, if you 
can't be in a given committee, or you're not on it, 
you just want somebody on it to present, they need 
to present it for you.

That's probably -- and actually, now that I say that, it depends on the timing. Let me actually take that back. Because if we have time, you know, to let other members come in and speak to that, just like we would other committees, we'll do that. But I do anticipate that sort of creating a time crunch for us. And so most likely what we're going to do is limit it to the members of this committee presenting amendments and presenting their various maps.

REPRESENTATIVE CARNEY: And one final. How will this be -- how will we let the other members know -- and of the course the public that is listening -- how will be let them know about this process? Is there going to be an email sent out to everyone that they will understand what we're doing?

CHAIRMAN HALL: We will probably send something out just to say, you know, if you want to come in and draw, that you can. But I think that, you know, the rules are fairly simple. Once you get in here you see, you know, you can go to the station
and draw as you see fit. But we will make it known that all House members have the ability to come in here and draw maps during the committee period.

REPRESENTATIVE CARNEY: Thank you.

REPRESENTATIVE SAINÉ: Thank you.

Representative Hawkins.

REPRESENTATIVE HAWKINS: Yes, sir. Thank you, so much, for the second opportunity to ask questions about redistricting. The first question is around the ability for multiple language speakers to use this portal and have their languages translated properly.

Representative Torbett and I were in Durham, and he was so kind to allow for a translator, a Spanish speaking translator, for our Spanish speaking population to take part. And maybe this is a question for staff, since we potentially may not have in-person public hearings in the future, how are multiple languages being transferred into the English language, so that we can decipher it and make sure that they have a part in the process?

VICE CHAIR SAINÉ: Ms. Churchill.

MS. CHURCHILL: Representative Hawkins, I'm not going to commit to anything, because I'm not
sure what we can do with the technology, but we are absolutely happy to look into what our options are, and report that back to the chair.

REPRESENTATIVE HAWKINS: Okay. I also heard you were Erika Churchill, and you can do all things, but just putting that out there.

MS. CHURCHILL: Speaking French is not one of those things.

REPRESENTATIVE HAWKINS: Okay. 10-4. Just --

CHAIRMAN HALL: I believe she said not yet.

REPRESENTATIVE HAWKINS: Follow up,

Mr. Chairman.

VICE CHAIR SAINÉ: You're recognized for a follow-up.

REPRESENTATIVE HAWKINS: And this is just, you know, full transparency, Mr. Chairman, so that the public can know that we're, you know, working with all cards up. Is there, you know, any -- I want to make sure that there have been no maps drawn outside of this building that any of us have been privy to. Can we say that unequivocally that that's been the case?

CHAIRMAN HALL: I can't speak for other members of this committee. What I'll say is that I
have not contributed to the drawing of any map, at all.

REPRESENTATIVE HAWKINS: Awesome. Thank you, Mr. Chair.

VICE CHAIR SAINE: Thank you.

Representative Warren.

REPRESENTATIVE WARREN: Thank you. I propose this to the Chair, but probably going to deflect it to Ms. Churchill. Can you explain what the matrix is on page 2 of this stack of maps?

VICE CHAIR SAINE: Ms. Churchill.

REPRESENTATIVE WARREN: I knew it. She can do anything.

CHAIRMAN HALL: When we're using the word "matrix," generally I'm going to go ahead and deflect that one on over.

MS. CHURCHILL: So, Representative Warren, I'm not sure that it is a matrix in the form that many people think of when you say that word. But it was our attempt to keep up with how the group from Duke was allocating the options to create the eight different combinations for a fully assigned statewide map.

So when you see the A1 option in the Duke House 01 through 04, that is associated with the
western part of the state, that northwestern corner that was unassigned in the fixed map. The option one, the combination is Surry, Wilkes, Alexander, for two members. And Alleghany, Ashe, Watauga, and Caldwell for two members. And so it's just, we wanted you all to know that we were trying to methodical and systematic, following the recipe. So it's just simply the designations they were using to tell us whether to add salt or to add sugar.

VICE CHAIR SAINE: Thank you, sir. Any other questions for Chairman Hall?

Representative Brockman.

Representative Brockman, Representative Reives, and then Representative Harrison.

REPRESENTATIVE BROCKMAN: I know we're not considering race, but are we considering party registration when we're drawing the maps, as criteria?

CHAIRMAN HALL: Nope.

VICE CHAIR SAINE: Representative Reives.

REPRESENTATIVE REIVES: Thank you, Mr. Chair. I had a -- I wouldn't call them a series, but you may call them a series of questions --

VICE CHAIR SAINE: You're recognized for a series, sir.
REPRESENTATIVE REIVES: All right. Thank you.

I wanted to make sure, and I apologize if this is repeating anything, I don't know that I have the answer in my head, and I know that when we walk out of this room, that I'm going to get all these questions, so I'm trying to kind of figure out where we are.

So on the drawing of the maps, I think my big question is -- and I've got to get my glasses back on because I had to type this because I can't see, and I can't read anymore. See what you guys did to me in 10 months. I had 2020 vision when I got here.

But I guess first following up on Representative Hawkins' question, and again, it's just the question we've got to ask. He asked if there have been any maps drawn outside this building. I would like to know if there have been any maps drawn inside the building?

CHAIRMAN HALL: No. Great lawyer question.

But no.

REPRESENTATIVE REIVES: Just making sure.

I got to ask.

CHAIRMAN HALL: You know, again, I'm
speaking for myself, as the gentleman understands. I can't speak for what other members have done, on either side of the aisle, or in the Senate, but I have not participated inside or outside of the drawing of any maps, for this session.

REPRESENTATIVE REIVES: That's good. I appreciate that. And going on that same issue, and you really, you and I have talked, and now I want to say publicly, you have been very good about keeping me up to date with what we're trying to do, how we're trying to do it, and I appreciate that. And we had this discussions, but I want to kind of get it clearer now.

So my concern is similar to Representative Harrison's concern because here seems to be the problem that you run into. So let's say somebody -- and I'll use somebody who would never do this. I'm going to use Representative Bell. So let's say Representative Bell comes in and he's gone, and he's talked to, you know, non-member Billy Richardson, and Billy has said, "Oh, man. This would be a great map for you, John Bell, because, you know, you put all the democrats over here. You put all the republicans here. And then you got you all the black people here and the white people here, and all
that stuff." Obviously using racial and partisan
data that we're not using.

And so then he says, "Here's my map, so you
don't have to worry about drawing it." Well if
Representative Bell, under what I'm hearing, brings
that map in, sits it down in front of him at the
terminal, and just draws it on a computer, then he,
at that time, has been allowed to draw a map that's
been drawn on a computer, so it can be used, but
it's still using racial and partisan data.

And I'm just like Representative Harrison,
I'm definitely not asking anybody to police anyone,
but do we have anything in place that would kind of
help prevent that? Because to me, that sounds an
easy get around, in a legal sense, around the
criteria that we've set up.

CHAIRMAN HALL: Well, you know, I would
initially say that the problem that you face at the
deal of the day, as the gentleman already knows, and
as I've said, I don't think I have the ability to
police members of this committee, nor do I want to
try to do that. I don't think it can effectively be
done.

The committees of this -- the members of
this committee have an elective duty to do things, I
think in the right way. And we have a set of
criteria that we have used in here. I know I'm not
going to bring in a map and sit down and draw it,
but you know, the reality is, we're elected
officials, and people will talk to us, and they call
us all the time. And throughout this process, many
members of the committee and the body are going to
be told by folks, whether in their district or in
the halls out here, what they think they should do.

And in fact, as many of the questions today
have shown us, the members of this committee really
want the public's comment. And, you know, those
members of the public may say, "Representative
Reives, I want you to draw the district this way and
I want you to do this precinct." And that's up to
you to determine how you want to handle doing that.

But at the end of the day, I think we've
done all that we can, in the sense of we're only
putting the data that's allowed to be used in the
computers, in this room, and we've got a live audio
feed, and a live video feed. I'm not sure that we
can do a whole lot else, humanly, to prevent any
sort of noise, so to speak, from coming in, other
than doing those things.

REPRESENTATIVE REIVES: Is it possible,
just as a follow-up, that we could at least prevent
the bringing in of a physical map to draw from? Is
that something possible?

CHAIRMAN HALL: Yeah. You know, and you
and I talked about this the other day, and I thought
it was a great question, something I hadn't really
thought about. And, you know, and I certainly, I
see your point. But what I don't want to get into,
as the chair of this committee, is when, you know,
Representative Warren comes in here and he's got
this big spread, me, you know, telling the sergeant
in arms to take Representative Warren, you know --
or take his map away from him or take him out of
this committee room. You know, I want to avoid
that.

And, you know, it's one of those things
that there might be a scenario where, you know, you
draw one map in here -- you've been through this
before -- you draw a map, you have it printed out,
and you might take it with you to study it and think
about it, and to determine what you want to do to
perhaps change it. Maybe you want to take it to
your constituents and say, "Look, here's what I'm
thinking. What do you think about this?" And maybe
they give you input.
And you might want to bring that very map back in here, that you drew in this committee, and sit down and, based on the changes -- the input, rather -- the input you've got from other folks, and make those changes. And I don't know how we would -- again, I go back to the word policing it -- how I can't stand over somebody's shoulder and say, "Now that's not the map you drew in here. That's a map -- I don't know where that came from." I just don't -- I don't think it's possible to do that.

But what I can tell the members of this committee, as the chair, I won't be bringing any maps in here to draw off of. But I want to be clear that when members of the public that are watching these live video feeds, or members who are sitting in the back, they're going to see members of this committee walking around with maps in their hands. Some people like to have a sheet of paper in front of them. You know, you're probably like me. I like to read, you know, a statue printed out, rather than read it on a computer screen, so that I can write on it, and think about it a little easier.

So, because of that, I'm afraid, you know, even if we tried to do that, the optics of removing members from this committee, and people seeing
people walking around with maps that have been printed out because they were drawn in here, I think it ultimately results in the best path forward to just say, you know, look folks, the map you draw has got to be the one that you do in here and nowhere else. And that's up to the members and their integrity as to how they want to handle that.

REPRESENTATIVE REIVES: And I would say then, based on that, I'm assuming we will be instructing members that you are not to use racial or partisan data in the drawing of the maps that you do in here.

CHAIRMAN HALL: Absolutely.

REPRESENTATIVE REIVES: And I would also, I guess, say that once we're down to the maps that we're going to be voting on, I mean, I would think that's something that we can ask members when they're presenting a map. You know, if a member comes up and says, "This is my map we're voting on," you could say, "Okay. You didn't use racial or partisan data," and that won't be considered out of line.

CHAIRMAN HALL: I think that's, you know, a fair question for any member of this committee or anyone in the House to ask those very questions.
REPRESENTATIVE REIVES: All right. Well then that gets us to the next question I've got. We've got criterion that we've put in place that we set up for the whole map drawing process. What my question is is what criteria are we going to use to choose between grouping options? Are we going to have some plain set out criteria saying this is what gives us the best grouping options?

CHAIRMAN HALL: So the committee is not going to adopt any specific of the options and groupings. We have said, as I said a moment ago when I was chairing, the only groupings that we're going to consider, are those that's in this packet. But as you know, and the committee members know, there are multiple possible groupings within that packet. We're not going to vote on which one members have to use.

So that's going to be up to the members of this committee what combination of groupings each member wants to use in drawing their maps. Within that, there might be, you know, one particular grouping, or set of groupings, that somehow results in a map that more fairly meets the criteria, over some other set of groupings. But that's -- you know, in large part, some of that is subjective.
Not all of it, but some of it is subjective. But it's going to be up to the committee members to decide what set of groupings they want to use. We're not going to limit the committee to any one combination of groupings.

REPRESENTATIVE REIVES: Thank you for that. And back to some of Pricey's questions on the Voting Rights Act. Because I'll be the first to say, I don't practice in that area, so I don't profess to completely understand what we're supposed to do.

I think what my question would be is, what do you feel like our obligations are under the Voting Rights Act, at this point? Because I understand that you're saying that we won't be using racial data to determine what those districts look like, initially, which I think was done before. So what do you think our obligations would be and how are we going to comply?

CHAIRMAN HALL: Well, obviously, you know, we're obligated to comply with section two of the Voting Rights Act. But as I said earlier, we've seen a lot of litigation in this state, and you've followed that, I've followed it. I can't say I've read every line of every single case, because that's all you would ever do, you know, if you were going
to go do that. But I've read a lot of it, and in my opinion, what the plaintiffs have said -- so those folks who have tried to set aside maps -- have said -- and their experts, by the way. The experts that they hired to go to court for them. They've all said that there is no legally significant racially polarized voting in North Carolina.

That's the evidence in the record from past cases that we have. In my opinion, that's what the Covington Court found. So Judge Wynne found that there was no legally significant racially polarized voting in North Carolina. But certainly, the plaintiffs and their experts made that claim.

So without that, we believe, as we've done in the past two sessions that we've redrawn, not considering race is actually, not only proper, but it's the best way forward to make sure that we are complying with, not only the Voting Rights Act, but other state and federal laws.

REPRESENTATIVE REIVES: And also, based on the court decisions, I heard you earlier say that we are choosing not to use partisan data, but since there's no binding precedent -- was your statement about that -- then what obligations do you feel like we have, based on the case that talked
Chairman Hall: It's not a legally binding precedent. It's not an appellant, because the gentleman knows it wasn't an appellate court that made any of those decisions. So to answer the technical aspect of your question, it is not legally binding.

However, we have adopted some of the opinion in our criteria, so to the extent that we adopted it into our criteria, that's binding on this committee. We've also taken some things that we didn't really adopt as criteria, but simple instructions to the committee that was in that case, and that is all of these computer stations that we see around, the live audio, live video, we're voluntarily doing that.

Again, not binding on us at all. There is certainly no state law that requires this body to have TV cameras to watch us do anything. I mean, we can have -- we have to have open meetings, when the body's meeting, but there's no law that requires us to be transparent in this process. We are voluntarily choosing, at every single step along
this line. We are going above and beyond what the
time requires us to do, in my opinion, in terms of
transparency.

REPRESENTATIVE REIVES: All right. And I
think I've got one follow-up that may be more
appropriate for staff, but if you'll just determine,
Mr. Chair, who is best to do it. Because while you
were talking, I was also thinking back on the Voting
Rights Act. I guess my question is, how do we know
we're in compliance with the Voting Rights Act with
a map then, if we're not using racial data during
this time?

CHAIRMAN HALL: Well, again, I would fall
back on what we've done in the past. And we have
done this in the past in the very method -- with the
very method that we're using right now. We haven't
used racial data. And those courts have upheld that
process. So we're essentially sticking with what
works.

As the gentleman knows, this is an
ever-evolving body of law around redistricting. All
we can do is try to stick with what we know works
based on past precedent. And in this particular
instance, we're confident, just as we've done in the
past, that we should not use racial data at all, and
that doing so, we'll be in compliance with all state and federal laws.

REPRESENTATIVE REIVES: Okay. And I'm going to repeat what I think I'm hearing, and just tell me if I'm accurate. So, if I'm hearing you correctly, we won't be doing anything proactively to see if we're in compliance. What we'll be doing is we'll draw maps, and it's our believe that those maps will comply. And then if the courts tell us they're not in compliance, then that would be when remedial measures would be taken.

CHAIRMAN HALL: In my opinion, not using racial data will ensure that we are in compliance with those laws. So yes.

REPRESENTATIVE REIVES: Okay. Got it. And when we get down to the point on voting on these maps, I mean, are we going to do any kind of culling -- I'm with you in the sense I want this to be more of an efficient process, and if I'm hearing correctly, what our process is, in theory, 120 members can walk in here and draw 120 maps, and then can have 120 amendments, which could really kind of have us all over the place. Is there anything that we're doing to kind of cull this down so that we're not voting on 120 maps when we make our committee
1 vote?

CHAIRMAN HALL: Well, you know, the
gentleman may want to address that in caucus, before
we vote on these maps. But outside of that, you
know, it's one of those things that I don't know how
many we're going to have. I don't want to sit here
and say, now look, we're not going to consider --
we're only going to consider 10 maps, so come up
with your best 10. I don't want to do that. I want
to give members of this body who are elected the
opportunity to be heard.

You know, on the floor, people can put
forth amendments all day, just like, you know, we
see them often do. And so we don't want to limit
that. But what I'll say is, you know, if we get in
here as a committee, and we've got a ton of these
amendments and proposed maps coming in, at some
point -- and the chair -- I will say, I will talk to
you about this ahead of time -- at some point, you
and I are going to have to get together and say, you
know, we're going to have to talk to the folks in
our respective caucuses and limit the number of maps
and amendments that we're putting forth in this
committee, and tell them, save it for the floor. If
you want to put it forth on the floor, they're
certainly welcome to do that.

But what I'll commit to is an interactive process with you, especially, and really all the members of this committee, that we try to get it done in an efficient process. And that may take, you know, you and I putting our heads together and figuring out which amendments we should take up on this committee, and which may need to wait for the floor.

REPRESENTATIVE REIVES: All right. Well I think those are my questions. Thank you.

VICE CHAIR SAINÉ: Thank you, sir.

Next, Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair.

And Mr. Chair, I apologize for the barrage. I think these are really simple questions. If I heard Erika correctly, the public can draw maps on public terminals that are set up, but not in this room or in 544; is that accurate?

REPRESENTATIVE SAINÉ: Ms. Churchill.

MS. CHURCHILL: Yes, Representative Harrison. That is accurate. The drawing stations in room 544 and 643 are reserved solely for members of the General Assembly.
REPRESENTATIVE HARRISON: So as a follow-up to that, did I hear that we're only considering maps that are drawn in this room and in 544? And if that's the case, then what are we doing with the public's maps?

CHAIRMAN HALL: So --

Mr. Chairman, sorry.

REPRESENTATIVE SAINÉ: Go ahead.

CHAIRMAN HALL: So if a member of the public comes in, and as I've said earlier, just like any other bill, you know, one of your constituents or the member of the public may say, "Look, Representative Harrison, here's what I think you should do," you're obviously welcome to take a look at that. And herein lies sort of the friction between the position that Representative Reives talked about, and what you're saying right now.

So if I'm to say, as the chair of this committee, you cannot bring a map in here, period, well, if one of your constituents says, "Representative Harrison, I went to the portal downstairs, I drew this map, and I really think this is a good idea," and you agree with it, if we have that rule in place, you wouldn't be able to bring that map in this room. You wouldn't be able to take
So the maps that we take up must be drawn in this committee room. Now, we'll talk about maps that are drawn, you know, downstairs, but with the same data loaded into the computers, and how we'll go about handling that, you know, if a member literally wants to take one of those up. But what I anticipate right now is requiring that it be drawn in this committee room.

REPRESENTATIVE HARRISON: I appreciate that, and I just have one question and I think I'm done. I must have missed the congressional map discussion. Have we talked about that? When does it happen?

CHAIRMAN HALL: So one thing I do want to clarify. So in this room, we won't be drawing any state Senate maps. Just as, you know, we're not going to let them screw up our state House maps, so they're not going to be able to draw ours. The congressional maps, so I think technically, and staff can correct me if I'm wrong, I think the data is in there right now to be able to draw a congressional map.
Is that right, Ms. Churchill, just in general --

Okay. So you could start on a congressional map if you wanted to. That's up to each member of this committee. I know my hope is is that we sort of tackle the state House map first, as a committee. So if you're drawing, just know, the first map that I anticipate taking up as a chair, is going to be the state House map. So you need to work on that one first if you want it to be ready to go to put forth whatever your amendment may be. And then after that, at some point, we'll do the congressional map.

REPRESENTATIVE HARRISON: If I could follow up --

VICE CHAIR SAINE: You're recognized for a follow-up.

REPRESENTATIVE HARRISON: And I'm sorry if you said this -- so when do you think we're going to be done with all these maps, in terms of us enacting them?

CHAIRMAN HALL: Yeah. You know, I really don't know when we're going to be done. What I'll say is that I believe we need to be done by the end of this month. We may have a few more days past...
that, that the state board of elections can still
give us turnaround. But the mindset that I've had
is let's get this done by the end of October, that
way everyone gets ample time to know what districts
are going to look like and the state board of
elections can get things done.

But, you know, the problem is, you know, we
are drawing the whole map for the first time, I
guess since 2011. And what we've done, you know,
since I've been in this body -- I've been through
this process a number of times, but it's always
typically been with a more limited part of the map
that we're required to redraw. So that's one of the
issues. And that is, this is so unprecedented, we
have never done it this way. This body has never
drawn the whole map in complete public view with
live audio, live video. We don't know how long that
process is going to take. But, you know, the goal
is to get it done by the end of October.

REPRESENTATIVE SAINÉ: Representative
Carney.

REPRESENTATIVE CARNEY: Just one last
question, and Mr. Chairman, thank you so much for
your indulgence. And we're about to beat the Senate
on this committee meeting length of all of us being
able to answer questions, so I appreciate that.

I'm just hung up on the maps being drawn in
this room, and I'm trying not to be. Because on one
hand we're stating that the only maps we will
consider will be the maps that are drawn on these
computers, in these rooms. But now I'm hearing that
it doesn't preclude someone coming to me, from the
public, and giving me information and a map, and
then I come in here and transport it into the
portal.

That takes that to the level of there can
be maps -- and help me understand if I'm wrong --
there can be maps drawn outside of this building,
from any group, and given to a member, or a group of
members, and they can come in and put it into the
portal. It would be under their name. Is that
correct?

CHAIRMAN HALL: Well, I guess in a literal
sense, you certainly could hear from somebody else,
and come in here, and draw a map. And there's
really nothing we can do about that. It's a first
amendment issue. The members of this committee have
a first amendment right to go talk and hear from
their constituents. Their constituents have a first
amendment right to talk to their legislatures. Well
even if you're not their legislature. The folks of
this country have a right to say what they want to,
and if you're walking down the street, they can come
up to you and say, "Representative Carney, here's
what I think you should do."

It's then up to you, as a member of this
committee, to handle that in whatever way you see
fit. Just like you would a bill. Some individual
in your district, or not your district, may write
out a bill for you. You're not going to go
introduce that, obviously, and us vote on it to go
through the bill drafting process. So in some ways,
you know, it's very similar.

The other thing that I'll say though, I
think what may be getting lost in the weeds is, when
you actually sit down to do this, this is a big
state. There's a bunch of precincts on the
congressional maps. You have to get things -- with
zero deviation it's going to be very difficult to
sit down and memorize an entire map, and come in
here and sit down and pinpoint, you know, wherever
an outside map was that you saw.

But I think, fundamentally, the issue is
going back to the law would allow exactly what
you're saying, but even on another level. It would
allow you to go hire somebody to draw whatever map
you felt like was the best map, and bring it in
here, and put it before this committee. But we're
going above and beyond what the law requires, in
terms of transparency. We're going to require them
to be drawn in here.

REPRESENTATIVE CARNEY: Thank you.

REPRESENTATIVE SAINÉ: Any other questions
for Chairman Hall? Seeing none, I believe the
business of the committee is completed today.

Is that right, Chairman Hall?

CHAIRMAN HALL: That's right, Chairman

Sainé. And the members, we'll be back in here at 9
o'clock in the morning. We'll gave in, and members
will be able to draw. And let's see how much we can
get done tomorrow and perhaps part of Thursday and
see if we need to work on Friday.

REPRESENTATIVE SAINÉ: You've heard the
gentleman. Come in tomorrow ready to work. With

that --

I'm sorry. Representative Carney.

REPRESENTATIVE CARNEY: So that turned into

one more question.

VICE CHAIR SAINÉ: You're recognized.

REPRESENTATIVE CARNEY: Does that mean that
the full committee, Monday through maybe Friday, if we have a duration, we are to be present in here every day that the maps are being drawn?

CHAIRMAN HALL: No. You don't have to present. That's completely up to you as a committee member. You can come for all of it or come for none of it. But it's up to you.

REPRESENTATIVE CARNEY: We have a choice.

Thank you.

VICE CHAIR SAINE: We stand adjourned.

Thank you.

(END OF AUDIO FILE)
CERTIFICATE OF TRANSCRIPTIONIST

I certify that the foregoing is a true and accurate transcript of the digital recording provided to me in this matter.

I do further certify that I am neither a relative, nor employee, nor attorney of any of the parties to this action, and that I am not financially interested in the action.

__________________________
Julie Thompson, CET-1036
(Transcription from YouTube started at 6:57.)

CHAIRMAN HISE: ... Rod Fuller, Mike Harris, behind me, Charles Marsalis, he's over here, and Linda Matthews. I saw her in the back. Thank you all for being here today.

Welcome back to the Senate Redistricting Committee. I wanted to start off by thanking members of the public who came out to our 13 public hearings held across the state last month. There were a number of constructive and useful suggestions made throughout the process as the committee will be able to better respond to the concerns of North Carolinians as a result of hearing that feedback.

I also want to thank the members of the committee who were able to attend those meetings to hear from our constituents. Finally, and probably most importantly, I thank our staff and our sergeant-at-arms and General Assembly police for helping make that process run as smoothly as possible.

What we're here to do today is to begin the map-drawing process. In doing so, it will be important for this committee to understand
the county groupings to be used in the 2021 Senate plan. As the criteria this committee adopted several weeks ago say, we will use state constitutional standards as interpreted by the North Carolina Supreme Court in Stephenson I, Stephenson II, Dickson I, and Dickson II to create these county groupings. These decisions specify the procedure for how the county grouping process works to give effect to the state's constitutional whole county provision and the one person, one vote principle.

I won't recite verbatim what those decisions say, but in layman terms, this means the county population will be used to identify the maximum number of single-county districts that can either support one or multiple legislative districts. Next we will find -- after that is completed, you will find the maximum number of two-county districts that will support one or multiple districts that don't landlock parts of the state without a district, then to three, then to four and so on through the process until no more counties are allowed to be grouped.

So in a moment, we'll hear from our
nonpartisan staff about the different options that are available for county groupings and how they comply with the state constitution and the Stephenson decisions. I want to emphasize that the chairs believe that there are multiple options for grouping counties in a way that is legally compliant.

This committee will consider maps that use the constitutionally compliant county groupings as our adopted criteria require us to do. Maps that do not use legal county groupings will not be considered by this committee.

I will now ask Erika Churchill to explain the county grouping options for the 2021 senate plans. And I think they have passed out the packet of 16 plus a blank map that's for coming in with some other information.

Does everyone have that? It appears everyone has it, Erika.

ERIKA CHURCHILL: Very good. So we're going to be looking at it on the screen as well.

CHAIRMAN HISE: Senator Clark, if you can just --

SENATOR CLARK: How do we introduce additional constitutionally compliant cluster
CHAIRMAN HISE: Anything you'd like to -- anything will be open for you to draw or consider what you want. She's getting ready to present what we think the options are for constitutionally compliant maps, those kind of things, so those will be open for anyone, but I'm going to let her finish her presentation and we'll go through some questions.

SENATOR CLARK: Thank you, Mr. Chair.

ERIKA CHURCHILL: Okay. Jessica and I are going to walk through this the best we understand it.

So we were asked to start with a paper entitled North Carolina General Assembly County Clusterings from the 2020 Census. It was written by Christopher Cooper, Blake Esselstyn, Gregory Herschlag, Jonathan Mattingly, and Rebecca Tippett, and is available on the Duke University website Quantifying Gerrymandering, which is a nonpartisan research group centered at Duke Math. To the best of my knowledge, the post that released this was posted on August 17th of this year.

So they started with trying to
determine, as Senator Hise mentioned, what are all the single-county clusters, meaning a county that is within a population range of plus or minus 5 percent deviation off of the ideal deviation for a Senate district. The ideal population for a Senate district for the 2020 decade is 208,788 people according to the federal decennial census, with a plus or minus range, that means a range of 198,348 people to 219,227 people.

So in starting their process, this group determined that there are 17 clusters containing 36 of the 50 districts that are fixed based on determining optimal county clusters. They are represented by the colored county groupings in the map that you have before you that are crosshatched. This will stay static throughout the presentation. There are 16 additional maps of how the counties in white can be grouped for the remaining 14 districts.

For the fixed districts, 10 of these contain a one single-member district, meaning that 10 of the 50 Senate districts would be fixed under this particular configuration. Those would be District P in Onslow county;
District L, which is Beaufort, Craven, and Lenoir; District N, which is Edgecombe and Pitt; District Q, which is Wilson, Greene, and Wayne; District J, which is Johnston; District I, which is Nash, Franklin, and Vance; District H, which is Person, Caswell, and Orange; and District O, which is Davidson and Davie; District K, which is Rowan and Stanly; District M, which is Hoke, Scotland, and Robeson.

The remainder of the groupings would be multi-member groupings, which means they would have to eventually be divided into single-member districts within that plus or minus 5 percent ideal range for a single member.

So now comes the interesting part.

JESSICA SAMMONS: So what we did was take the available options from those groupings that were in white from that first map that was on the screen and in your packet, and according to this group, there are multiple configurations that those counties could be grouped into, and so we created this chart of the different configurations.

For each of the groups in white, you'll see that there's kind of four distinct groupings
in white on that first page, one involving 
Buncombe county to the west, one involving 
Wilkes, Yadkin, Surry, Stokes, Forsyth, 
Alexander, one to the southeast, and then one to 
the east and northeast up at the top.

ERIKA CHURCHILL: I will jump in and 
ote, starting with our western grouping, 
including Buncombe, this is sufficient 
population for five single-member Senate 
districts.

For that northwestern corner with the 
Wilkes-Surry-Forsyth area, that is sufficient 
for three single-member districts.

For this southeastern corner with 
Brunswick, New Hanover, Pender in it, that is 
sufficient for four single-member districts.

And starting with Caldwell, Pamlico and 
all the way back over to Warren in the northeast 
corner, that is sufficient for two single-member 
districts.

JESSICA SAMMONS: So what we did is we 
took the options that were in the article Erika 
mentioned from Duke, at Math, that Quantifying 
Gerrymandering group, and they had two different 
options for each of those white areas from the
first page. And we basically did all the configurations and came up with 16 different maps. And what we're going to do now is just roll through all 16 of them.

This first one, as you can see, fills in all those white spaces with one of the available options.

ERIKA CHURCHILL: And I would note for each of these, remember, the crosshatching is the fixed area from the Duke report.

The second thing that I would note is when you see the, like R2, which is Buncombe, McDowell, and Burke on Duke Senate 01, the "2" means that is a two-member district. When you see T1, which is Henderson, Polk, and Rutherford, that means that is a single-member district.

JESSICA SAMMONS: So explaining this map, you will see that here for Grouping R, that includes Buncombe, McDowell and Burke grouped together; Henderson, Polk, Rutherford grouped together; Lincoln, Gaston, Cleveland grouped together; and then move up to that second grouping, Wilkes, Alexander, Surry, Yadkin grouped together; Surry and Stokes -- Stokes and
Forby's grouped together; and then over in the southeast, Harnett, Lee, Sampson, Duplin, Jones, Pender, New Hanover grouped together; Bladen, Columbus, and Brunswick grouped together; and then over to the east and northeast, Pamlico, Craven, Hyde, Dare, Washington, Chowan, Perquimans, and Pasquotank grouped together; and then the remaining of those eastern -- northeastern counties grouped together.

ERIKA CHURCHILL: As we scroll through these, you will notice that you see a variation on a theme. There will be one district -- or one area of the four that will be changed in each one of these. The remainder will remain the same from a previous version. So it is simply the configurations of how these four areas of the state could potentially be broken down in two different ways and then reconfigured with the rest of the state that can also be broken down in two different ways.

So we're happy to scroll through these and read through each of the counties and each of the groupings, if the chair would like.

CHAIRMAN HISE: Yeah.

JESSICA SAMMONS: Okay. So In the
second map, you have -- looking back over at the west, you have a grouping of Buncombe and McDowell and Burke; you have a grouping of Henderson, Polk, and Rutherford; a grouping of Cleveland, Lincoln, and Gaston. To a little bit northeast of that, you've got Wilkes, Alexander, Yadkin, and Surry grouped together; Stokes and Forsyth grouped together. Down to the southeast, Buncombe, Columbus, and Bladen grouped together; and then Lee, Harnett, Duplin, Jones, Sampson, Pender, New Hanover grouped together. And then moving over to the east, you have Warren, Halifax, Martin, Washington, Chowan, Hyde, Pamlico, and Carteret grouped together; and then the remainder would be in a grouping by themselves.

ERIKA CHURCHILL: For Duke Senate 3 --

UNIDENTIFIED SPEAKER: Mr. Chair.

ERIKA CHURCHILL: -- back over in the west, Buncombe, McDowell, and Burke would still be grouped together for a two-member district.

CHAIRMAN HISE: Excuse me for a second.

Senator Marcus.

SENATOR MARCUS: Sorry, Erika, to interrupt you. I think it would help me if you
could maybe point out, as you're going through these, which section of it is different from the map before. I don't know if that's what everybody else was doing, but I'm flipping back and forth between the one we just talked about and then the next one. So maybe if you could, you know, obviously do as the chair's requested, but if you could also mention where the change is so our eyes could go there first, I think that would be helpful.

ERIKA CHURCHILL: So the first of these series --

JESSICA SAMMONS: The first four -- the first eight.

ERIKA CHURCHILL: -- the first eight of these we're going to go through --

JESSICA SAMMONS: It's the same.

ERIKA CHURCHILL: -- the western part of the state, the Buncombe-McDowell-Burke trio, the Henderson-Polk-Rutherford trio, and the Cleveland-Lincoln-Gaston trio will not change for the first eight maps.

For the first four of these maps, that Forsyth-Stokes combination, with the Wilkes-Alexander-Surry-Yadkin combination, also
will not change for the first four. The changes will be in the eastern part of the state.

CHAIRMAN HISE: It may just be simplest if you focus on each of the four grand pod areas and show what are the two options for that area, holding everything else in the state kind of consistent. That might --

ERIKA CHURCHILL: Great idea.

So starting with Duke Senate 3, let's look at the southeastern portion of the state. One option is what is now will be labeled District X. It would have two members. It would be Columbus, Brunswick, and New Hanover. And then the remainder of that southeastern portion would be Lee, Harnett, Sampson, Duplin, Jones, Pender, and Bladen with two members as well. If you want to;

JESSICA SAMMONS: Page 18.

ERIKA CHURCHILL: I'll go back up. Oops, went too far. If you will back up to Duke Senate 01, that same area -- sorry. I was trying to get to 2.

To Duke Senate 02, that same area of the state, that southeastern corner, can be broken down differently. District X would be
Lee, Harnett, Sampson, Duplin, Jones, Pender, and New Hanover, and it would be population sufficient to support three single-member Senate districts. The remainder, District Y as labeled, would be Bladen, Columbus, and Brunswick, and it would be a single-member Senate district.

Again, staying in the eastern part of the state, staying with Duke Senate 02, that northeastern corner, one option would be to combine Warren, Halifax, Martin, Chowan, Washington, Hyde, Pamlico, and Carteret for a single-member district, and to combine Northampton, Hertford, Bertie, Gates, Perquimans, Pasquotank, Camden, Currituck, Dare, and Tyrrell for a single-member district.

JESSICA SAMMONS: Go back one. 3, go to page 3.

ERIKA CHURCHILL: The other option in that northeastern corner will be to combine Carteret, Pamlico, Hyde, Dare, Washington, Chowan, Perquimans, and Pasquotank for a single-member Senate district, and for Warren, Halifax, Northampton, Hertford, Bertie, Martin, Tyrrell, Gates, Camden, and Currituck to be
combined for a single-member Senate district.

   JESSICA SAMMONS: You need to go to

   Map 9.

   ERIKA CHURCHILL: Skipping ahead to

   Duke Senate 09, the -- well, let's back up to

   Duke 08 for a second just to look at that

   southwestern area one more time.

   Option 1 would be Buncombe, McDowell,

   and Burke for a two-member Senate district;

   Rutherford, Polk, and Henderson for a

   single-member Senate district; Lincoln, Gaston,

   and Cleveland for a two-member Senate district.

   The other option in that southwestern

   corner would be to combine Buncombe, Henderson,

   and Polk for a two-member Senate district;

   McDowell, Rutherford, and Cleveland for a

   single-member Senate district; and Burke,

   Lincoln, and Gaston for a two-member Senate

   district.

   Moving to that northwestern corner or

   area, the first option would be to combine

   Forsyth and Stokes for a two-member Senate

   district; and Surry, Wilkes, Yakin, and

   Alexander for a single-member Senate district.

   JESSICA SAMMONS: Go back one.
ERIKA CHURCHILL: The other option in that northwestern corner will be to combine Forsyth and Yakin for a two-member Senate district; and Stokes, Surry, Wilkes, and Alexander for a single-member Senate district.

CHAIRMAN HISE: Members, I will take a moment now to see if there are any questions. As I summarize this, there are four areas of the state where the podding, for example, in the west, will contain three three-county pods. There are two options for what counties cluster together for those three. So with four areas in the state, two options in each, that will give you a total of 16 possibilities that could be selected for a map.

Staff's here and we'll continue to -- and I will answer any questions you may have. If you will please direct your questions to the chair.

Senator Blue.

SENATOR BLUE: Thank you, Mr. Chair.

It might be that the staff can answer this, but I'll ask you directly because I have the greatest amount of respect for Mattingly, Tippett and the various others that you talked
about who were involved in this project. And
maybe staff knows, but do you know whether or
not, in drawing these initial maps, what the
total criteria was? You say the Stephenson
criteria. I didn't hear you mention some of the
lawyers who would have interacted in this to
determine whether in their laying out these maps
they looked at first Stephenson criteria which
is that Voting Rights district requirement --
Voting Rights Act requirements.

And so do you know whether they
factored in that initial criteria in Stephenson
in drawing these maps or they just did it on
population and the Stephenson criteria generally
on the whole county?

ERIKA CHURCHILL: Senator Blue, I'm
going to read directly from their --

SENATOR BLUE: Okay. That would be
helpful.

Erika CHURCHILL: -- work because I'm
not really sure other than to read directly from
what they said. And this is in the very first
paragraph.

"However, there are often multiple
county clusterings that minimize county
splitting." And it has links to two different blogs.

"The release of the 2020 census data allows us to determine the possible county clusterings for both North Carolina State House and State Senate redistricting processes. The one part of Stephenson v Bartlett which this analysis does not reflect is compliance with the Voting Rights Act. To determine the county clusters, we use the implementation of the court-ordered procedure described in Cater, et al., which has a reference to optimal legislative county clustering in North Carolina.

"Daniel Carter, Zach Hunter, Dan Teague, Gregory Herschlag, and John Mattingly, Statistics and Public Policy, Volume 7, 2020."

SENATOR BLUE: Follow-up.
CHAIRMAN HISE: Follow-up.
SENATOR BLUE: And the reason that I mentioned that is that Tippett is an absolute asset to the state and her population center, whatever the name of it is, over at Chapel Hill, and she projects those numbers and understands them as well if not better than anybody else in the state. And so she's a -- I want to say
cartographer, whatever the term is that
describes those who study population and create
maps based on it.

Mattingly, on the other hand, is,
again, public policy, statistician, and a great
one at that, a mathematician/statistician, but
it seems to me that if they are saying that they
have not done the first thing in the Stephenson
requirements, then these clusters would be
suspect until that kind of determination is
made.

And I say all of this, Mr. Chairman,
because I've lived through this -- those eastern
counties, and again, it's totally an exercise in
academics to talk about anything initially other
than the 42 eastern counties plus two or three
urban counties that were involved in the
Section 5 formulation of the Voting Rights Act.

In the 80s, in the litigation, it was a
determination not by the legislature, but by the
courts that they were going to basically nullify
the maps in the Gingles case because of that.
And since they were able to penetrate two or
three urban areas, Cumberland, Mecklenburg, and
Gilford, they were able to impose a broad
standard across the state with all of the urban areas.

And in the 90s, they determined that they would not just take the Section 5 issues but they would impose Section 2 issues across the state. That's why you got the weird district from Gastonia to Durham, congressional district. But they cleaned it up, and then Stephenson came along in the first part of this century, the Stephenson case, and imposed the whole county provision on it, but recognized the jurisprudence that it evolved over the prior 20 years under the Voting Rights Act.

And so that's why I think Stephenson said the first thing you got to do, since state law doesn't trump federal law, is try to figure out how you comply with the Voting Rights Act as you do clusters and as you do districts.

Now, I go back again to the fact that Cumberland, Mecklenburg, and Gilford are outside that range now, so you're really narrowing it again to the areas up in eastern and northeastern North Carolina which got us on this treadmill in the first place.

And if there's been no analysis made to
whether or not there's going be compliance of
the Voting Rights Act, then we're setting
ourselves up again perfectly to sort of lead
with the chin and be the poster child for
redistricting nationally that gets struck down
in this decade.

And so I asked you, since you -- staff
pointed out that they made that an exception to
their maps, can we do legitimate maps without a
constitutional -- without seeing what the
constitutional requirement is?

CHAIRMAN HISE: I don't know if you
want to respond to that or not.

So the response I will give to the
question is we believe that constitutionally
compliant maps can be presented under the Voting
Rights Act under these county clusters. As much
as we are required to -- what's remaining of the
Voting Rights Act to comply, we will comply and
believe it can be done within these existing
clusters. I see them as two separate things.
We must comply with federal law, we must comply
with state law, and within these clusters, we
believe there is the option for doing both.

SENATOR BLUE: Could I follow-up,
Mr. Chairman.

CHAIRMAN HISE: You may.

SENATOR BLUE: Because I want to do that, but how would you propose to comply -- what would be the analysis to determine that you are complying with the Voting Rights Act? That's the ultimate question because Gingles set forth the criteria that you have to use to determine whether there's a Voting Right Act violation.

CHAIRMAN HISE: Well, having gone through all these cases as much as I could, I wish it was a simple standard in which they could determine what was the demographics or the process of a district in order to comply with the Voting Rights Act.

But we believe that however these districts may form or the options that are chosen for how these districts form, it is still very much possible to create districts, and intend to, that comply with the Voting Rights Act.

SENATOR BLUE: One last question. So it's the chair's position that you can actually determine clusters without doing the first
Stephenson analysis? Analysis is replicable. I mean, that's what a scientific approach to it is, that folk have to understand that you have to have specific criteria and you can replicate it.

And so is it your position that we can comply with the Voting Rights Act without doing the analysis to determine whether there are Voting Rights Act requirements before you do the clustering, which is what Stephenson says you have to do?

CHAIRMAN HISE: Is there a determination that you can comply with both laws at the same time? Yes.

SENATOR CLARK: Mr. Chairman.

CHAIRMAN HISE: Yes. Senator Clark.

SENATOR CLARK: Thank you, Mr. Chairman.

During the last decennial redistricting process, the General Assembly identified three Senate districts as being VRA districts: Senate District 3, Senate District 4, and Senate District 5. Those three were located in the northeastern region of the state of North Carolina.
If I look at this Duke Senate 3 here, I would say that they were in the area where you have Z1, Y1, I1, N1, Q1, and L1. So what we have there are three clusters, each showing what I would call single district clusters, six of them. So how do we know that within that grouping that there are three that are VRA compliant as is the case currently with Senate District 3, 4, and 5?

CHAIRMAN HISE: I can only say at this point that having nothing been done that we believe that compliant districts can be drawn within these clusters.

SENATOR CLARK: Follow-up, Mr. Chair.

CHAIRMAN HISE: Follow-up.

SENATOR CLARK: Mr. Chair, could we have staff provide us with the total BVAPs for those particular clusters I just identified?

CHAIRMAN HISE: I believe at this point we don't have a sense of what a total package is, but we can provide the information that's consistent with the guidance of this committee at this point, not including racial data as were coming in.

SENATOR CLARK: Well, a BVAP is racial
data. It stands for Black Voting Age Population, and TBVAP is Total Black Voting Age Population, and those were used during the 2011 redistricting process. And I know our criteria says that we will not use racial data in the construction of legislative districts; however, Stephenson has already created them for us in that particular case. Therefore, I just want the data to evaluate what Stephenson has done.

CHAIRMAN HISE: As I said, the committee will continue on the process of data that's available under its stated criteria. And I don't even know that that's available in the system.

ERIKA CHURCHILL: At this time, central staff have followed the committee's instructions, and total population is the only data available to evaluate.

CHAIRMAN HISE: Senator Nickel.

SENATOR NICKEL: I'm just kind of trying to figure out the foundational part to how we do all this. And if we're going to comply with state law and federal law and the Voting Rights Act and Stephenson, race is a central part of all this. So how can we comply
with federal law and all of this without looking at any racial data?

CHAIRMAN HISE: So we’ve been through multiple decisions. The last decade, the General Assembly was told by the federal courts that there is not sufficient evidence of racially polarized voting in North Carolina to justify the use of race when drawing districts. So no additional information has been presented to this committee regarding racial polarized voting and none was received during the public comment period held last month. As we have said in the past, if information does come forward regarding racially polarized voting, we will consider it.

SENATOR CLARK: Mr. Chair.

CHAIRMAN HISE: Senator Marcus is next.

SENATOR MARCUS: Thank you, Mr. Chair.

It seems to me that the way to answer the question is that this committee should conduct a racialized polarized voting study, and I'm asking now whether you intend to do that either before we set these county clusters or before we set the final maps.

CHAIRMAN HISE: I would repeat that no
evidence has been presented to this committee of racially polarized voting. When we went through this 10 years ago, we put mountains of information together that the court found would be insufficient for doing so, and we have taken no additional action, and I'm aware of no commission study or others from this committee or from the General Assembly but would consider anything presented.

SENATOR MARCUS: Follow-up.

Just to clarify, so I hear what you're saying is nobody else has presented this committee with this information, but it's my belief, and I think many others, that it is incumbent on this committee to make that determination, and to do so, you would need a racialized polarized voting study.

So are you saying, Mr. Chair, that you are not going to order that study? As chair of this committee, that it's somehow up to somebody else to present it to you?

CHAIRMAN HISE: I will say the committee will consider the available information we have. There is no plan or process right now for commissioning a particular
study in any of the budget processes or in legislation.

So then I have Senator Clark, then back to Senator Nickel.

SENATOR CLARK: Thank you, Mr. Chair.

Dickson v Rucho indicates that VRA compliance can be a compelling interest of the General Assembly. And we have codified -- well, codify is not the proper term, but we have stated in essence to our criteria that we consider VRA compliance to be a compelling state interest. Therefore, Dickson v Rucho would require that the General Assembly do a racial polarization study in order to fulfill that obligation.

CHAIRMAN HISE: I appreciate your comment.

Senator Nickel.

SENATOR NICKEL: Question for staff.

CHAIRMAN HISE: You can direct your questions to the chair.

SENATOR NICKEL: My question for staff is just, number one, can we overlay racial data if requested? And, number two, can staff perform a racial polarized voting study if
directed?

CHAIRMAN HISE: Racial data is not available in the system and cannot be produced for the committee and will not be considered by this committee consistent with its criteria.

I will repeat again, we have no directives right now for some kind of ambiguous racial polarized voting study that would take an indefinite amount of time in the process.

SENATOR PERRY: Mr. Chair.

CHAIRMAN HISE: Next, Senator Perry.

SENATOR PERRY: Thank you, Mr. Chairman.

Mr. Chairman, please forgive my impatience, but it feels like you're having to answer the same question, phrased differently, over and over again, and I would like to move forward to understand the information we have in front of us at the appropriate time.

CHAIRMAN HISE: So we're open for questions right now. This, I guess, is kind of the way the legal process works when people are trying to create --

SENATOR BLUE: Mr. Chairman.

CHAIRMAN HISE: Senator Blue.
SENATOR BLUE: One point that I would follow up on, and Senator Clark raised it, and again, staff can be of some assistance, but the jurisprudence in the area, he's pointed out that you got three districts that were constructed in that area beginning in the 80s and 90s that were purposefully preserved in the 2011 redistricting, and part of the problem that was resolved in Rucho is that they were overly preserved and that is they were guilty of efforts to pack, to use the terminology that the courts use.

And there is a body of law that says before you deconstruct these districts, basically redistrict and not take into account the history of them, you have to make certain findings, and I think that's what these members are getting at with respect to a VRA study. It might -- a polarization study.

It might be that a polarization study would show that you can't justify maintaining them as VRA districts, but the law is you can't deconstruct them until you sort of know that they're not serving the purpose any longer for which they were created. And that's the
importance at least in those districts. And again, this whole effort in all of these cases over the last 30, 40 years have been about primarily this area of the state.

And so before deconstructing these districts, unless you're going to make specific findings that the three districts that Senator Clark pointed out to us no longer are needed or they can maintain their status as VRA-created districts, that you're walking into a trap to just deconstruct them without any of the information that would support your decision to purposefully deconstruct them or allow them to be deconstructed.

And I think that that's -- at least that's what I gathered the overview of the law in the area is. I might be wrong, but it seems that some analysis along that line is necessary to satisfy Stephenson, the very first prong of Stephenson, what that case determined in 2002 or 2003 as well as the subsequent Stephenson case, and certainly in Rucho and the subsequent cases in the last decade.

CHAIRMAN HISE: What I continue to say is that this committee is still open to consider
any information that exists on racially polarized voting. There has been no standard that has been met or that the committee should consider at this point. I would also say that for consideration, not considering race is compliant with what this body did -- has done previously in drawing the maps and clearly in what has been upheld by the courts.

So I think next I had Senator Clark and then back to Senator Nickel again, so we'll see if the questions start.

SENATOR CLARK: Thank you, Mr. Chair.

Back to the 16 maps we have before us, I had asked previously was there a methodology by which we could introduce additional cluster maps that we consider to be constitutionally compliant. And the reason I asked that is because these maps were done using the Duke code, which I'm familiar with, and Python, and the deviation was set at point 5 -- at 5 percent, excuse me, therefore, this goes to range from zero to 5 percent plus a minus, that is.

However, it's the prerogative of this body, should we choose to do so, to say we're
going to have a cap lower than the 5 percent.
So if you take the cap lower than 5 percent,
there are additional options out there, and I
would like the authority to submit such a map
for consideration, cluster map.

CHAIRMAN HISE: I would just say that
we will take a look at anything you submit.
You're open to draw anything or others. It
would be less compliant if there was more
one-county pods formed in the map, more
two-county pods formed in the map, more
three-county pods formed in the map. In
creating it, the plus or minus 5 percent is a
court standard that we have utilized and
adopted.
If you could produce a map that
produces a greater number of smaller county
clusters than exists in this map, then the
committee would consider that and would look to
change our process.

SENATOR CLARK: Thank you, Mr. Chair.
CHAIRMAN HISE: So then, I think, back
to Nickel again.

SENATOR NICKEL: Just a data question.
Can we get a copy of the population groupings
Erika Churchill: Yes, sir. We can provide total population reports for each of the 17 maps.

Senator Nickel: Thank you.

Chairman Hise: Any other questions?

Senator Marcus: Thank you, Mr. Chair.

This is the first that this committee has presented any maps that the public can look at, and I'm wondering whether -- I don't know what the chair's plan is for today's committee meeting, whether we're voting on these maps and choosing one and moving forward that quickly,

But I would like to have on record a request that the public have time to look at these and to respond to them, and I think we need more public hearings both on county cluster maps but also on whatever additional maps we draw after this process.

I guess my question is what are the
plans for public input on these county cluster possibilities and then moving forward with whatever additional maps are proposed?

CHAIRMAN HISE: So the other purposes today is to announce the beginning of the voting process that's coming in, and that may be -- the drawing process. As you will see, this room is set up with four stations. I believe that one of the stations will be with the data for congressional maps and the other three for -- do all four have all four?

ERIKA CHURCHILL: All four stations will be set up, Mr. Chair, to draw any house, senate or congressional plan. So any member that's sitting down at any one of the stations could choose to start on any one of those three types of plans. And we can do a little bit of a demo as to what folks will be seeing, if you would like that.

CHAIRMAN HISE: We'll get to that in just a second.

That's what's coming in, but starting tomorrow morning, this room will be open for members to come in and begin the process of drawing. There are 16 possible options that
exist under these clusters to submit maps. Some think there's a more optimal podding out there. We would be open to that consideration, if there is a more optimal podding, but for right now, without that evidence coming forth to the committee, the committee will consider any of these 16 possible maps as compliant in that process. And so for the committee to ultimately consider it, it needs to meet one of these 16 parameters. If you have found a more optimal pod, please let us know as soon as possible.

So what is happening after this is we are opening up the drawing process, all 16 of these maps, and the choices you make that exist within these maps will be up to the individual drawer.

I think Senator Blue was --

SENATOR BLUE: Thank you, Mr. Chairman. I just wanted to make sure you -- you alluded to not just the senate maps but also congressional maps too.

Other than the clustering requirement in the legislative maps, is the criteria that we're going to use in the congressional redistricting process the same as was formulated
for legislative redistricting? I mean, I know
the difference in the population and you don't
use clusters, but --

CHAIRMAN HISE: There's no variance --
I believe that there is a determination there is
no cluster that exists in the congressional
maps. I think it's all 100 counties and
14-county cluster. This is coming in with no
variance. So this will come in in the same
other criteria we've used for compactness and
others that are out there and for not using
racial data and others are the same criteria
that exist across both maps.

And again, they will be open for
drawing house, senate, or congressional maps,
although this committee will be considering at
least we know right now senate maps. The house,
as is tradition, we will consider house maps
first.

So with all that, maybe we want to get
a few moments just to go through what you would
be seeing in the process.

ERIKA CHURCHILL: As in 2019, these
will be public drawing stations. Everything
that is done on one of these drawing stations
will be capable of being viewed by the public. 

With that, there -- Will is showing you what here in the room the stream will look like. 

Anyone that is sitting in the back will be able to see the screens and identify which station is the one they want to focus on.

As you can see on the backs of the large monitors, there's four of those. They do have a sign that says Station 1, which is behind Senator Blue, Station 2, which is with Senator Clark, Station 3, which is kind of in between Senator Nickel and Senator Ford, and Station 4, which is with Senator Krawiec.

We'll open up Station 4 so that everybody can see what it will look like with the drawing active. So hopefully, as we understand that the process is going to work, the area where the stations are will be for the staff and the membership. The public will still sit in the area where the public normally sits. The public can sign onto the General Assembly wi-fi if they want to focus on Station 2 or they can use the monitors in the room if they want to kind of monitor what's happening at all four stations simultaneously.
There will also be a feed of all of the audio that is said at each of the stations. So please, as members, remember what is being said at one of the drawing stations will be, as I've heard a member say in the past, heard in Greene county and China simultaneously.

Will, do you want to let me sign in.

JESSICA SAMMONS: We also are going to have a video stream of the entire room, so anyone that signs onto the General Assembly website will be able to see a live stream of everything happening in the room from the perspective of that back camera.

ERIKA CHURCHILL: As you can see, we have a --

CHAIRMAN HISE: They're behind the monitor.

ERIKA CHURCHILL: As you can see, we have attempted to test out what is going on so that everyone will hopefully have as few hiccups as possible when the public drawing starts tomorrow morning, but this is roughly what you would see on the screen in the room.

If anybody wants to come around, we'll leave this up so that you can see what the
actual screens in the drawing station looks like, after the committee adjourns, so everybody can take a look at that.

CHAIRMAN HISE: Just to add to the concept and finally get it all official.

Much like in 2019, we will open this room for members for drawing maps. Beginning tomorrow, this room will be open 9:00 a.m. to 5:00 p.m., Monday through Friday, for members who are interested in working with staff to draw redistricting maps for the senate and for congress. Data will be available for the house as well.

The proceedings will be live-streamed on the General Assembly website. Only maps drawn in full public view will considered by this committee. So if you want to draw a map or an amendment to a map, you will need to draw it here. We anticipate map drawing continuing for at least two weeks. Depending on the level of interest, we may have to expand the hours for drawing or open up this room on weekends as well. We will keep you updated on any changes to the schedule as this process moves forward.

At this point, I will continue to be
happy to answer any questions or any technical inquiries you may have about the process.

Senator Clark.

All right. Senator Nickel.

SENATOR NICKEL: Just on the timing here, when is your plan to vote on the county cluster groupings? Because, you know, it's a waste of time for a lot of senate maps if we're not doing the right county cluster grouping.

CHAIRMAN HISE: So there is no -- the committee has not adopted one of the 16 clusters as counties. They will be open to all members drawing and available for all members while drawing maps.

SENATOR NICKEL: Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR NICKEL: When is that going to happen in the process? I mean, It should be sooner than the end.

CHAIRMAN HISE: We will consider any of the 16 maps that are here in this process or consider additional information that is submitted. So as we begin this process and as we go through this process, all 16 will continue to be available for the committee.
SENATOR NICKEL: So just to follow-up.

CHAIRMAN HISE: Follow-up again.

SENATOR NICKEL: If I'm drawing a map, I can't -- you know, I don't want to draw a map that doesn't have the right county cluster groupings at some point before that end of the two weeks is up. So do you have a plan to vote on the cluster groupings prior to that end of two weeks?

CHAIRMAN HISE: We do not.

Any other questions? Hearing none, I think that covers everything we have for this meeting.

As we begin tomorrow at 9:00, happy drawing. For the fun and exciting part of this, we look forward to doing it. We will have some specifics out for people for observation and others, but this is all streamed for individuals. So I look forward to seeing you all here and look forward to all this.

This meeting -- having exhausted the agenda, this meeting stands adjourned.

(Transcription from YouTube ended at 55:23.)
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Signed this the 18th day of December 2021.  

Denise Myers Byrd  

CSR 8240, RPR, CLR 102409-2
Redistricting Committee 10-05-2021

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Chairman Hise: The committee will come to order. Thank you for everyone being here. Welcome to the Senate Committee on Redistricting and Elections.

Our sergeant-at-arms today are -- for the Senate, John Enloe, Dwight Green, right here, Ed Kessler, Chris Moore, and Hal Roach, right there. Thank you all for being here today in this process.

Members, we have -- on the agenda today, we have three bills, all representing submitted congressional redistricting plans. We will present, as we have with every other bill we do in committee, we will consider each bill individually, and if an appropriate motion is made, we will consider it favorable or unfavorable for review to the floor.

Any questions about process? I wanted to get that out of the way before we begin.

Seeing none, we will begin with Senate Bill 740, Congressional Redistricting Plan 21 CST-13.

Senator Daniels will be recognized to
explain the bill.

CHAIRMAN DANIEL: Thank you, Mr. Chair, members of the committee.

So this is going to be a little dry, but I'm just going to explain the map district by district, beginning with District 1.

So Congressional District 1 is a coastal district. It's anchored in eastern North Carolina. In contains 15 whole counties. The 15 counties are Beaufort, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hyde, Jones, Lenoir, Pamlico, Pasquotank, Perquimans, and Tyrrell. And it has two partial counties: Onslow and Pitt.

The district takes in the Outer Banks and most of the state's shoreline. Its shape is mostly dictated by the Atlantic Ocean. There are zero municipalities split by the district's boundaries. VTDs are only split for the purpose of equalizing population to zero deviation. This district keeps all of the finger counties in northeastern North Carolina together in the same district as well as most of the counties that run along the Virginia border. Ms. Keesha Adobe spoke at the Pasquotank public hearing and
asked that the northeast be maintained as a community of interest. That public input helped inform the construction of this district.

Congressional District 2.

Congressional District 2 is a district taking in most of rural northeastern North Carolina. It contains 16 whole counties: Bertie, Caswell, Edgecombe, Franklin, Granville, Greene, Halifax, Hertford, Martin, Nash, Northampton, Person, Vance, Warren, Washington, and Wilson. There are two split counties: Pitt and Wayne. There are zero municipalities split by this district. There is one precinct split in Pitt county and one in Wayne county for the purpose of equalizing population.

Congressional District 3.

Congressional District 3 is a district based in southeastern North Carolina. It improves upon the compactness of the current district by keeping mostly rural counties closer to the coast in the same district as the remaining coastal counties. It contains seven whole counties: Bladen, Brunswick, Columbus, Duplin, New Hanover, Pender, and Robeson, and one split county, Onslow. The district contains zero
split municipalities, and the only split VTD is required in order to equalize population.

The district is a product of input from the New Hanover public hearing where Barbara Guerrero asked that the Cape Fear River basin be kept in one congressional district. Herb Harton and Frank Williams, a Brunswick County commissioner, asked that New Hanover and Brunswick counties be kept together, and Keith Graham asked that Bladen and Columbus counties be linked in a district.

Congressional District 4. Congressional District 4 is a nearly perfect four-county district south of where we are right now. It includes Cumberland, Harnett, Johnston, and Sampson counties, and a small portion of Wake -- of Wayne county to balance the population. These counties have similar geography, industry in proximity to the population base in the region near Fayetteville and Raleigh. The district is extremely compact and contains zero split municipalities. There is one VTD in Harnett county and one in Wayne county. Both were split to equalize population between the districts.
In an online public comment from Linda Devore submitted on September 22, she asked for Cumberland, Harnett, and Sampson counties to be kept together in a congressional district. By adding the population of Johnston and one precinct in Wayne county, this forms the ideal population for one compact district.

Congressional District 5.

Congressional District 5 is based entirely in Wake county. It is made up of Garner, Knightdale, Raleigh, Rolesville, Wake Forest, Wendell, and Zebulon. Raleigh and the other municipalities in Wake county share common interests. Many people live and work and commute between the different cities and towns in Wake county. There are no split municipalities in this district, and any VTDs that are split are done for the purpose of maintaining municipal boundaries or equalizing population.

Congressional District 6.

Congressional District 6 is made up of Durham county, Orange county, and the portion of Wake county that contains Apex, Cary, and Morrisville. This is a district that has
existed in one shape or form for decades. As the population has grown in the area, it has been concentrated more specifically in the Triangle. It is home to some of the state's most prominent universities and hospitals. Along with Charlotte, it is the preeminent urban population based in our state. There are no split municipalities in the district, and any split VTDs are located in Wake county and split to equalize population or to keep municipalities whole.

Congressional District 7 is made up of four whole counties and portions of five other counties that includes all of Alamance, Chatham, Lee, and Randolph, and parts of Davidson, Guilford, Harnett, and Wake. The district runs from the Triangle west through the central Piedmont region. It's made up of the smaller cities and towns as well as the rural areas that make up this area of the state. There's only one split municipality in the district as it contains a very small portion of Greensboro. VTDs are only split for the purpose of equalizing population or keeping cities together.
I'm going to pause for a minute to get a drink of water.

So we'll move on now to go Congressional District 8. Congressional District 8 is made up of eight whole counties: Anson, Hoke, Montgomery, Moore, Richmond, Scotland, Stanly, and Union, and part of another, Mecklenburg. The district takes in most of the counties considered to be in the Sandhills region. There are no split municipalities in the district, and one VTD is split in Mecklenburg county for the purposes of equalizing population.

In an online public comment submitted on September 30th, Maurice Holland Jr., chair of the Moore County Democrat Party, asked for Sandhills counties, including Moore, Scotland, and Hoke, be kept together in a Sandhills district. By adding in Anson, Montgomery, and Richmond, we believe this district will be rooted in the Sandhills and represent that region of our state well.

Congressional District 9 is a Charlotte district. Charlotte's population is too large for one congressional district so it must be
split. 97 percent of this district is made up of Charlotte, and 83 percent of the city is in the congressional district. VTDs are split only to equalize population and ensure that there are no other municipalities in the district.

Congressional District 10 is made up of three whole counties: Cabarrus, Davie, and Rowan, as well as parts of Iredell, Davidson, and Guilford. This district takes in the counties and suburban and exurban areas that stretch between the two population centers of Charlotte and the Triad. There's only one split municipality, as mentioned before, in Greensboro.

The district does contain all of High Point as Martha Schaeffer requested at the Forsyth public hearing that High Point be kept whole in one congressional district. VTDs are only split for the purpose of equalizing population.

Congressional District 11 is based in the northwestern corner of North Carolina and is made up of eight whole counties. Those whole counties are Alexander, Alleghany, Ashe, Caldwell, Stokes, Surry, Rockingham, and Wilkes.
The district also contains a portion of Guilford county and one precinct in Watauga county where the current incumbent lives. There is one split municipality, Greensboro, and more than 90 percent of Greensboro residents are kept together in this district.

Congressional District 12 is made up of four whole counties and one partial county. It contains all of Catawba, Forsyth, Lincoln, and Yadkin counties, plus a portion of Iredell county. It is a compact district that connects the suburbs outside Charlotte to the area in and around Winston-Salem. It splits no municipalities, and it splits -- and splits VTDs in Iredell county for the purpose of equalizing population.

Congressional District 13 is made up of seven whole counties: Burke, Cleveland, Gaston, McDowell, Rutherford, and Polk, and a portion of Mecklenburg county that contains the municipalities and towns to the west and north of Charlotte.

In an online public comment submitted on September 24th, Mary Elizabeth Voss asked the towns of north Mecklenburg, including Cornelius,
Huntersville, and Davidson not be split and kept together in a district. The only municipality split in this district is Charlotte because it must be, and VTDs are split only to equalize population.

Finally, Congressional District 14 is a western North Carolina district and takes in most of the mountain counties in the westernmost tip of North Carolina. It contains 14 whole counties, including Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Mitchell, Swain, Transylvania, and Yancey. It splits one VTD in Watauga county to avoid double-bunking two incumbents. There are no municipalities split by the district. The district is a result of public input from CJ Breland at the Jackson County public hearing who asked that McDowell and Polk be removed from the current district and which is currently Congressional District 11 and that the district be drawn into Watauga county.

Going through our criteria, all 14 of the districts are drawn to zero deviation or to one person less than ideal. There's no point contiguity used in this map. The map divides 11
counties solely to equalize population. There are districts wholly within Mecklenburg and Wake counties which are the only two counties of sufficient size to contain a congressional district.

Racial data was not used in drawing of this map. VTDs were only split when necessary for balancing population or keeping municipalities whole. There are 24 total split VTDs in the map. All of the districts are compact. Only two municipalities are split in the entire state. This map was not drawn using partisan data, and member residence was considered. Community considerations were made to try to keep communities together, particularly in terms of cities and towns.

And, Mr. Chair, that is the presentation of the map.

CHAIRMAN HISE: Thank you, Senator Daniel.

Any questions or comments regarding the map? Senator Nickel.

SENATOR NICKEL: Yeah. I have a question and want to use a display here to try to explain it.
Here we've got -- what I see is what you started with which is a map of North Carolina as a 50/50 state. 50 percent Democrats, 50 percent Republicans. We voted for Donald Trump for president and Roy Cooper for governor. And we can start and draw the maps any way we want here with these circles. So I've got 14 rows, five red, five blue. And we could start and we could gerrymander for competition. We could make every single one of these a 50/50. It would look a little weird, but we could do it.

But what you've done here is pretty basic. You have drawn 6/4, and it's this great little pattern that I use where I do 6/4, 6/4, and then I do the same pattern again with my blue marker. So you've got six red circles, six, and four blue, so 60 percent Republican. And then we've got some Democrats left so we do another one here, 80 percent Democrat, 20 percent Republican. Same pattern again, 6 and 4, 60/40, again 60/40, again 60/40. And again, the blue marker for the rest with our district here, 80 percent Democrat, 20 percent Republican. Last one here, 6/4, again 6/4, and
again 6/4. And then we've got the blue marker again for this Democratic district. And then the last one -- we've got two more left here. You know, this is -- we'll call it 6 Republican, 4 Democrat, but I really think GK Butterfield's district is a lot closer than this, but just in fairness we'll call it 6/4, 6/4.

So that gives us 10 to 11 for the red circles and 3 to 4 for the blue circles. And that's what we've seen here. We're a 50/50 state.

We heard the public comment that gerrymandering is less popular than herpes, in Durham. That was one of my favorites. But, you know, I think it's important -- as we look at this, this is -- this is -- this is what this map is. It's a 10 to 11 -- or sorry -- a 10 to 4 or an 11 to 3 depending on that one area where GK is. And we've been through decades of litigation on this.

Ten years ago, David Lewis was the lead Republican author when we drew maps. He's now a convicted felon. At the time he said "I think electing Republicans is better than electing Democrats, so I drew this map to help foster
what I think is better for the country." He then said, "I propose that we draw the maps to give a partisan advantage to 10 Republicans and 3 Democrats because I don't believe it would be possible to draw an 11 to 2 map."

Now, Mr. Chairman, I know you are too smart to say something like that. And I'm not going to try to play gotcha here because I know you're briefed and you're not going to say something as bad as that, but I do recall on the floor, the last go around, when Senator Tillman was talking, I thought you were going to have a heart attack when he started talking about how Republicans were going to draw Republican maps, and he made his position very clear about that.

And, you know, it would be great if we could have an honest debate about this, but this is what we see here. And you don't need to say anything because this map speaks louder than words. You can't argue with the math, and it's right there in front of us. We've heard the public comments, we've heard the outside experts, and you can see in my diagram exactly what's going on. This is a map that robs 10.7 North Carolinians of any real choice at the
ballot box. It's a map that guarantees that 10 or 11 Republicans will be elected in our 50/50 state. It doesn't pass the eye test. It doesn't pass the smell test.

I wish I could make this committee understand why this is so wrong, why this is so wrong for every single voter in our state, and I wish we could sit down and have a private conversation about this with folks who would truly listen and truly find a compromise on this. And I wish we could have a competition at the ballot box for the best ideas, but you can't have a competition at the ballot box for the best ideas when you decide the outcome in advance. This is not a fair fight.

You know, we could do 50/50 districts in every part of the state. And I think the most important question is very simple. With this whole process, you know, in this committee and on the floor of the senate is how greedy are you going to be with these maps. If you pass an 11 to 3 or a 10 to 4 map, I think you can guarantee action by the State Supreme Court on state constitutional grounds. We have heard what they said the last go around, and we fixed
our maps.

We came back and drew an 8 to 5 map. Now you're taking seats to make an 11 to 3 map or a 10 to 4. Control of the next congress will be decided by just a few seats, and just by drawing the lines, we can decide who's going to be in control of the next congress. So this is a big deal for my constituents, for all of our folks.

And listen, I look at this like a father. When I talk to my kids, who are still probably sleeping from their Halloween candy hangover, and I explained it to my six-year-old daughter and my nine-year-old son, and there's only one way to describe it: It is cheating, plain and simple. You are cheating and robbing the voters of any real choice at the ballot box with this map.

And so I thank the committee for listening to me here. And I just have one question, Senator Daniel.

You just said you didn't consider partisan data at all. So how do you get a map that is an extreme partisan gerrymander that completely favors Republicans?
CHAIRMAN HISE: Senator Daniel -- and I will remind the committee, as with all committee process, questions are directed to the chair and the chair will direct those questions for an answer.

Senator Daniel.

CHAIRMAN DANIEL: Well, I think, Senator Nickel, you know, Senator Berger has probably said this best many times, you know, both on the senate floor and in public, that -- you know, the population of our state is such that Democrats have congregated themselves in urban areas, so really the only way to accomplish what you're suggesting is to gerrymander. And I would just reiterate that the Senate plan splits 11 counties, only 2 municipalities in the whole state out of probably over 400, I don't know the exact number, and it splits 24 VTDs. So I would just challenge -- I mean, I think those statistics are hard to beat.

CHAIRMAN HISE: Senator Perry.

Any other questions or comments regarding the map? Senator Marcus.

SENATOR MARCUS: Thank you, Mr. Chair.
When I look at this map, I see something really obviously problematic with it which is that you've targeted the three largest counties and split them each three ways. I'm wondering how -- first, Mr. Chair, how you ranked the criteria that this committee adopted and whether you took unnecessary splitting of counties into account. Because when I look at this, these counties are split more than they need to be, and I'm wondering why you did it that way.

CHAIRMAN HISE: To briefly respond to the first question, as you are well aware, there is no ranking of the criteria that was placed in -- the committee did not approve a ranking order of any of the criteria so one was not in place. And the map before you splits 11 counties in the state, the lowest of any map submitted.

SENATOR MARCUS: Follow-up.

CHAIRMAN HISE: You're recognized for a question.

SENATOR MARCUS: Thank you.

I understand that they weren't ranked.

We asked for there to be some ranking for some
clarification, but I will just state that I think splitting these three counties three times is unnecessary and to me a clear indication of an intent to give one party a partisan advantage, but just to be a little more specific, I noticed that when the map was presented, there were mentions of citizen input to justify many of the districts. There was no mention of any citizen input to justify putting part of Mecklenburg county with what you call the Sandhills district.

I was at all the hearings. I reviewed many of the online public comments. I saw absolutely zero requests for part of Mecklenburg to be added to this more rural Sandhills district made up of Union, Anson, Richmond, Scotland, Hoke, et cetera.

I guess my question to the chair is are you aware of any input from folks in Mecklenburg requesting to be spread out so far to the east in these rural counties?

CHAIRMAN HISE: I'm not aware of specific input for many decisions made within the map, but thank you for your comments.

SENATOR MARCUS: Okay. Can I ask
another question.

CHAIRMAN HISE: You are recognized for another question.

SENATOR MARCUS: Thank you. Again, a similar question. I was at all the hearings, and I actually know the person that you mentioned to justify what you did to the northern and northwestern part of Mecklenburg county, which is to split the county again into a third piece and put us -- that's where I happen to live so I'll say us -- put us in this purple district that goes very far to the west also with a rural part of the state.

You mentioned Mary Elizabeth Voss. I know Liz Voss. She did ask that north Mecklenburg be kept together, but she never said please put us with a rural county to the west with people we have very little in common with to justify a congressional district perhaps for Speaker Moore. I know she didn't say that. What she wants is what we all want in Mecklenburg county, and I would say everyone in this state wants, is to stay with our communities of interest. North Mecklenburg towns live in Mecklenburg county and we deserve
to have a congressional district that honors that.

And so I'm asking if you would like to give any other reason, other than the one you mentioned about what Liz Voss said, because that's not -- that doesn't justify this. Is there any other way to justify putting a third part of Mecklenburg county in with yet another rural area district?

CHAIRMAN HISE: Senator, I will say that it is obvious that Charlotte and Mecklenburg county is too large for a district. And I'm sorry for your comments the people outside of that district don't want to be with anybody around them.

SENATOR MARCUS: That's not what I said.

CHAIRMAN HISE: Do you have another question?

SENATOR MARCUS: Not right now.

CHAIRMAN HISE: Okay. Any other questions or comments?

SENATOR BLUE: I do, Mr. Chair.

CHAIRMAN HISE: Senator Blue.

SENATOR BLUE: Thank you, Mr. Chairman.
I'm trying to get a handle on looking at what you've drawn, but Senator Daniel indicated that Raleigh and other municipalities in Wake county shared a common interest; is that correct? Question to Senator Daniel.

CHAIRMAN HISE: Senator Daniel, would you like to respond?

CHAIRMAN DANIEL: Senator Blue, can you --

CHAIRMAN HISE: Can you restate your question.

SENATOR BLUE: I'll be happy to.

You commented that --

CHAIRMAN DANIEL: Reference by a district number would be helpful.

SENATOR BLUE: Well, your comment was that Raleigh and other municipalities in Wake county shared a common interest, and I'm talking about -- let's see how many of them. Talking about District 5, District 6, and District 7. And --

CHAIRMAN HISE: I believe we're going to try to get a larger version up on the -- of where you're talking about in Wake county.

SENATOR BLUE: Okay. I think I got the
same map that I'm looking -- yeah. I'm talking about District 5, District 6, and District 7 on the map. It's S740 that was on my desk. I guess that's the same as the one you have up.

You had commented that citizens of Wake county -- Raleigh and the citizens of Wake county and the municipalities shared a common interest.

CHAIRMAN DANIEL: That's correct.

SENATOR BLUE: Yeah. Why don't the remaining municipalities in Wake county share a common interest?

CHAIRMAN DANIEL: I mean, they probably do, Senator Blue, but, you know, a congressional district can only be 700 and some thousand people, and you can't fit, you know, every municipality in Wake county into one district.

SENATOR BLUE: Yeah. Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR BLUE: I was just trying to sort out your justification for the whole district which you have no choice and you had to create one, and any one that you created was going to involve some of the municipalities in Wake county. There are 11 of them, by the way.
And so if in fact that is true, that the municipalities of Wake county, that is, the remaining 400,000 plus people, shared a common interest, was there any effort made to keep them together because they share a common interest with each other? Not necessarily with the whole district that you've created.

CHAIRMAN DANIEL: Senator Blue, my understanding is that the Congressional District 5 -- you said there's 11 municipalities in the county. Eight of those are entirely contained in Congressional District 5, and then the remaining three were placed in Congressional District 6.

So I think the answer is, without knowing the numbers off the top of my head, that, you know, we put as many as we could population-wise into one district and then the remaining three we put altogether in a separate district.

SENATOR BLUE: Another question. If I can call your attention to the map.

CHAIRMAN HISE: You are recognized.

SENATOR BLUE: Are you saying that none of the yellow portion in Wake county, at the
bottom of Wake county, there at the southwest
90-degree angle that comes together there at
Wake county, are you saying none of those are in
a municipality? Is Fuquay not down there?

CHAIRMAN DANIEL: I'm not sure. Apex,
Cary, and Morrisville are in 6. And I'm not
sure where -- Fuquay would make 12, then,
because I've already counted 11.

SENATOR BLUE: Fuquay, Holly Springs.

CHAIRMAN DANIEL: So there's more than
11.

SENATOR BLUE: Okay. Got too many. We
only got 11. Ten plus the county got --

CHAIRMAN DANIEL: The small ones, I
didn't know.

SENATOR BLUE: Okay. Another question,
Mr. Chairman.

CHAIRMAN HISE: Yes.

SENATOR BLUE: Was the same observation
made about Guilford county, that -- Guilford
county, the citizens of High Point and
Greensboro share a common interest, is that
correct, based on your reasoning of Wake
county's municipalities and the city of Raleigh?

CHAIRMAN HISE: Senator Daniel.
CHAIRMAN DANIEL: I don't know what those folks would say. High Point's a furniture town and Greensboro is probably a textile town.

UNIDENTIFIED SPEAKER: Wait. I have to talk on that one. I have to talk on that one.

SENATOR BLUE: Let me ask him another question, if I could, Mr. Chairman.

CHAIRMAN HISE: You're recognized for another question.

SENATOR BLUE: What -- I grew up and took mandatory North Carolina geography in the eighth grade. It's been a while, but I remember a lot of it. What counties do you consider the Sandhill counties, and where do you consider the anchor of the Sandhills based on your eighth grade geography course?

CHAIRMAN DANIEL: I don't know that I can answer that question, Senator Blue.

SENATOR BLUE: If I could comment.

CHAIRMAN HISE: You are recognized for a comment.

SENATOR BLUE: Wasn't Cumberland county an essential county that you learned in the eighth grade was the anchor of the Sandhills?

CHAIRMAN DANIEL: I don't recall.
SENATOR BLUE: One other question in that regard.

Was Union county a Sandhills county based on how the Sandhills got their name in sort of prehistoric geography and the way the ocean deposited sand in that area of the state?

CHAIRMAN DANIEL: I just can't remember my eighth grade history, Senator Blue.

SENATOR BLUE: Okay. Let me ask one other one related to this and I'll move on.

CHAIRMAN DANIEL: I would say that -- I mean, I think sometimes we split hairs over, you know, communities of interest. I think, you know, we're all Americans, we're all North Carolinians, and I think we're sometimes making too much of a "I shouldn't be with the county next door to me because we're different." You know, I mean, we're all North Carolinians and we travel to shop in the same places with our next-door neighbor counties.

SENATOR BLUE: Let me ask you this, then, if I could, Mr. Chairman.

CHAIRMAN HISE: You are recognized.

SENATOR BLUE: You indicated that keeping municipalities whole was a priority.
CHAIRMAN DANIEL: It was.

SENATOR BLUE: High Point -- High Point is in four counties. Was it kept whole?

CHAIRMAN DANIEL: My understanding is High Point was kept whole, and the only two municipalities that were split were Greensboro and Charlotte.

CHAIRMAN HISE: Senator Blue, I will clarify that county line splitting municipalities is not a municipal split. It is -- as the system reads it, it would be a municipality within a county, whether that is split is how the system would determine. We also -- for clarification purposes, a split that was zero population is not a split.

CHAIRMAN DANIEL: So I'm not sure of the answer to -- if I answered your question right then or not, Senator Blue.

SENATOR BLUE: Make a comment, Mr. Chairman.

CHAIRMAN HISE: Recognized for a comment.

SENATOR BLUE: Yeah. I point that out because we go through great lengths to not say what is obvious, but the lawyers in here know
darn well -- and I don't know who the lawyers are, who is advising anybody, that -- now, there's not always direct evidence from the standpoint of somebody saying something is something. Circumstantial evidence is just as good as direct evidence to prove a point, prove intent and all of those kinds of things, and I think that what we fail to realize is that the kind of illustration that Senator Wiley just made, every mathematician in this state would agree that that's what the mathematics says. And at least I'm one who still believes in the science and in mathematics, and if the mathematics says it, I'm enough of an inherent to scientific proof and theory that I believe it's got to be so until you disprove it, and I haven't seen any proof, hypotheticals that would disprove that.

And so I'm saying that the proof of what is behind drawing this map is obvious to anybody who takes a serious look at it. And I am concerned that we went through this exercise two years ago and we came through it victorious. Not -- not that it was everybody got what they wanted, an 8/5 split is not a 50/50 split, but
the court blessed that split, and here we are
two years later, just merely two years later
spitting in their face saying that 8/5 is what
we did because you made us do it, but we really
wanted 11/3.

And that does not make commonsense to
me. I'm a simple guy, and commonsense is what I
try to use to determine what really ought to
happen, informed by my basic belief in, you
know, what I learned in Sunday school when I was
five or six years old. And so I'm trying to
figure out what is the commonsensical basis of
taking 450,000 leftover people in Wake county,
450,000 leftover people in Mecklenburg county,
and then all of the 500,000 people in Guilford
county, treating them differently than you're
treating every other county in the state. The
magic running through these three counties
is -- you are treating counties that still have
400 plus thousand people to contribute to the
redistricting effort differently than you're
treating every other county in the state.

And you pointed out that the Democratic
concentration is in urban areas, and it's not
coincidence that it's only in the urban areas
that you subject these counties to that kind of
treatment. And I'm saying that commonsense
would inform me if I were a judge, which I never
had the desire to be, but it would inform me
that you got something else at work here rather
than the comments that you made about who wanted
districts run in a certain way. And I'm really
hoping that we can look seriously at
redistricting this state in a way that does not
offend the basic fairness of the process, offend
people all across the state but -- so that you
can retain some aspect of legislators playing a
role in this process.

You know, I happen to believe in
neutrals doing this because of the experiences
I've had over the years, but this kind of
radical, extreme effort simply takes us out of
the process. And I think that you're as
convinced as I am that it's not going to stand
so why don't we fix it right while we have an
opportunity to do it and not be governed by what
interests outside of North Carolina tell us we
ought to do in handling North Carolina business.

CHAIRMAN HISE: Thank you for your
comments.
I next have Senator Perry and then Senator Lowe and then Senator Davis.

SENATOR PERRY: Thank you, Mr. Chairman.

I just want to share some comments and thoughts. And I heard my colleague mention commonsense approach. He also asked or mentioned he didn't know how many lawyers were involved, but I know how many lawyers are involved. In my opinion -- and no offense meant to my colleagues in the room, but I'll say it's too many, and entirely too many, too many attorneys up here that preplan every conversation that goes on in any committee we go to, especially this one. And it seems to have lost the flavor of the citizen lawmaker.

But I did have a question. I was looking at the visual aid that Senator Nickel provided and I was trying to figure out which one of those represented the congressional district that he's running for. And when I was looking at the map, it hit me. In these metropolitan areas, when the population's over 700,000, they're going to be split. They have to be. You got -- but not only do they have to
be split because of population, but those places are going to have three members of congress representing them. That's a lot more horsepower to advocate for things and bring things back for an area. And I probably see it that way because coming from a rural area where we lose population and districts get bigger, it feels like we always have less representation. So I look at that and I think there's no way not to do it, and it's actually beneficial to them to have additional members of congress advocating for that area.

Now, that's not a legal argument that lawyers are going to make. That's nothing salacious or interesting or headline grabbing for most, but it is the commonsense view of just an average non-lawyer citizen lawmaker. Thank you.

CHAIRMAN HISE: Senator Lowe.

SENATOR LOWE: Common citizen. I'm just a country preacher from a tobacco town, and when I look at this map, I gotta say it, and I see Winston-Salem, I see Greensboro, I see High Point. I think we have more in common than most on this map, and to split us up like this,
it's -- I can't make sense of it. And I really want to understand it because when I see Forsyth county swinging around and we're connecting to Lincoln, I mean, what in the hell do we have to do with Lincoln? It doesn't make sense to me. And I want to understand this, but I don't get it.

And I know that there's a lot of lawyers here, mathematicians and indian chiefs and all kinds of stuff here and people that are far smarter than me, but when I look at what has been going on in this community that I live in for the last 30 years as it relates to industry, as it relates to communities of interest and I see the blatant legislative process that pulls this apart. And you can do it, you got the votes. You've heard me say this before, but it just -- when I talk to the citizens in my community, I don't hear any of them jumping up and down about this, and I gotta say something.

Now, some of you I've talked to about all kinds of things, and some things we agree on and some things we don't agree on and then we go out and eat together, but when I look at this and when I look at Guilford and Forsyth, that is
a natural to be together, it's just a natural progression in the order of things. So I really want to understand the rationale for discombobulating -- maybe that's a good word -- this. Help me.

CHAIRMAN HISE: Senator Daniel, any comments?

CHAIRMAN DANIEL: I think, you know, we followed the criteria to the best we could, and we were able to only split 11 counties and 2 municipalities in the whole state.

CHAIRMAN HISE: Senator Davis. Do you have any follow-up?

SENATOR LOWE: I meant -- you know, my brother's a lawyer.

CHAIRMAN HISE: Follow-up, Senator Lowe.

SENATOR LOWE: Follow-up. My brother is a lawyer, and there are some conversations I've come to grips with that are useless to have with him, and it seems like we're getting to that point, but you can give me the real answer. I know there is one. I may not know it, but I know there is a real answer, and the answer you gave me is not it. Thank
you.

CHAIRMAN HISE: Thank you for your comment.

Senator Davis.

SENATOR DAVIS: Thank you so much, Mr. Chair.

And I guess in listening to all these comments, I'll start by just making sure everyone knows, I'm not an attorney either. I come from -- I'm a small town country boy.

But one thing that is important to me is the people, their voices in this process, and not just this process but in all processes. Everything that, you know, we engage in, whether it's the good, whether it's the bad, you know, the ugly, just taking the time to listen to the residents of the state.

So I want to first, actually, if I could change the tone just a second and thank you for making adjustments along the way because I know there was concerns -- I continue to hear concerns along the way about the public hearings, you know, making sure that there were enough before the map was released and then making certain there were -- there was an
opportunity to comment after, then the map was released. I know efforts were made then to do so.

Now, I continue to hear along the way, you know, there were still concerns about things like, you know, individuals wanting to comment, but when they went in, it was locked out and they couldn't get in and things like that. But I do appreciate those comments -- or at least what efforts were made even though, again, I continue to hear the desire for more.

But my question, then, is -- I was listening to Senator Daniel today, and I'm just curious. In this process, what was the total number of individuals that actually made comments and those that came in on the public portal?

CHAIRMAN HISE: Senator Davis, I'm not sure that anyone has that information, a tally in front of them at this point, but I'm confident staff can get you that report.

SENATOR DAVIS: Okay. Thank you, Mr. Chair. Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR DAVIS: Okay. Can -- I'm just
curious, because I know specific names. I guess some members know who they were. I don't know necessarily all the names that were mentioned in sharing the input that was made and considered in this map. Do we -- and I'm just curious to have kind of a total number that were used that went into this specific map that we pull from wherever the portal, from comments that were made because obviously I'm assuming you've reviewed it in order to incorporate some of those names.

CHAIRMAN HISE: So just from what I received from staff, it says the total online comments to date are 4,037.

SENATOR DAVIS: 4,037. Okay. And follow-up. Just going back to the question I had before that, and thank you for that.

How -- based on -- there were names that were shared today. Do we have any feel for how this map aligns with those comments, those over 4,037 plus?

CHAIRMAN DANIEL: I don't think we know any statistics about that.

CHAIRMAN HISE: I think that even whether those 4,000 comments relates directly to
the map is sometimes in question. Some -- more seem to be about the process or the others that are going. But do we have a tally of how many made an impression on the map drawers and others and was something they utilized, I don't know that that even exists.

SENATOR DAVIS: Okay. I was just curious. Thank you.

CHAIRMAN HISE: Okay. Thank you.

Is there anyone else who's not spoken yet who would like to be recognized? If not, I'll go back to the repeats.

Okay. Senator Nickel is recognized for a second time.

SENATOR NICKEL: Thank you. And I am a lawyer, and I'm proud to be one because I understand how our -- how our system of government works and how the court system works. And I think this map is begging for court action. And when the courts have gotten involved, we've seen much better outcomes that give voters a real choice at the ballot box.

My question, though, is about Section 10 of the North Carolina Constitution, and it states all elections shall be free.
Now, we had a unanimous ruling by a three-judge panel in 2019, and they said it is not the free will of the people that is fairly ascertained through extreme partisan gerrymandering, rather, it is the carefully crafted will of the map drawer that predominates.

So my question is in two parts. Number one, how do you define an extreme partisan gerrymander? And number two, is a map that elects 71 percent to 79 percent of members of one political party to the delegation of Washington an extreme partisan gerrymander?

CHAIRMAN HISE: Senator Nickel, I will immediately respond. I'm not going to give a definition for a term the court came up with coming in that the legislature did not, but I will say that a free election, there would be no different in a map orchestrated or designed to elect 7/7 individuals that -- if it doesn't have variance, it doesn't have variance that's with coming in in order to occur. And so I think the maps that I've seen elsewhere that we'll discuss later that are clearly drawn for partisan reasons that's coming in.
I will say that we have not looked at any partisan data in drawing this map, nor have we looked at racial data as consistent with the criteria of the committee, and the results are as they are.

SENATOR NICKEL: Follow-up.

CHAIRMAN HISE: Do you want to respond to the question or -- okay.

Senator Nickel is recognized.

SENATOR NICKEL: So getting rid of lawyer terms, is a map that elects 79 percent Republicans a fair map?

CHAIRMAN HISE: A map that predetermines the outcomes based on partisan data would be an issue that -- inconsistent with the criteria of this committee.

SENATOR NEWTON: Mr. Chairman.

CHAIRMAN HISE: Senator Newton.

SENATOR NEWTON: For the reasons articulated by Senator Daniel, I'd like to move for a favorable report on Senate Bill 740.

CHAIRMAN HISE: We have a motion for a favorable report. Last chance. Any comments from the committee?

SENATOR BLUE: Mr. Chairman.
CHAIRMAN HISE: Senator Blue.

SENATOR BLUE: How can you entertain a motion for a favorable report if you’ve adopted this bill and be fair to the other mapmakers who have bills that are before this committee on the same subject?

CHAIRMAN HISE: Senator Blue, as consistent with all the processes of the committee as I have been here, they consider one bill at a time. There is no limitations of what bills can receive a favorable or unfavorable report, and all bills from committee are referred to the floor with either a favorable or unfavorable report.

SENATOR BLUE: Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR BLUE: So you’re telling me that this committee can pass out three bills on the very same subject, bills conflicting with each other?

CHAIRMAN HISE: The -- as I'm sure you're aware, the arbiter of law is the passage of both chambers, and what a particular chamber or both chambers, for that matter, can consider are not limited, and that has been consistent in
the 11 years that I've been here. I've discussed many bills with the House that we have had differences of opinion on the passage of the bills, and that's why we have a conference committee process as well.

SENATOR BLUE: Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR BLUE: There is no conference committee process in the Senate with competing bills unless I missed something, right? So once we've passed something out of a committee, that is the official position of the committee. And what I'm asking is how can we then conflict it -- or how can we then consider anything else unless it's an amendment to the bill that we're discussing?

CHAIRMAN HISE: So, Senator Blue, there is no process for the committee to consider two things simultaneously. That is not in our process.

Any other questions or comments?

Seeing none, Senator Newton has moved for a --

SENATOR MARCUS: Mr. Chair.

CHAIRMAN HISE: Senator Marcus.
SENATOR MARCUS: One -- a question, please.

CHAIRMAN HISE: You're recognized for a question.

SENATOR MARCUS: One topic we haven't talked is the application of the Voting Rights Act to this map. I asked, when we met earlier, that this committee, before we even set county clusters, and certainly before we vote on a map, that we do a racial polarized voting study. At that time, the chair informed me that there was no intention to do that, at least at that time.

I'd like to ask whether that research has been done and in any way is reflected in this map that we're about to vote on.

CHAIRMAN HISE: No studies have been done by this committee, no evidence of racially polarized voting has been submitted to this committee for consideration, and racial data was not used in the creation of these maps.

Seeing no other comments, Senator Newton has moved for a favorable report, Senate Bill 740. All those in favor please signify by saying aye.

COMMITTEE MEMBERS: Aye.
CHAIRMAN HISE: Opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HISE: The ayes have it.

Senate Bill 740 received favorable report and will be referred to the floor.

Next bill we have up on the calendar, Senate Bill 737, Congressional Redistricting Plan 2021, CCH-6. Senator Clark.

And the packets are being distributed.

We did hold those to avoid confusion so that members can have one packet in front of them.

Senator Clark, is it your intent to amend it before discussion?

SENATOR CLARK: [Unintelligible].

CHAIRMAN HISE: Okay. So not at the beginning.

Staff will now begin -- at the senator's request -- at Senator Clark's request, we will pass out copies of the amendment as well. We will consider the bill as is until the amendment is submitted.

Members, as I am reading what is before me, the bill we are considering right now, the map is labeled Senate Bill 738 1st Edition.

What is being passed out at this point I'm
understanding will be the proposed amendment
from Senator Clark which is labeled as -- the
map is labeled as CCG-7. The bill text is
attached to both maps.

Seems that everyone -- does everyone
have a copy, every member of the committee have
a copy of both? Yes. Okay.

Recognizing that, Senator Clark is
recognized for his explanation.

SENATOR CLARK: Thank you, Mr. Chair.

CHAIRMAN HISE: And this is -- hold on.

I have --

UNIDENTIFIED SPEAKER: Mr. Chair --
[unintelligible] the next bill.

CHAIRMAN HISE: So we'll hold again
while we pass out the bill.

738 is Senator Chaudhuri's bill that's
coming in. What you will need is 737 1st
Edition. That's 738 again. Sorry,
Senator Clark.

SENATOR CLARK: No problem. We're not
going anywhere.

CHAIRMAN HISE: Again, does everyone
have in front of them Senate Bill 737
1st Edition as the map is labeled? Okay.
We -- if everyone has it, we will go ahead and allow Senator Clark to begin his process.

SENATOR CLARK: Thank you, Mr. Chair.

Okay. The bill under consideration has the Plan CCH-6, and I'm going to recommend that we amend that with another plan, but I did not want you to think I'm trying to hoodwink you or anything so I want to explain how the maps differ.

So if you look at the one on the screen or in your hand, we'll start with CCH-6. If you look in the western part of the state -- I guess I shouldn't move away from the microphone.

If you look in the western part of the state, you'll see a configuration for that most western district which I refer to as a tight pack, okay, and you can understand why we'll call it that.

Now, in the bill submitted by the chairs, they use what I call a western slant which is shown there. So what I decided to do is take that western slant -- excuse me -- and included in the bill that I will be putting forth as an amendment. Okay. And one of the reasons I did that was because at the public
hearings, one of the individuals speaking lamented the fact that Watauga was not included in the traditional Congressional District 11, so I decided I would make that change by incorporating the majority's plan with regard to that particular district into mine. Okay.

Another change that is made, I would like to direct your attention to Wake county. And you can see the configuration of Wake county that I had there initially. Well, what I decided to do is modify that. As you see here, it goes further to the south, that particular district that is embedded wholly within Wake county. Essentially what I've done is I've gone to Senator Chaudhuri's bill and I snatched his version of Wake county from him and incorporated it into this plan.

And one other minor change that's not necessarily visible in this particular map here is I changed the boundary just a little bit that separates the east from the west by saving a split VTD; in other words, I reduced the split VTDs by one.

And so that being said, Mr. Chairman, I would like to amend the bill with the plan that
has CCG-7.

CHAIRMAN HISE: Senator Clark, as a request that has come to the chairman, as we have not seen this until now, I think it is appropriate before we -- we'll consider the amendment as proposed before the committee, but before we begin discussions and vote on the amendment, we're going to let the committee stand in recess for about we'll say 20 minutes to review this map, allow us to continue, as many of the members of the committee are seeing this for the first time now.

So we'll pick that up in just a moment and the committee will stand in recess until, let's see, 10:25. So we're in recess.

[In Recess.]

(Transcription from YouTube ended at 1:35:33 and started again at 1:57:30.)

CHAIRMAN HISE: The committee will come back to order.

Where we left out, we had a motion on the floor to amend the bill in whole with CCG-7, the packet that you have.

The chairs have decided for their consideration that they would support the
amendment of the bill on the basis that Senator Clark can submit a bill to be considered by the committee but would do so as to without comment as to whether the amendment is more consistent with our criteria or others as Senator Clark could have just submitted this as his bill.

So I'll go ahead and take all those in favor of the amendment please signify by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HISE: Opposed, no.

The ayes have it. The bill as amended CCG-7 is before the committee.

SENATOR CLARK: Thank you, Mr. Chair.

CHAIRMAN HISE: Thank you.

SENATOR CLARK: Okay. That being said -- let's see. We're now on CCG-7. That is the map that is under consideration before the committee here.

And one thing you think about when you're doing a map is what are my objectives and are there things that I'm trying to make sure that don't perpetuate themselves, are there things that I want to include in the map going
forward. And I want to talk about those things because one of the things that was mentioned by one of the members -- not members -- by one of the individuals who came to the last public hearing, she said, "There's no context here. I don't understand where this map came from or why y'all made the map the way you did."

So for me, the best thing to do, I believe, is to first start from our current congressional maps because there are things in that map that I thought were egregious that I did not want to continue on into the map that is before you now. All right. So that will just take a couple of seconds.

So first of all, this is our current congressional plan. And if you look at it, you see in the center near Mecklenburg county, there is a circle there. From the center of Mecklenburg county out to that circle is the distance of about 20 miles. Within that tight radius there, we have four congressional representatives there. Also, you see some black dashed lines that end in balls that extend far out into North Carolina. And if you follow the trajectory of those dashed lines back into that
circle, you see we have one, two, three, four, five congressional districts that terminate far ends of the state that also have points of contiguity within Mecklenburg county. And to me, something's wrong with that.

And also if you do the counting and count the number of districts that are rooted in the west versus in the east based on population, you'll see that we have eight -- excuse me -- I believe it's seven in the west and only five in the east -- or 8/5, excuse me, and I think something's wrong with that.

I think the common person out there would think, well, we ought to have a balance there, but we don't have that. And so one of the things I wanted to do moving forward in the plan that I have before you today is make sure that in the east and west we have seven districts in each based on a split of the population.

And so that brings us to this diagram here. The area in the green represents the west; the area in pink represents the east. And as you can see, the actual populations are quite similar. As a matter of fact, the deviation
between the two -- there's a minus one/plus one
deivation on having equal populations in the
west and equal populations in the east.

And as you'll see in the 7/7 plan, as
I've been calling it, there will be seven
districts in the west, seven districts in the
east. No district in the west shall cross over
to the east, and no district in the east shall
cross over to the west. I know that was not a
criteria of the committee, but it was a
self-imposed criteria that I placed upon myself
because -- by the way, in case you're wondering,
I do comply with all of the committee criteria.

But the thing I understand, and I
suspect most folks understand, is that in
addition to the criteria that we guide ourselves
by as a committee, we also have other objectives
when we sit down and do a plan, whether it's a
legislative plan, congressional plan. And our
folks who have come to the hearings and our
folks back home, they want transparency. They
want to understand why it is that we did what we
did. And I'm going to try my best to explain
why I did what I did.

And in part of what I did is because of
the constraint I imposed upon myself to bring
about an issue of fairness I believe most
citizens in North Carolina would agree to. If
we split the population in half, we ought to
have seven congressional districts in the east
and seven in the west.

    And in addition to that, I believe that
every major geocultural region in the state of
North Carolina should have a congressional
district rooted within.

    This particular diagram is a
three-dimensional diagram that shows -- gives a
feeling for the population densities in the
various major geographical regions across
North Carolina. I've circled them in either
black or I've circled them, one, in red. If we
start in the west, we see that the western
region of the state has a congressional district
rooted therein. The northwest does, the Triad
does, the Charlotte metropolitan region, greater
metropolitan region has one. Actually, they
have about three or four. I lose count. And
then you have the Triangle up there; it does.
The northeast, the coast, and the southeast.
But who's missing one? The Sandhills.
And by the way, before I forget, our friends across the aisle mentioned that Maurice Holland indicated in his written comments that he wanted a Sandhills district. Yes, indeed, he does. As a matter of fact, I know Maurice. He's the chair of the Democratic Party in Moore county, and he showed up for our last public hearing and specifically endorsed CBK-4 which contained the construct and the plan that I'm presenting to you today as his preferred choice for a Sandhills district.

So that was another one of the self-imposed constraints or objectives I had with regard to a map.

Okay. To summarize, I have my points here. In addition to our criteria and my objective for a congressional plan for North Carolina to have equal representation in the east and west, to have districts that are rooted in each major geocultural region in the state -- and I can't read from here, but I know it says another thing is to not split any county more than one time, which is what we did in our previous congressional plan. We did not split a single county more than once. As a matter of
fact, I made that as a recommendation for the committee, but it was rejected, but the reason I did that, because I've been reviewing a lot of maps over the past year. You know, I have a lot of enthusiasts out there doing their own maps and people really like doing maps.

But one thing that started to become apparent to me is that the gateway to gerrymandering is to go in and split a municipality more than one time. So I was not shocked, I fully expected it, when I saw the map that was produced by the folks across the aisle when I saw three of the large urban counties -- was three -- well, two splits which made three pieces, and I said, okay, they're exercising that gateway to gerrymandering. And I know what they say about the number of splits, but we'll talk more about that later. I don't want to get off track here. Okay. So in my case, I did not split any county more than once.

Okay. So that being said, clearly, I am influenced by other things. Like I said, I've seen a lot of maps, but probably the three most important maps that I took into consideration as I embarked on the effort to do
a congressional plan for the state of North Carolina are the three that we'll go over now.

The first being the North Carolina prosperity zones. If you look up there, you see the state of North Carolina. As a matter of fact, this was done early in the McCrory administration when these zones were established. We have a western region, and surprisingly, or not surprisingly, that looks like a tight pack construction for a western district in the state of North Carolina. And then you see the northeastern region up there, probably looks similar to many of us. Then you have the Triad region, the north central region, the northeast region, southeastern, and you have the Sandhills. Now, clearly, all of those counties you see there are not going to fit in Sandhills. Senator Blue already gave us a geography lesson on the ones that make up essentially the central core of the Sandhills regions which are the ones that were adopted in the plan that I'm going to use.

But also I would like to draw your attention to over in the Charlotte metropolitan
statistical area, you see that gray mass over there. Another one of my objectives was to try to constrain districts to that area to the greatest extent possible because clearly, they have interests in common in that area.

So another map. This is another map generated by the State of North Carolina Department of Health and Human Services for Public Health Preparedness and Response.

If you look on the western side, you see something similar. You see a grouping of counties along the western border, and you also see that configuration in the Charlotte metropolitan area. I think one difference is the Catawba has been added. So I used that to guide my approach as well.

Third map, North Carolina Appalachian Regional Commission Counties. I think there you have about 29 counties that are part of that commission. As a matter of fact, every single one of those counties, say one, except Davie, form what you might call a two congressional district cluster which hold the two western districts that are in the plan that I put forward. I don't think anyone would doubt that
there's a lot of communities of interest within that group.

Okay. So that being said, that brings us back to the CCG-7 plan. Okay. And I included the white line in there which represents the boundary between the east and the west.

So when you're looking at that blank slate of North Carolina, it's like, well, where do I start? Where do I start? Unlike I guess about four bienniums ago when I sat down in the basement of one of the buildings here with one of the staffers with Maptitude and told her I wanted to practice trying to figure out how to do a congressional plan and she asked me where I wanted to start, and I looked at it and I didn't have a clue, but I had a clue this time, I had a clue this time. And you have to sort of think, well, what do the citizens of North Carolina want? What do they want?

Well, first of all, they want us to fully comply with the criteria which in part says if you have a county that has substantial population in which a complete congressional district can be embedded, we must do that. So,
okay, well, I guess I'd better go ahead and take care of Mecklenburg county and Wake county.

So under our current congressional district plan, we've resolved that by essentially pushing the population up against the northern border in Wake -- I mean, Mecklenburg county and taken the balance from the south and pushing that into another district. So I chose to do that in this plan, and I tried, to the extent possible, to the best of my abilities, anyway, to avoid splitting municipalities in that process.

So then I head on over to Wake county. Now, in our current congressional plan, the opposite is done. The population is pushed down to the south, and it's the northern portion of Wake county that serves as an outlet into other districts. I chose not to take that route. I chose instead to push it up to the north and make the outlet the southern portion. So you might ask, well, why did he do that?

Oh, boy, let me back up here. Can someone help me out, one of the technology people, put it back in the proper mode. Okay. I hit the wrong -- you may want to stay there
until I get going again. I think I hit the 
wrong button on here. Try to back up and see. 
Okay, that does it. Okay. 

Okay. So one thing I knew that was 
going to happen is if you look in the district 
labeled 7, we have that boundary constraint 
there. I knew I was going to have to come 
across the top and initially connect the first 
three counties and try to build up to the 
required population, but I did a full stop at 
Granville county. So why did I do a full stop 
at Granville county? Because that's going to 
serve as the basis for what we consider now to 
be a VRA district, currently numbered 
Congressional District 1, congressional -- 
Congressman Butterfield's district. And I'll 
talk more about that later, but I just wanted 
you to know why I did that full stop. Okay. I 
was going to do that full stop, but -- so I'll 
come back to that later. 

So let's move back to the west. So we 
have Mecklenburg county taken care of, and I 
want to take care of another area out west. I 
think you may appreciate this, Senator Lowe. A 
lot of folks at those public hearings said that
they wanted to keep Congressional District 6, as we currently call it, pretty much intact. And as a matter of fact, the first iteration of the map that I did did exactly that, and it pretty much looked like the one we had today. I just expanded it a little bit in order to make sure it got up to the ideal population.

But then during the public hearings, one of the speakers indicated that Kernersville should be part of Congressional District 6 and they shouldn't be connected to the west. So I said, well, I guess I better go in and make that fix. And also while I was at it, I decided to fix Walkertown, too, and make it part of that district. And as a result, it became somewhat more compact, and it also helped me eliminate two municipal districts. I began to realize that that was a premium criteria for some around here. So I eliminated two split municipalities, and I tightened it up, gave it a much cleaner appearance and retained it as the folks in that region had asked that we do through the portal and through public comment and hearings.

So now in the west I have Mecklenburg taken care of and I have congressional
District 6, now 12, taken care of.

So where do I go from there? I said, well, okay, let me go ahead and take care of the western part of the state. And as you know now, I started out with a tight pack configuration, but I thought Senator Hise and Daniel's version was better so I adopted the western slant variation, which you see here, which necessitated a change to District 14 up there.

Okay. So now in this version, it runs all the way from Polk county up to -- I can't see my glasses -- without my glasses. -- up to Stokes county. But remember, those group of counties in those most western districts are the same counties that are in that ARC commission, say one, that being Davie county.

So then I said, okay, I got that squared away. Maybe it's time to move east from Mecklenburg county. Now, remember, we're going to be constrained by that east-west boundary because we want to make sure we have seven districts in the west and seven in the east. So I begin heading out and I go from Mecklenburg county to Union, then Anson, and it's time for a full stop. Then I run up and I capture a little
bit there -- let's see -- Richmond, then Montgomery and back to Stanly where I still don't have enough population, and then I group in some of the southern portion of Cabarrus county, and that provides a congressional district that lies pretty much almost completely encased with that eastern portion of Charlotte -- greater Charlotte metropolitan statistical area that we talked about previously.

Okay. Then from there you can move northward to the next one. I take the rest of Cabarrus county and I group that with Rowan, Davie, and then head on out to the west until I get to -- let's see, what do we got over there -- Randolph and that forms another district. Remember, it couldn't go any further because we have Congressional 6 already has taken that territory up northward. Yet in whole for the most part, it too is encased within that greater Charlotte metropolitan statistical area in the region that we saw in the previous maps that impact the way I was going to approach this process.

So if we go to the eastern side, we see
that we have another component of that which includes the counties you see there: Iredell, Catawba, Lincoln, Gaston, and Cleveland.

And I haven't mentioned it before, but since it's on my mind -- and by the way, this map doesn't double-bunk a single incumbent, so all the ones that are out there, they can feel safe. No double-bunking of a single incumbent in this plan.

But then that pretty much takes care of the west. I've achieved half of my objectives so far. We have seven districts in the west. All of them are compact within major geographical regions in the state. All of them are consistent with regions that we have established before within the state, whether it be the economic regions, whether it be part of the ARC, et cetera. There's method to the madness, if you want to call it madness.

So let's head back to these. I'll start up this seven. As I indicated before, I had to come across the top there, pulled in the first three counties and hit the full stop at Granville. So then I had to go grab the three counties beneath. And then when I got to
Durham, of course, it was like population overload, so I'm going to have to reduce some of the population, and I decided to take that out of Durham. So I took that southeastern corner out of Durham and said, well, that will be part of the district that would lie beneath it, okay, which also somewhat adjoins southern Wake county.

But remember, full transparency. I also told you that one of my objectives was going to be to establish a congressional district that was rooted in the only region that does not have one at this point and that was the Sandhills. Yes, citizens did ask for this. As a matter of fact, for those of you who were at the Cumberland county public hearing, 40 percent of the people that spoke requested a Sandhills district that contained these counties. And among the people there were some people from Moore county. There were also people from Robeson county. As a matter of fact, when I went to the public hearing in Robeson county, about 30 percent of those people spoke in favor of a Sandhills district comprising these counties. And Maurice Holland was one of the
people that said they like this version.

But it's more than about the Sandhills, you know. This region is home to a major influence in this state that we call Fort Bragg. I know one of my fellow members, a good senator, linked a community of interest, if you will, with Fort Bragg regarding some three other counties. But let me tell you something, probably unbeknownst to many folks that when they think of Fort Bragg, they just think of the installation itself, but the majority of the Fort Bragg training area lies within the northern portion of Hoke county, spans across the entire tier of Hoke county. And also, in that confluence of counties down there, where you have Moore county, you have Hoke county, you have Scotland county and Richmond county, and in that little knob we have a place called Fort Mackall military installation somewhat linked to Fort Bragg where they train special forces troops, has an impact on them all.

If you run down the southern border of Moore county there, the lower third or lower quarter, if you will, that whole area has been designated in their land use plan as a military
impact area. So when I came into that, I had those things in mind. So, of course, took Richmond. We grabbed what I considered the belt of Sandhills down there. Then we took -- added Robeson county and then Moore county in there, but that still wasn't enough population. So the question becomes, well, do I head over to Bladen county or maybe Sampson county or maybe up to Harnett county. I decided to go up to Harnett county, and I'll explain why, but before I do that, I want to mention something else.

In my initial version of the CBK-4, inadvertently, I guess I had gone up too high and I took a precinct that inadvertently split Lillington in half, and one of the speakers at the last public hearing lamented that she did not appreciate someone putting a map out there that split Lillington that way. So I wasn't sure that I was the one who did that, but I went back and looked at my map and lo and behold, ouch, it was me. So I said, well, let me take that precinct and put it up there in the 6 and take it out of 4.

Now, I didn't have any political data, didn't need any, been looking at these maps a
long time, but I do know that that precinct I
popped up to 4 and out of the Sandhills is a
Democratic-leaning VTD. I just know that. I
suspect you guys in your areas know how various
precincts trend; you just know. It's in your
area; you just know. And therefore it ended up
getting swapped out for a precinct that was more
Republican leaning got added into the Sandhills,
but that's okay, that's okay. Because my
interest is not trying to establish a map that
leans Republican or leans Democrat. My total
objective, from beginning to end, was to try to
develop a map that was fair, fair in the
east-west distribution, fair in the distribution
of seats into the major geopolitical regions.

Sandhills, I don't know whether
that -- if somebody asked me is that going to be
a Republican or Democratic district, I don't
know, I don't know, but you know what, if it's a
Republican or whether it's a Democrat, it will
be a Democrat or Republican of the Sandhills and
not of Charlotte or Cabarrus county. The people
in the Sandhills are tired of being split as
population fodder for other districts, so that
is why that was done.
So now having -- also, forgot to mention, we also have communities of interest with Harnett county. As you're leaving Spring Lake on to 11 heading into Harnett county, you'll see a large presence of military families. As a matter of fact, they even have military housing up there in that area, a lot of military movement to the houses up there and the businesses cater to veterans, active duty, and retirees, so there is a significant community of interest attached to Harnett county as well.

So now having established that 7 and that 4 as numbered there, essentially I have the makings for 6, but there's not sufficient population. So, of course, there's only one other place to go at this time and it's under Johnston county. So I move east and grab sufficient population to build out the district.

Now, in one of my earlier versions of the map, I had Johnston county connected to the coastal district, and I had Onslow county split with a portion being with the coastal and a portion with the southeast. Some folks didn't necessarily like that. One commented that Onslow county should be kept whole because of
the military presence there that essentially permeated the entire environment of the county, so I honored that and I made Onslow county whole and kept it up in the east. And then some prefer the Johnston county, if it's going to be connected to another region, that stay as it was, which was the southeast region, so I did that. Had to make adjustments to Wayne county in order to rebalance the population, and then you have 3 and 1 as you see on there.

Okay. So I guess that leaves only one other district to talk about, and that's that Voting Rights Act district. And early on we asked our members to say, well, we're going to need to use racial data in order to make sure that we comply with VRA with regarding to the districts we draw, and they didn't want to do that, and that's their prerogative. So since I couldn't use racial data as my guide, I relied on a 2011 drawing generated by this body, the Senate, that has the VRA requirements for the Senate districts that were being contemplated at the time. And essentially what they did is they identified areas that were considered to have significant racial polarization when it came to
voting.

So I said, well, if I keep most of the counties reflected in this document produced by the North Carolina Senate in 2011 and I try to keep most of the counties that were in our current plan, I probably have a chance of, hopefully, making sure I comply with VRA requirements with regard to maintaining that district, so that's what I did. Remember, I said I constrained it to Granville county and we have what we have.

Now, we've heard some talk about different types of data that come into play here. Oops, back up. Erika, I've done it again.

Yeah, the backup kicks me out for whatever reason if I go too far. Don't go anywhere. Okay. Where's forward. Get me forward to the next -- I think I keep hitting something wrong. The next one. Okay. Okay.

Okay. So we've talked about the splits before. There are splits and then there are splits. In this plan I have before you, 13 counties are split. And in the Republican plan that was presented to us, 11 counties are split.
The reason that is because in that plan they chose to split counties more than one time. And as I indicated to -- sorry.

The reason they did that was because they chose to split counties more than one time which I chose not to do deliberately because in my most humble opinion, when a split counties more than one time, that is a clear indication of an intent to gerrymander. But one thing also that was not mentioned is that that also results in a different number of county splits. So in the plan before you now -- I mean, the number of times a county was split. Before you now, counties were split only 13 times whereas in the other plan, because of all this double splitting, counties were split a total of 14 times, for what that's worth, just to bring a little bit of transparency to that situation.

We talked about municipal splits. Okay. Total number of splits in the plan I have is 41. Total number in the plan presented by my friends across the aisle is 13. Now, altogether we have 553 municipalities in the State of North Carolina, but as Senator Hise informed us, all splits are not the same. There's the kind
of split, I call it a phantom split. I think Senator Hise called in a zero split, so really, they don't count because what happens it's split -- one side is split doesn't have any population in it so it doesn't matter.

Then also Senator Hise mentioned about what I call the cross county splits, when you have a municipality that goes across the counties and therefore is split by virtue of the fact that you don't necessarily combine those counties, had 19 of those, and by my count they had 20, about the same.

Now, the big difference here is in the intra county splits. Clearly, my friends made a very concerted effort not to split those types of municipalities, and they only had two. I think they were in the major cities like Charlotte, if I recall correctly, and one other county they mentioned.

Now, of course, each of those splits will have -- be associated with different populations. And of the 13 of mine, the majority of the three came from the same two as they have here as well as in Pitt county was split into Greenville. Now, the reason I didn't
split Greenville is because I felt I did not want to move too far away from the precedent that had been established in the setting of the VRA district in Congressional District 1 up there. As I look back on all the maps, there's a split there, and I assume it's there for a purpose. Yeah. And I can remember a former senator that was here when I first arrived, he said if you walk up to a fence post and it's tied together with bailing wire, you better think twice before you remove that wire: Senator Nesbitt. So I figured I probably should leave well enough alone and not do too much of messing around in Pitt county.

And also VTD splits, we talked about that briefly. In the plan before you, there are 14 VTD splits, one in most counties that have them and two in one, happens to be Iredell county. If I had had time, I could probably go back and fix that, but right now they'll do.

And in the plan presented by our Republican friends across the aisle there, they only have -- they have 24, and I expect the number's a little bit higher probably due to their efforts to avoid splitting municipalities,
so like you have to pick your poison, split more municipalities or split more VTDs. Sometimes you just have to pick the poison. Depends on what sort of priority you establish. But, of course, we didn't establish any priorities in the committee here. What we did is we said we were going to harmonize. My good friend the chairman said we're going to harmonize the criteria.

    Well, folks, hopefully I've harmonized well enough and hopefully you'll consider this bill for adoption. Any questions?

    CHAIRMAN HISE: Thank you, Senator Clark.

    Any questions, comments. Senator Blue.

    SENATOR BLUE: I do have a question of Senator Colonel Clark.

    Since you mentioned the military, it might be that -- and you do because you live in it, but as you created the Sandhills district, it might be that folk don't fully understand or appreciate the impact that the military presence at Fort Bragg has in all of those counties, particularly Robeson county, and the residents in Robeson county who go to Fort Bragg every
morning, but as importantly, the civilian workforce that that base, the biggest in the country and I think probably one of the biggest in the world, how it pulls on that whole region and ties together the whole region. And as well as Harnett county because even though it's adjacent to Wake county, sandwiched between Cumberland and Wake county, a significant portion of its population and its housing pattern and industry is predicated on what's happening at Fort Bragg.

And I'm wondering in addition to the things that you pointed out, since you know, you work on the base and you do analysis, since you know the different impacts that that 50, 60,000 troop base has in that area, are there other things that sort of factored into your decision that may have been related to Fort Bragg or Pope Airfield, now they call it rather than Pope Air Force base, that sort of informed you as to how this was probably the greatest community of interest in the whole state that hadn't been recognized.

SENATOR CLARK: That's true, Senator Blue. And you mentioned Harnett county
so we’ll start there.

Right on the northern border of Cumberland county, right north of the installation, if you go stand out there until 11:00 in the morning to watch the folks come into that post, the cars will just come, they keep coming and coming and coming. You don't see much traffic going in the other direction in the morning, but you go stand at that same spot in the afternoon, when the folks get off from work, and you just see the cars rolling out, out, out and out.

And a similar thing in Hoke county. As a matter of fact, in Hoke county, about 30, 35 percent of the folks in Hoke county travel over to Cumberland county for work. That's the largest percentage of members in a given county traveling to another county for work in the state, and most of that is tied to the economic driver in the region known as Fort Bragg.

Senator Blue talked about Robeson county where he is from; you have the same thing coming up 95. As a matter of fact, one of my co-workers retired about a couple years ago came all the way from Fairmont down in Robeson
county. And he wasn't alone. You have a lot of folks from Robeson county coming up to Cumberland county to work.

    And like I already talked about Camp Mackall, same thing in Southern Pines, lower portion -- I mean, Moore county. They have communities that formally establish their connection to the post. You can go to their websites. They're military veteran friendly. So that really is a giant region that represents one giant ball of common interest.

    And additionally, even things not related to that. There's a cultural dimension too. I don't have the racial data or political data, whatever. Just common knowledge of the geography of the state, as Senator Blue indicated, but four of those counties that form the belt of that region are majority-minority counties. And of course, they wonder why it is that they keep getting split like that.

    And in this plan before us here, that -- it is just completely intolerable. Not the one before us here. The one that was presented. From that region, it splits off Hoke county in one direction. It takes Hoke county,
Scotland in another direction and Robeson county in a whole other direction, a three-part split. No one, absolutely no one in that region supports that notion.

And as I indicated before, if you were there present at the Cumberland county hearing, and even if you weren't present and you want the transcript -- I've had my LA produce a written transcript for you so you can read what the 20 people who spoke plus -- 20 plus people spoke at that hearing had to say. Even the chairman -- former chairman of the Republican Party in Cumberland county spoke in favor of that construct that we have here. She said she had been there for -- I forgot how many years -- and seen I don't know how many different configurations of congressional districts coming down into the Sandhills. And it's a shame, it's a shame.

Had a retired army general, General Anderson who spoke, spoke to the commonality of the community of interest related to military interests there, Senator Blue. Had folks from Robeson county -- I mean, Hoke county who came over in favor of that construct that is
in this map here. They're tired of being sliced, diced and split up. They believe they deserve the same as every other major geocultural region in the state, and I just happen to agree with them.

CHAIRMAN HISE: Senator Blue.

SENATOR BLUE: One last --

CHAIRMAN HISE: Then I have Senator Newton and Senator Nickel.

SENATOR BLUE: One last comment that I would point out to Colonel Clark is that there was an interesting article in the local news this weekend, and it may have been in either yesterday or today's newspaper, about a powwow that occurred at the new Dix Park here, and it involved the eight recognized Native American tribes in North Carolina.

And in that cluster of counties that you have in the Sandhills, and I know it because I lived there and grew up with it, but in those four counties, Robeson, Cumberland, Hoke, and Scotland, are contained probably 90 percent of the Lumbee Tribe that still live in North Carolina, a good number here and in Charlotte, the remainder, Mecklenburg and Wake
the remainder. And they constitute the biggest Native American or indigenous tribe east of the Mississippi River. And then you look at the other tribes, and all of them are, you know, cultural preservation and those kinds of issues that are important to people who live there and people who study them and people who understand what cultural connections really mean, and they've been talking about it lately.

And that would be a further reason to seriously look at a congressional district because the biggest challenge to them now is not only recognition but status. It is a tribe that got recognized in 1957 as an Indian or Native American tribe, but they don't have status like the other recognized Indian tribes in Oklahoma or the Cherokee or various others. So that's been in the debate a long time.

And so there are many other reasons, but I just wanted to commend you on basically popping the ball up in the air to discuss the lack of an organizing cluster in those counties as the other sections of the state have, especially with respect to the Sandhills district, but also on -- showing that you can
draw a VRA district simply by knowing what VRA means and what the historical nature of those black belt counties along the top of North Carolina is and the history associated with it and how that is a way that North Carolina got into discussion about the Voting Rights Act in the first place. So recognizing that you can draw that district at a way that is valid without having the specifics of the population in a precinct or the population in a VRA, but simply knowing those counties and knowing what the population is going to add up to. So if you know how to use them to create the population necessary, you certainly know how to use them to destroy the population necessary for the preservation of a VRA district.

CHAIRMAN HISE: Senator Newton.

Thank you for your comment.

SENATOR NEWTON: Thank you, Mr. Chairman. Just a couple of questions, if I could, for Senator Clark.

Senator Clark, in your explanation of your map, you talked about objectives and you used -- you talked about VRA district, you
talked a little bit about a fair number of seats being an objective. So I just wanted to confirm that as you worked through your map and developed your map, you did not consider either partisan considerations or racial considerations.

CHAIRMAN HISE: Senator Clark.

SENATOR CLARK: Thank you for the question.

Absolutely not. As a matter of fact, Senator Newton, if I wanted to be a partisan, I certainly have it within my abilities to create a Democratic partisan gerrymander. I chose not to.

SENATOR NEWTON: Thank you.

CHAIRMAN HISE: Senator, follow-up.

SENATOR NEWTON: I do have a follow-up.

When you ran your amendment off, so we paused, we took a look, and there's a miscount here in terms of the intra county, city or municipal splits. And what I would like to do -- we -- I counted 17 splits that do not exist in the Senate map, so 17 additional municipalities are split under your map that do not exist in the Senate map by my count, but you
said there were 13 additional splits. So what I would like to do is go through the list that I have and maybe you can correct me and tell me which of these municipalities in fact are not split.

SENATOR CLARK: Well, I'm not going to be able to do that unless we sit down together with the maps themselves and with the reports generated by the staff. Certainly I can't sit up here at this podium and figure that out so you may as well save your time.

SENATOR NEWTON: Thank you.

Mr. Chairman, I have a follow-up.

SENATOR CLARK: But I am more than willing to meet with you and go --

CHAIRMAN HISE: The senator is recognized.

SENATOR NEWTON: Okay. Well, for purposes of members of the public that are listening, committee members who are -- know the criteria know that it was our goal not to split municipalities. I'm going to list what I have as 17 additional municipalities that are split in your map.

Cary is split -- but in each one of
these they're kept whole in the Senate map.

Chapel Hill is split. Clayton is split. Dunn is split. Durham is split. Fuquay-Varina is split. Greenville is split. Harrisburg is split. Holly Springs is split. Lillington is split. Mooresville is split. Mt. Olive is split. Mount Pleasant is split. Raleigh is split. Winston-Salem is split. And I think that's it.

SENATOR CLARK: What about Dunn?

SENATOR NEWTON: That's it.

SENATOR CLARK: You forgot Dunn.

SENATOR NEWTON: Oh, Dunn. Yeah, I did miss Dunn. Sorry.

SENATOR CLARK: And can I respond to that, Mr. Chair.

CHAIRMAN HISE: You may respond to the question.

SENATOR CLARK: And one thing we need to understand also is that all splits are not equal. The Dunn split essentially splits off one person. It's in an adjoining VTD. So I had the decision to make, well, do I go split another VTD in order to keep from splitting a municipality or do I just leave it as is. One
person. I chose to just leave it as is.

And as a matter of fact, like I said, all splits are not the same. Some splits involve very little population, some involved a lot. And I appreciate the fact that my friends across the aisle made that one of their top priorities, not splitting municipalities. That was not one of my top priorities.

SENATOR NEWTON: Thank you, Mr. Chairman.

CHAIRMAN HISE: Thank you, Senator Newton.

SENATOR NICKEL: I think this is a good -- a good committee discussion, but once all the debate is finished, I'll have a motion on this map.

You know, for the committee, there are I think two things that I want to share that give me nightmares. Number one, it's being on the floor of the Senate and having Senator Hise table my amendments. I think that's probably happened more than any other senator since I've been here. And number two, it's being unprepared in front of Judge Fitch in his
courtroom. There are some judges you just don't mess with, and if you don't have your facts and you lie to them, they get really upset.

And to say that the map that we just passed is a fair map and not an extreme partisan gerrymander is just laughable. And so I would just say to the committee, you know, if you're going to say that, judges get pretty upset, and judges like Judge Fitch, you know, they let you know about it.

But my question for Senator Clark is twofold. Number one, there were a lot of outside groups who have scored these maps. I'd like to know what they scored the map that we just passed and the version of your map that they scored with a letter grade, A through F. And then also would you define extreme partisan gerrymandering as a map that guarantees election of to 71 to 79 percent of seats from one political party.

SENATOR CLARK: Thank you, Senator Wiley.

First of all, unfortunately, we were unable to determine the performance of maps that we had completed within this committee because
we chose not to use the partisan data for the purposes of evaluation. I agree and understand that they did not want to use it in the construction process. However, we all did understand that there were going to be nonprofit entities out there rating these maps.

And, yes, the Princeton Gerrymandering group and the FiveThirtyEight group were among those, and they rated the Clark 7/7 maps, as people referred to them, as A's in every circumstance. And like I said, I didn't seek out with an objective of making a proportional map, but what the map proves, based on what those entities have said, is that it is in fact a proportional map that provides, or likely will provide, proportional representation, and I say that again recognizing that our US Constitution doesn't require that. Our state constitution does not require that. However, it could be an objective of this body, but it is not. But clearly for the common folks out there like myself and Senator Lowe, our idea of fairness, that if you have seven in the west, you ought to have seven in the east. If you have -- if you're going to have one in every other major
geocultural region, you ought to have one in the Sandhills too.

And what was that other question, Senator Nickel?

SENATOR NICKEL: How do you define extreme partisan gerrymandering?

SENATOR CLARK: Oh, extreme partisan gerrymandering, okay.

Well, people have their own definitions of this, but I like to use the construct report to us by the mathematicians and they use what's called an ensemble analysis. So they use their mathematical wizardry to generate hundreds of thousands of maps made, and they take these maps that we've created and they establish a distribution and they see where these maps we've created fall within that span.

Now, if you're somewhere in the central tendency in that process, you'll say that's probably not gerrymandering, but if somehow or another your map shows up on the tail end of that distribution, you have an indication that something might be awry there and that it may not be consistent what might happen in a natural order, in other words, what might happen if we
did things like in a 7/7 way, if we did things
in a way which every major geocultural region
had a congressional district embedded in it.

You know, it's not likely that such a map is going to show up at the tail end of those distributions. My guess -- and it's only a guess because I'm not a mathematician and I don't personally know how to do it, but if you were to compare the 7/7 map and the distribution such as that, it would likely on the central tendency is my guess. Because there's been this grand myth out there that we can't draw a fair map in North Carolina that will provide proportional representation because, as we've heard before, because all the Democrats live in the cities. Well, I think the 7/7 throws that notion out of the window completely. It reveals that statement for what it is.

So when you have a map that purportedly -- I don't know. I'm not a smart guy. I can't do that kind of analysis -- but purportedly will generate a seat distribution along the lines of 10 Republicans and 4 Democrats on a good day and the one according to FiveThirtyEight, Princeton Gerrymandering
groups, that might generate, I don't know, what, maybe 7/7 or maybe 8/6 or something like that. I think when you compare those two in terms of seat distribution, one certainly would likely lie at the extremes and people would call that partisan gerrymandering, Senator Nickel. I hope that answers your question.

CHAIRMAN HISE: Senator Marcus.

SENATOR MARCUS: Thank you.

Senator Clark, since you're from the Sandhills and I am not, I would like you to provide your belief to this committee about whether any part of Mecklenburg county has ever been considered to be part of the Sandhills region.

SENATOR CLARK: I'm glad you asked that, Senator Marcus. At the public hearing that took place down in Robeson county, there was a lady there who lived in Mecklenburg county -- I mean, excuse me, not Mecklenburg county. Yeah, it was Mecklenburg county. That's correct, Mecklenburg county. And she now lives in Robeson county. And you know what she told us, Senator Marcus. She said that when she was in Mecklenburg county, she was in a
particular congressional district, and she found her way all the way to Robeson county in her new home and lo and behold she was still in the same congressional district. It's like what in the world. How in the world, she thought, could I still be in the same congressional district. Mecklenburg county has absolutely nothing in common with folks out there in Robeson county. It's two completely different worlds. It makes absolutely no sense.

And in our current congressional districting plan, it does not need to be that way. You could have two compact districts there. And it certainly does not need to be there again in the proposed congressional districting plan. Thank you, Senator Marcus.

SENATOR MARCUS: One additional question, if I could, Mr. Chair.

CHAIRMAN HISE: Final follow-up.

SENATOR MARCUS: Senator Clark, do you -- have you had an opportunity to compare compactness scores? That's one of the criteria that this committee adopted, and we haven't really talked about compactness scores. I don't know if you've analyzed your map as compared to
the map we already passed out, the Republican
version map. And if so, could you share that
information.

SENATOR CLARK: Thank you,
Senator Marcus.

When it comes to the compactness
scores, I had to take the Senator Lowe approach.
I assume he properly shares my approach. What
do the common people see when they look at that
map, the regular folks out there? We could
stand up here and talk about Polsby-Popper,
Reock, cut edges, whole convection, whatever,
about 30 different doggone compactness scores
available in Maptitude, but of course the
committee said you can, you may consult those.
Didn't say you had to.

And even with regard to the
Polsby-Popper and Reock, we didn't set a limit
on what value would be considered good.
Sometimes Polsby-Popper gives a better reading
than the Reock. Sometimes they give the same
reading. As a matter of fact, as a trivia
question, what geographic figure would give the
same reading on a Polsby-Popper and a Reock
score? A circle. Thank you, Senator Marcus. A
circle. They both give the value of one. Because when we talk about the Reock, essentially what we're doing is dividing the perimeter -- I mean, dividing the area of the district by the minimum circumscribing circle. And when we do the Polsby-Popper, it's going to be the area of the district dividing by a circle of equal perimeter. But when you start talking stuff like that to our folks back at home, what you talking about? Man, look at that. Did you see my map -- put -- where's my map at. Well, you have a picture of it.

Now, that's a pretty map. And you have to admit -- I know you're not going to admit it, but that's a pretty map. And the folks at home look at that and they say he did a good job on that map. And I know it's true because they've told me so. It's a pretty map. Nothing looks jerked up or jacked up in that thing. And even to the extent it does, if it does, there's a rationale behind it that they understand why it is the way it is. And I've gone through great pains to try to explain to them why the map is the way it is, what was my thinking behind doing that map.
And to the credit of Senator Blue and the attorneys out there, they let me up here to just speak my mind. They didn't try to tell me how to do the map. They didn't say, well, preserve district for so and so or for this person or that person, just do the map. That's what I did.

Senator Hise.

CHAIRMAN HISE: Members, I will just say the Reock and Polsby-Popper scores are part of your stat pack that you've received for each of the districts that are attached to the map.

SENATOR CLARK: So if you want to take a look at those numbers, have at it and come back to me and tell me what they mean.

CHAIRMAN HISE: Senator Daniel.

CHAIRMAN DANIEL: Thank you, Mr. Chair. I'd just like to make a comment.

So, you know, Senator Clark has referred to Senator Lowe quite a bit in his remarks, and I know in the previous bill, you know, Senator Lowe indicated that his county of Forsyth was grouped with Lincoln county in the previous map. Well, in this map Forsyth County is split in half. In fact, Winston-Salem is
split almost 50/50 down the middle. It's actually 55/45, but this district traverses all the way to Polk county. And so if you just -- you know, we've talked about travel times and so forth. So, you know, from Winston-Salem to the county seat of Lincoln county, which is Lincolnton, you know, it's a 90-mile -- 90-minute drive. If you do the travel time from Winston-Salem to the county seat of Polk county, which is Columbus, that's a two-and-a-half-hour drive.

So I'm not sure Senator Lowe, based on his criteria he stated earlier, should be necessarily happy with this map more than the previous map. He can speak for himself, of course.

SENATOR LOWE: I certainly will.

CHAIRMAN DANIEL: But that's the -- that's the reality of this map is it splits multiple -- and Colonel Clark said that splits aren't all equal. Well, that's true. Of course, the Senate map only splits two municipalities in the state. Well, this one splits Charlotte 66/34, Clayton 84/16, Durham 83/17, Greenville 54/46, Harrisburg 73/27,
Mooresville 63 -- 64/36, and Winston 55/45. So there's quite a number of major municipal splits.

So it's interesting that, you know, sometimes we hear the opposing party saying, well, all of us should be all represented by one congressman, but then they embrace, well, it's okay if we split all these into two congressional districts. So I just kind of wanted to note the inconsistency in the arguments that we hear sometimes in this committee.

SENIOR CLARK: Mr. Chair, I would like to respond.

CHAIRMAN HISE: I don't believe there was a question. I believe it was a comment.

SENIOR CLARK: I would like to comment, Mr. Chair.

CHAIRMAN HISE: I'll get to you in just a second.

Senator Edwards.

SENIOR EDWARDS: Thank you, Mr. Chair.

May I ask -- I'd like to ask Senator Clark if he has an overlay of the maps that he started out with in his presentation to
the congressional -- or to CGC-7 [sic], meaning that the presentation started with some very compelling maps that had population concentration, prosperity zones and that sort of thing. I'd just like to know is there an overlay available for us onto this map so that I could see the commonalities.

SENATOR CLARK: Thank you, Mr. Chair.

The slides that I have used are from the public records and you have complete access to them, if that's what you need.

SENATOR EDWARDS: Mr. Chair, do I take that as a no, there's not an overlay?

CHAIRMAN HISE: The committee does not have anything submitted that would be an overlay. I don't know if they could create one, but we don't have one.

SENATOR EDWARDS: Thank you. If I might be allowed to just make a few comments, then.

CHAIRMAN HISE: Recognized for comments.

SENATOR EDWARDS: When Senator Clark began the conversation in presenting those maps, I saw some slides, some data that really caught
my attention, and I thought, okay, these -- this is his basis, maybe we're going somewhere here, but the more that I reflect back on how I remember those slides to indicate those various areas, you know, prosperity zones established by Governor McCrory and population and such. And in my mind I try to overlay those to this map. There's absolutely no comparison whatsoever, and so I'm not sure that there's any relevance to those bases to this map.

My next thought is that I continue to hear this conversation about third parties scoring maps. Every indication that I've seen, in every one of those situations, partisan information has been used, and that's one of the criteria that this committee clearly said that we did not want to use.

And to me, as a member of this committee, I believe that our responsibility and our definition of fair should be did we draw these maps according to the criteria that the committee set out, not necessarily some group from Princeton or someplace else. Did we follow our criteria.

And then the last point that I'd like...
to make is while -- I heard Senator Newton ask the question of Senator Clark was racial data used, and I thought that I heard the answer to that as being no. Well, I'm not a lawyer either. I'm just a common citizen legislator, but when I hear that consideration was given to not only VRA districts that are based off of racial data, but there was consideration given to VR districts that are ten years old which I think would be totally irrelevant. The reason we're drawing maps now is that constitutionally we're asked to draw maps after every census. And so I believe that while, obviously, there was some racial consideration in that thought, it's too old to be valid.

And then the last thing that I -- well, I said that was the last one. One more, really. I was part of the map-drawing process in the fall of 2019 when the court ordered us to redraw maps, and I remember vividly that one of the key criteria that we used then was to not split municipalities. And I hear Senator Clark saying, well, Dunn is only -- it's only one person, also it's okay, but then I hear Senator Daniel go through a list of other significant
splits that really worries me that we would
set -- if we were to set ourself up with that
criteria to the court ordered -- to the court
orders in 2019, we would have failed miserably.
And so I have a real concern with this map from
that perspective as well.

Thank you, committee. I appreciate you
indulging me.

CHAIRMAN HISE: Thank you for your
comments.

Next, Senator Lowe. Senator Lowe does
not want to speak.

Senator Clark.

SENATOR CLARK: I'd like to respond.
There are a lot of statements made so I may miss
a few so I'll start with the most recent
regarding the criteria on municipal splits.

In the criteria we adopted this time is
that municipalities may be considered. It did
not say that we shall not split municipalities.
When the members -- my Democratic fellows asked
for a priority of the committee in terms of
splits, we were told there was none.

You also mentioned earlier about the
prosperity zones not matching up with -- exactly
with the map I have here for consideration.

Well, of course not. First of all, there are fewer prosperity zones, and also the prosperity zones are not population balanced. What I said is it served as an input for me in terms of how districts might potentially be grouped.

And I forgot the other two things you said and what Senator Daniel said so it's hard for me to respond. If they really want an answer or just wanted to be heard, that's fine, but if you want an answer to the comment, I'm more than willing to hear the statement again and respond to it appropriately.

Oh, he did mention something that my criteria -- or something I had done may not sit well with Senator Lowe, but with all due respect to Senator Lowe, we get along quite well, but he didn't draw my map. I drew that for the betterment of the citizens as I saw it in the state of North Carolina. And if I caused some offense there, forgive me, but as we all know, there are compromises that have to be made in this process. Sometimes you may have to split a municipality that you don't want to. Sometimes you may have to split a VTD that you don't want
to. Sometimes you have to mess up your pretty map in order to balance the population. Stuff happens. It's -- at the same time it's an easy process but a complicated one trying to do the right thing. That's all I tried to do. I tried to do a map that the citizens would look at and they would say -- not just this committee, but they, folks out there watching this on TV today, they would say that this is a good map.

CHAIRMAN HISE: Senator Nickel, you had been asked earlier to be recognized for a motion.

SENATOR NICKEL: Are we all -- we're finished?

CHAIRMAN HISE: I have no additional speakers that have asked to speak.

SENATOR NICKEL: Move for a favorable report.

CHAIRMAN HISE: There's a motion on the floor for a favorable report for -- let's see. This is Senate Bill 737 as amended, we'll go with rolled into an original PCS unfavorable -- rolled into a new PCS unfavorable as to the original bill.

All those in favor please signify by
saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HISE: Opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HISE: The nos have it, does not receive a favorable report.

Senator Daniel.

CHAIRMAN DANIEL: A motion, Mr. Chair.

CHAIRMAN HISE: You're recognized for a motion.

CHAIRMAN DANIEL: Mr. Chair, I would move that Senate Bill 737 as amended receive an unfavorable report from the committee.

CHAIRMAN HISE: There's a motion on the floor of the Senate from Senator Daniel, Senate Bill 737 receive an unfavorable report to the bill as amended, also unfavorable to the original bill.

All those in favor please signify by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN HISE: Opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN HISE: The ayes have it and Senate Bill 737 will be reported unfavorably.
Senate Bill 738. Senator Chaudhuri.

And I think we'll go ahead and have staff go ahead and begin the process of passing this out. Oh, yeah, it was passed out.

Does every member have a copy of Senate Bill 738 1st Edition? I do not believe there's an amendment to this. All right. I think everybody's got it.

Senator Chaudhuri.

SENATOR CHAUDHURI: Thank you, Mr. Chair. I don't know if it's necessary to put my map on the screen or not for members of the public, but let me say from the outset, we've had a lot of folks talk about being citizen legislators becoming country folks. I'm just a lawyer, Mr. Chair, and I feel like I'm a caveman lawyer this afternoon. I'm just a caveman lawyer, and your world frightens and confuses me, to quote Saturday night live.

So what I thought I would do is walk through the map that I've drafted and provide an explanation similar to Senator Daniel and then I'll also comment on the objectives. I think one of the things that you will see with this map is it's actually quite similar to
Senator Clark's map, so I say that hopefully in order to avoid duplicative questions and move us along schedule.

So on the far east, you will see Senate District 3 that is a Senate district primarily comprised of the coastal counties. And as we move towards the east -- west, excuse me, you'll see Senate District 1 that runs from Granville county to Pasquotank county as indicated by Senator Clark. If you do look at the 2011 data that he had revealed, this could potentially be a VRA district that I believe would also answer some of the questions and concerns expressed by committee members with regard to the fact that under the Stephenson Supreme Court decision there needs to be compliance with VRA first before drawing the remainder of the districts.

Next, I'm going to move to Congressional District 2 which is a primarily downtown northern Wake district. I think it's important for purposes, as we've discussed here and has been highlighted by Senator Clark, that Wake county district has only been split twice and not three times compared to the Hise-Daniel map.
I will then move to Senate --

Congressional District 13. You will see in this congressional district as an example in comparison to the Hise-Daniel map, this actually keeps together all of southern Wake county. It also puts Cary and Morrisville together which I know is one of the comments that we heard during public comments and then extends to Chatham, Lee, and Harnett county which I believe are natural extensions of the Triangle and also share part of the economic development and recruitment as a region.

From there, we move to Congressional District 7 which runs from Johnston county all the way down to Brunswick and New Hanover county. This is essentially what would be called a southeastern North Carolina district.

Then we move to Congressional District 14. This is a variation of the Sandhills district. I think a couple of points to reiterate. For this district, one is I think the linkage between Hoke and Cumberland county is critical, and we talked about the military community of interest. In addition, I think a question was posed by Senator Blue, it is hard
to design and create a Cumberland county
district -- it's hard to draw a Cumberland --
Sandhills district without including Cumberland
county in it.

We then move to -- I'm going to move up
north to Congressional District 4. This runs
from part of Rockingham county to Person and
then runs down to Alamance and Durham county.
Again, is -- these counties have actually been
clustered as legislative -- state legislative
districts for a number of years and also share a
lot of regional cooperation, including mental
health cooperation. Also, it's important to
note that I-85 runs through this district as
well.

Then we come to Congressional
District 6. This combines part of Forsyth and
Guilford county. I think this clearly
illustrates a Triad congressional county, again,
similar to what Senator Clark mentioned and also
important in highlighting that these communities
of interest stay together. As you'll notice,
Forsyth county here is not divided twice but
only once.

And then we come to Congressional
District 8 which runs from part of Iredell county to the east of Randolph county, and then we come down to -- coming down to Congressional District 12 which is the Mecklenburg county district. As the criteria states, you should begin by splitting the county once, if possible, and so here we have Congressional District 12 which runs from the western -- southwestern part of Mecklenburg county all the way to the north.

And then we've created a Congressional District 9. Again, this is the eastern part of Mecklenburg county that includes Union and Stanly county which I think are natural part of the growth that we are seeing in Mecklenburg county.

We then come to Congressional District 10 which runs from Iredell to Rutherford county.

Congressional District 5 which is essentially the northwestern district running from Avery to Rockingham county.

And then lastly, Congressional District 11, which is the western North Carolina district as well.

This district -- some of these
districts, I should say, towards the end somewhat come close to the districts that have been presented by Senator Hise and Daniel.

Let me make a few other comments. I'm happy to take questions after that.

So as I mentioned, you know, the criteria that was mentioned -- that was agreed upon by the committee stated that voting districts shall be split only when necessary, and in this instance -- and I think this warrants a discussion if we want to revisit this. In these instances, the districts are only split up into 14 voting districts compared to 24, I believe, in the districts shared by Senator Daniel and Senator Hise.

Secondly, we've made -- I've made a reasonable effort to draw districts that are compact. And while Senator Clark wasn't willing to share his Reock, Polsby-Popper scores, I can tell you that the scores -- the average scores for this were .45 and .36. And those compact scores are certainly worth I think discussing in comparison and contrast to the maps that were shared by Senator Daniel and Hise.

And then finally, I should say
that -- or I should also say that this map attempts to consider member residence. And similar to Senator Clark's map really avoids any double-bunking that takes place.

And finally, I should mention that with regard to communities of interest, again, it's important to highlight the preservation of the Sandhills area and the fact that the three largest counties, Wake county, Guilford county, and Mecklenburg county, are only split once.

And that's my presentation, Mr. Chair.

CHAIRMAN HISE: Thank you, Senator Chaudhuri.

I will add that the previous map discussed was sponsored by myself, Senator Daniel, and Senator Newton, for those who are coming in just to make sure that's not left out.

Speaking of which, Senator Newton, I believe, has some questions.

SENATOR NEWTON: Thank you so much, Mr. Chairman.

Senator Chaudhuri, you identified certain communities of interest. Do you consider municipalities to be communities of interest?
SENIOR CHAUDHURI: Senator Newton, I'm happy to answer that question. Yes, I would consider municipalities be communities of interest, but I would also consider voting districts to be communities of interest, and I would also consider counties to be voting -- of communities of interest.

And I think to Senator Clark's point, it is difficult to identify what the priorities were for the criteria that was set out. And so I think as we discussed, there seems to be a clear trade off between the splitting of counties versus splitting of municipalities.

SENIOR NEWTON: Thank you. Follow-up.

SENIOR CHAUDHURI: Yes.

SENIOR NEWTON: So I have a list of the municipalities that your map splits. It's actually two more than Senator Clark's map split. I'm going to list these. Would you tell me if I'm in error with any of these municipalities.

I've got your map splitting Cary, Charlotte, Clayton, Concord, Durham, Eden, Elizabethtown, Eureka, Fuquay-Varina, Glen Alpine, Goldsboro, Greenville,
Holly Springs, Morganton, Mount Pleasant, Raleigh, Troutman, Wentworth, and Winston-Salem.

Is that a correct list of your municipal splits?

SENATOR CHAUDHURI: How many splits are those, Senator Newton?

SENATOR NEWTON: 19.

SENATOR CHAUDHURI: I didn't know if it was 19 splits, but I thought it was 14, but regardless, if the municipal splits or your count, I will accept your word for that.

SENATOR NEWTON: Thank you, Mr. Chairman.

SENATOR CHAUDHURI: Mr. Chairman, may I respond briefly.

CHAIRMAN HISE: Senator, you are recognized for comment.

SENATOR CHAUDHURI: Again, I think -- I think it's important to point out again that there was no priority identified with the municipal splits. And, Senator Newton, while you've identified some of the splits that have taken place with the -- with the municipalities that you've identified, I would tell you I'm happy to work with you to remedy the splits for
those municipalities provided that we can continue to protect and preserve the county splits. As I mentioned, and I think has been mentioned here a number of times today in this committee meeting, we're also seeing large county splits done twice in the three largest counties here in the state.

CHAIRMAN HISE: Senator Marcus.

SENATOR MARCUS: Thank you, Mr. Chair. Senator Chaudhuri, you just started to touch on an issue that matters to me a lot from Mecklenburg county. If you could please, for us, compare how your map compares to Senator Hise and Senator Daniel's map on various criteria but --

CHAIRMAN HISE: And Senator Newton.

SENATOR MARCUS: -- specifically -- and Senator Newton. As long as we don't call it "the Senate map" which a few of you have been calling it. As far as I know, there is no Senate map yet.

-- specifically when it comes to slicing and dicing the major -- the large counties, like Mecklenburg, Guilford, and Wake.

SENATOR CHAUDHURI: Sure,
Senator Marcus, I'm happy to provide to you some comparisons and contrasts.

Is that your question about comparing and contrasting?

SENATOR MARCUS: Yes. Yes. That one specific criteria is important -- you know, is important to me, but there are many criteria so I would like to hear them all and hear your comparison between the two maps.

SENATOR CHAUDHURI: So, you know, I think to be clear, the map was not -- was not designed or drawn using partisan data, but as we now know based on third-party analysis, there have been public reports that have compared and contrast the different maps that have been published. And so let me start by first discussing the Princeton Gerrymandering Project.

You know, during the public comment period, we repeatedly heard that the Princeton Gerrymandering Project gave the map that was drawn by Senator Hise and Senator Daniel a fairness grade of F for what's described as a significant Republican partisan advantage. The gerrymandering project further points out that their map receives a partisan fairness
grade -- gives the Republicans a partisan advantage of 21.4 percent. The map that I presented, and I believe Senator Clark's map was similar, gets a fairness grade of A and gives no partisan advantage to either party. And in fact, the partisan advantage is actually zero percent compared to 21.4 percent Republican advantage under Senator Hise's map.

Second, Senator Marcus, I would point out that the analysis carried out by FiveThirtyEight, there were a few takeaways based on this. One is that Senator Hise's map would produce three Democratic-leaning seats, ten Republican-leaning seats, and one highly competitive seat. In contrast, this map would produce four Democratic-leaning seats, six Republican-leaning seats, and four highly competitive seats.

And then secondly, there is a so-called efficiency gap, and this is the idea that there's a difference between each party's share of wasted votes. The efficiency gap that's been scored for the Hise-Daniel map was 21.1 percent favoring Republicans. Generally, an efficiency gap score over 8 percent is a red flag. The map
that I present here before you has an efficiency score of 5.8 percent but still favoring Republicans.

And then lastly, an analysis from our nonpartisan staff found a compactness score, as I mentioned a Reock score of .42 compared to Senator Hise's-Daniel's Reock score of point -- excuse me. Ours was .45 and the Reock score for Senator Hise was .42. And our Polsby-Popper score was .364 versus the Hise-Daniel Polsby-Popper score of .30.

And while we've discussed the splitting municipalities, I should point out that this map splits only 14 voter districts compared to 24 voting districts by the Hise-Daniel map.

SENATOR MARCUS: Follow-up.

CHAIRMAN HISE: Follow-up.

SENATOR MARCUS: Thank you, Mr. Chair.

Two follow-ups. Could you explain what makes a Reock or Polsby-Popper score better. In other words, what do those mean? And then second, could you explain what a wasted vote is.

SENATOR CHAUDHURI: Yep. So as I think as Senator Clark mentioned, a Polsby-Popper Reock score is basically an indicator of
compactness. The closer you get to one, the more ideal the compact score is there. And so as we look at the higher score will be a general indicator of what is more compact in that instance.

And with regard to wasted votes, wasted votes is a measure in determining basically how many voters that would go to the poll would essentially not have their votes counted because of the districts being skewed towards one -- having one partisan advantage or the other.

And as I mentioned, the efficiency score as indicated by the FiveThirtyEight site points out that the Hise-Daniel map had a wasted score vote of 20.1 percent favoring Republicans. Generally, the red flag for an efficiency gap score is over 8 percent.

SENATOR MARCUS: Comment, please.

CHAIRMAN HISE: Recognized for a comment.

SENATOR MARCUS: That last thing that you mentioned, Senator Chaudhuri, we haven't talked about enough in my opinion, the idea of wasted votes because that to me matters to voters. I know you've all heard, I've heard
people say "I don't vote because my vote doesn't count. I feel like it doesn't matter. My district's already decided which party it's going to go for before I go."

And so that efficiency gap really goes to one of the major things this committee should be thinking about. And if we want to waste that high number of votes in order to get the Republican-submitted map here, I'd say that's very un-Democratic.

CHAIRMAN HISE: Senator Blue.

SENATOR BLUE: A question of Senator Chaudhuri.

I heard some issues raised about various things, some questions about your map. Do you think it would make sense to withdraw it and let us look at some of those observations? And if you're willing to do that, perhaps we can see what folk have had time to analyze and determine whether those are actually flaws in your map.

SENATOR CHAUDHURI: Mr. Chair.

CHAIRMAN HISE: Yes.

SENATOR CHAUDHURI: Yes, Senator Blue, I'd be more than happy to withdraw my map at the
current time so that we can reexamine some of
the concerns raised by this committee.

CHAIRMAN HISE: We'll let the committee
stand in recess just a minute.

[At ease.]

CHAIRMAN HISE: Thank you, members of
the committee. After consultation with the
chairs as well as with Senator Blue, the
chairman will withdraw Senate Bill 738 from
today's calendar and for consideration from the
committee.

Having nothing else existing on the
agenda, this committee will stand adjourned.

(Transcription from YouTube ended at
3:28:38.)
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Senate Redistricting Committee held on November 1, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 15th day of December 2021.

Denise Myers Byrd
CSR 8240, RPR, CLR 102409-2
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NORTH CAROLINA GENERAL ASSEMBLY

HOUSE REDISTRICTING COMMITTEE

NOVEMBER 1, 2021

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4208 Six Forks Road
Suite 1000
Raleigh, North Carolina 27609
(919) 424-8242
denise@discoverydepo.com
(Transcription from YouTube started at 9:36:14.)

CHAIRMAN HALL: ... today and were being printed downstairs. And, of course, we need a copy for every member to be able to look at, and that takes time to print these color copies, so that's what we've been waiting on this evening.

Members, we'll go ahead and jump right into it. I am going to move that the PCS for HBK-12 be before the committee. And without objection, that PCS will be before the committee.

I do have a proposed amendment to that, but I am going to yield the chair to Chairman Saine for him to chair, and I'm going to present from the podium. Chairman Saine.

CHAIRMAN SAINE: Thank you, Mr. Chairman. Thank you, members of the committee.

We're going to start with Amendment 2; is that correct? Okay.

And the gentleman is recognized.

CHAIRMAN HALL: Thank you, Mr. Chairman.
Members, this is HBK Amendment Number 2. There's two pages to this amendment, and I'll briefly go through, sort of from west to east, the reasons behind the changes in this map.

Beginning with Cabarrus county, the chair was informed that Representative Pittman does not plan to run again, and so we didn't have the concern of not double-bunking. Representative Pittman said -- so I went in and tried to make it a bit more compact, so that's the reason for that change.

Moving east into the Durham and -- excuse me -- the Chatham-Randolph grouping, I did -- we heard a lot of public comment about population deviations between Chatham and the Randolph district, and so I went in and tried to fix some of that, to make those districts a little bit more even in terms of population deviation.

Moving on to the east in the Sampson-Bladen-Wayne-Duplin-Pender-Onslow groupings, we -- I felt that Bladen and Pender made more sense being together in terms of counties that have similar interest, and if we
draw it this way, we're able to draw more compact districts.

So, Mr. Chair, I would move that this amendment be adopted.

CHAIRMAN SAINÉ: Any further presentation and the motion -- any questions for the maker of the motion?

Representative Szoka.

REPRESENTATIVE SZOKA: Thank you, Mr. Chair.

Just for clarity sake, I believe you said Bladen and Pender would be together. Mr. Chairman, I think you meant to say Bladen and Sampson because that's what the map shows, just for clarity.

CHAIRMAN HALL: That's right, Representative Szoka. You're correct. My apologies.

REPRESENTATIVE SZOKA: Thank you.

CHAIRMAN SAINÉ: Any other questions?

Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair. Chair Hall, I'm just -- it's hard to read this on the fly, but I'm wondering, are you splitting precincts, VTDs in Durham? And if so,
why?

CHAIRMAN HALL: Representative Harrison, VTDs have been split, and that's because the populations are so large in that part of the state that they need to be split.

REPRESENTATIVE HARRISON: Can I have a follow-up.

CHAIRMAN SAINÉ: You're recognized for a follow-up.

REPRESENTATIVE HARRISON: And again, apologies for last minute here.

So with the -- with the Wayne grouping, what VRA issues did you take into consideration?

CHAIRMAN SAINÉ: The gentleman's recognized.

CHAIRMAN HALL: As the lady knows, and I've said previously in this committee, courts have found that there is no legally significant racially polarized voting in North Carolina.

The committee decided not to use race as a factor in drawing these maps, and therefore the maps comply with the VRA.

REPRESENTATIVE HARRISON: Follow-up, if I may.

CHAIRMAN SAINÉ: You're recognized for
follow-up.

REPRESENTATIVE HARRISON: I appreciate that. We may have a difference of opinion about that, but I'll wait for that discussion.

Another thing -- and I apologize. Are you splitting any municipalities in this -- in the Wayne county proposal?

CHAIRMAN HALL: No.

REPRESENTATIVE HARRISON: And if I may have one more follow-up.

CHAIRMAN SAINE: Yeah, one more.

REPRESENTATIVE HARRISON: Are you splitting any VTDs in Wayne?

CHAIRMAN HALL: There is one VTD that's split in the district.

CHAIRMAN SAINE: Seeing no other questions, you've heard the motion. All those in favor signify with saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN SAINE: Those opposed, like sign.

COMMITTEE MEMBERS: No.

CHAIRMAN SAINE: In the opinion of the chair, the ayes have it, the ayes do have it, and the amendment is adopted.
Recognize the gentleman from Caldwell county.

CHAIRMAN HALL: Thank you,
Mr. Chairman.

And, Members, now that the PCS as amended is before the committee, I do want to make some brief opening remarks because I think that the process, as I've previously said chairing this committee and in presenting, this is a historic process in this body that has never happened in the history of this state and in the history of this General Assembly.

We've embarked on the most transparent redistricting process in North Carolina history, and there is simply no debate that can be had about that. Every part of this map-making process was done in public, and it was recorded, it was archived for anyone who would like to see it. Not only was it the most transparent process, but for the first time in North Carolina history, the legislature adopted a process on our own, on our own volition, that did not include the use of political data.

Further, we received an immense amount of public input on the maps which has resulted
in a North Carolina House map that reflects weeks of public comment both in person and online. Additionally, this room has been open since October 6th, Monday through Friday, from 9:00 a.m. to 5:00 p.m., wherein any member could come in and draw whatever maps that they saw fit. There was not a problem with resources in terms of the computer. I was in here quite a bit over the course of that roughly three and a half weeks, and I don't think at any point that I see all four stations being filled at one time, so every member had every opportunity to come in and draw whatever map that they saw fit.

Members, as you all know, the rural areas in North Carolina have lost an immense amount of population in the past decade which has resulted in wholesale change of some districts and areas. A couple of examples of that is Representative Willingham's district, where he kept all of his current district in Edgecombe and Martin, but he had to add the entirety of Bertie to make the minimum population. Same goes for Representative Wray who had to add another whole county, Warren county, to his current district of Halifax and
Northampton.

In addition, many of the groupings did not change over the course of the decade, or they remained similar to the previous decade, and given that there was so much litigation over the course of the last decade with respect to maps, the chair took advantage of many court cases that had previously dictated to the General Assembly on how to draw -- how to draw legislative maps and congressional maps. This is not applicable in all cases, however, but where applicable, the chair made every effort to keep the current districts intact and will encourage negative votes on any amendment that does not attempt to achieve that same goal.

I want to begin the presentation of the chair's proposed map by going through the criteria that this committee adopted and how the proposed map coincides with that criteria.

First, we decided to keep counties whole. Within the map -- of course, we all know that's a constitutional revision to the Stephenson decision. And within this map, where counties could be kept whole, they are kept whole. We kept every county whole that we
could. For example, Chatham, Lee county, Polk county are some counties where we had choices to make about keeping counties whole, and we kept those counties whole.

We attempted not to split VTDs. In 2011, there were hundreds of hundreds of VTD splits in the 2011 maps that were drawn. In the chair's proposed map that's before you today, there are only six VTD splits across the entire state of North Carolina, only six in this entire map.

We honored municipal boundaries. The chair made every effort to keep municipalities whole throughout the draw. The report in front of you will say that there are 82 municipality splits across the state, but the bulk of the split municipalities that you see in the report either have no population or extraordinarily small populations in the parts that are split.

Contiguity. Every district in this map is contiguous.

Incumbency considerations. In this map, we chose the bare minimum of number of members who are double-bunked.
We looked at compactness. Despite not being drawn by a computer algorithm, this map contains the compactness of the current map that had the advantage of being drawn with a computer algorithm.

We did not consider race. As chair, I did not look at racial data in drawing these maps.

We did not consider political data. I did not look at political data in drawing these maps.

Again, given that I did not have a computer-based algorithm or consultant using an algorithm, the final product has resulted in an impressive map that splits very few precincts, keeps municipalities whole, and creates compact districts.

And with that, Mr. Chairman, I will yield back to you.

CHAIRMAN SAINE: The chair thanks the gentleman from Caldwell.

It's the chair's understanding that there are some amendments that will come before the committee today.

And is there a particular order,
Mr. Chairman.

CHAIRMAN HALL: Probably just the order that are numbered, whatever you have in front of you. There's no particular --

CHAIRMAN SAINE: So the chair will take up Amendment 1, looks like Mecklenburg county. Who will be presenting that?

Representative Reives.

I'm sorry.

UNIDENTIFIED SPEAKER:

[Unintelligible].

CHAIRMAN SAINE: Okay. So this actually will be Amendment Number 2, but on your sheet it's labeled 1. So Amendment 2.

Representative Reives, you are recognized.

REPRESENTATIVE REIVES: Thank you, Mr. Chair.

And one thing I would ask -- I'd be asking for the ayes and nos on each of these, and so if we could see about doing that now, then --

CHAIRMAN SAINE: If the gentleman wants to have that, then the chair will gladly entertain that.
REPRESENTATIVE REIVES: Thank you very much.

CHAIRMAN SAINE: Sure. And you are recognized.

REPRESENTATIVE REIVES: Thank you.

And what I would say is this: that looking at the map that we already have that's been presented by Chairman Hall, you -- and I'm trying to read my own writing. There's a split --

CHAIRMAN HALL: It says that one looks good.

REPRESENTATIVE REIVES: That is what my note says. It's amazing. You already saw it.

It says that VTD Number 134 was split in District 89, and you also have a lack of compactness in districts across that county.

The amendment that I presented -- excuse me -- would split Charlotte definitely, splits Huntersville, and splits Stallings which crosses county lines, but it does not split any of the VTDs. And the average Reock score across all 13 districts is 49, compared to 44 with the chairman's map, and also the Polsby-Popper difference is 45 to 33. And so I would say with
the compactness and with the fact it doesn't
split VTDs that I feel like it complies with the
committee's criteria more and therefore we would
ask that you accept the amendment.

CHAIRMAN SAINE: I read the gentleman's
proposal. Anyone wishing to comment?

Representative Carney.

REPRESENTATIVE CARNEY: Thank you,
Mr. Chairman, and thank you to Leader Reives for
this amendment.

As he had pointed out, it doesn't split
VTDs, but you did -- this amendment has no split
VTDs, but the Hall map does have. It splits
134. And can you tell me why you had to split
that VTD.

CHAIRMAN SAINE: Representative Hall,
you are recognized.

CHAIRMAN HALL: Representative Carney,
I -- let me -- let me get a more precinct-level
detailed map so I can see exactly which one it
is you're talking about.

REPRESENTATIVE CARNEY: Okay.

CHAIRMAN SAINE: And as they're looking
for that, the chair is just going to -- as
you're going through your paperwork, the next
one that we'll take up after this one will be Amendment 3 as it's labeled.

UNIDENTIFIED SPEAKER: Mr. Chair.

CHAIRMAN SAINÉ: HBVA Amend 3, if you just want to get that in your queue.

REPRESENTATIVE CARNEY: That --

Mr. Chairman, that -- Chairman Hall, that precinct is in District 89, I think, if that helps.

CHAIRMAN HALL: Mr. Chairman.

CHAIRMAN SAINÉ: You are recognized, Representative Hall.

CHAIRMAN HALL: I don't have that particular VTD map in front of me, Representative Carney. The reason that that split was made was to try to keep the municipality whole in northern Mecklenburg. I believe that's Huntersville that we were trying to keep whole, and that's why that was split.

REPRESENTATIVE CARNEY: Okay. And in District 90, there was another split VTD, and that particular one has the worst compactness score in the state. And so why -- I'm just questioning why did you draw it that way compared with the more compact version that we
have shown with the amendment offered by Representative Reives?

CHAIRMAN SAINE: Mr. Chairman, if we could perhaps displace that amendment and move on so I can get a copy of the Mecklenburg map with those precincts that are on there, we'll come back to that.

REPRESENTATIVE CARNEY: Sure. I appreciate that.

CHAIRMAN SAINE: Yeah, we can displace that. We'll hold on to that one. We'll move to what the chair had described as HBVA -- or HBV Amend 3 which looks like you'll see Randolph, Moore, Richmond.

Representative Harrison.

REPRESENTATIVE HARRISON: That's my amendment.

CHAIRMAN SAINE: Okay. You're recognized.

REPRESENTATIVE HARRISON: Thank you. Thank you, Mr. Chair.

So I'm not sure exactly how this compares to the changes that were made in Chair Hall's amendment, but there are -- there's a population deviation problem with Chatham and
the adjacent districts.

We heard a lot of comments, the public comments written and those who were present, that talked about the addition of -- I think it was the Providence precincts, specifically adding it to the Chatham county, which is rapidly growing, whereas the adjacent county Randolph is not and it's actually underpopulated. So this amendment simply takes that Providence voter tabulation district and keeps it in with House District 60, which is Representative McNeill's district.

And I believe that -- I believe that's all I have to say about that. I think it -- I think it handles the population issues better because you have -- Chatham county right now is nearly at 5 points, and it's growing rapidly, whereas the others are 3 to 5 points under the recommended deviation as required by Stephenson. So I would recommend this amendment for your approval.

CHAIRMAN SAINES: Thank you, Representative Harrison.

Any questions for the maker of the amendment?
CHAIRMAN HALL: Mr. Chairman.

CHAIRMAN SAINE: Representative Hall, you're recognized.

CHAIRMAN HALL: Members of the committee, the chair -- well, I listened to the public comment as well, and we did hear a lot of public comment about the deviation changes between the Chatham and Randolph districts. And so I am going to support this amendment, and I ask that you vote in favor of the amendment.

CHAIRMAN SAINE: Any others wish to speak on the amendment?

Seeing none, all those in favor of the amendment please signify with saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN SAINE: Those opposed.

In the opinion of the chair, the ayes have it. The ayes do have it.

Representative Reives, you are correct. You asked for a roll call vote. I will certainly honor that.

If the clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: Aye.

THE CLERK: Brockman.
Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: Aye.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: Aye.

THE CLERK: Garrison.

REPRESENTATIVE GARRISON: Aye.

THE CLERK: Hastings.

Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: Aye.

THE CLERK: Mills.

REPRESENTATIVE MILLS: Aye.

THE CLERK: Reives.

REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: Aye.

THE CLERK: Szoka.

REPRESENTATIVE SZOKA: Aye.

THE CLERK: Warren.

REPRESENTATIVE WARREN: Aye.
THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: Aye.

THE CLERK: Richardson.

[Unintelligible].

THE CLERK: Saine.

CHAIRMAN SANE: Aye.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: Aye.

THE CLERK: Bell.

REPRESENTATIVE BELL: Aye.

THE CLERK: Stevens.

Chairman Hall.

CHAIRMAN HALL: Aye.

CHAIRMAN SANE: Before the clerk proceeds, Representative Richardson, I see you on the -- on Webex, and I also see Representative Hastings. We didn't get audio from you. If you'd like to cast your vote, Representative Richardson.

If you'll give me a thumbs up. It looks like aye; is that correct?

Okay, we've got an aye for Representative Richardson.

Representative Hastings.

REPRESENTATIVE HASTINGS: Aye.
CHAIRMAN SAINE: And, Representative Brockman, did we miss -- he's out of the room.

UNIDENTIFIED SPEAKER: Aye.

CHAIRMAN SAINE: Representative Hastings. There you are. We don't have audio, but if you're an aye, please signify with a thumbs up. And we'll record that as aye.

And Brockman online is giving us a thumbs up. If the committee members will verify that. It sounds like everyone's in agreement.

And the amendment does pass unanimously.

Representative Hall, do you have the data that you needed and we can go back to that?

CHAIRMAN HALL: If you will continue on, Mr. Chairman, and I will let you know when I get that up here.

CHAIRMAN SAINE: We've got -- the chair's just randomly pulling from his stack, just like yours. The chair pulls HST Amend 1. It looks like Alamance county.

Representative Harrison, is that yours?

REPRESENTATIVE HARRISON: If I'm not mistaken, it's Representative Reives.

CHAIRMAN SAINE: Representative Reives,
you're recognized.

REPRESENTATIVE REIVES: Thank you.

And in both the chair's map and my amendment, we split the city of Burlington, but both do not split VTDs or double-bunk any incumbents. My amendment proposes a more compact drawing of the two districts in Alamance, and I would ask that the committee adopt this amendment because of that.

CHAIRMAN SAINE: Okay. You've heard the presentation on the amendment.

CHAIRMAN HALL: Mr. Chairman.

CHAIRMAN SAINE: Anyone wishing to be recognized.

Representative Hall.

CHAIRMAN HALL: Thank you, Mr. Chairman.

Members, Alamance county has been the subject of litigation in the past. And as I said earlier, we tried to take what we learned from those cases and apply them to these maps. And so in this map, I only made three total changes in terms of VTDs in the -- in the whole -- the whole map, in this grouping, and so because of that, I would ask you to oppose this
amendment.

CHAIRMAN SAINÉ: Any others wishing to speak?

Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair.

Chair Hall, just a couple of quick questions. Comparing Representative Reives' proposed map -- proposed changes to the -- your proposal, it just looks on the face of it that Representative Reives' amendment is more compact. And I think you said this, but the Polsby-Popper score is .39 versus .31, and you can see that there's that little, odd precinct that pokes out into Representative Riddell's proposed district from Representative Hurtado's.

And it seems like -- it looks like you're putting North Thompson voting tabulation district into 54 and you moved the South Burlington voter tabulation district out of 54, where there were other VTDs such as Faucette, and the northern section of the county that had an identical population or close population to Northern Thompson. So do you mind saying why you chose the ones you did.
CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Thank you,

Representative Harrison, for the question.

As an aside, the chair will say that this committee room has been open for three and a half weeks. I was not given any of these amendments until last night. That -- I don't want to cast aspersions on anyone, but one can infer that that was by design.

And so again, what I will say about this map and the one that was drawn is that Alamance county has been litigated and the current district has been upheld in a court, and so when I went in to draw this, my goal was to make as few changes as possible and as few changes as reasonably required with population changes because, again, it's been litigated and in making as few changes as possible, we stick with something that's similar to the current district and makes it more likely that it will be upheld.

Again, I didn't -- I've got eight amendments I think that are being put forth tonight, didn't get them until last night. Some of the printouts don't even have precinct-level
numbers on them. No members approached me
during the map-drawing process. I did speak
with Representative Reives quite a bit, and he
was always open with me and upfront, and I was
the same with him, but it doesn't change the
fact that the members of this committee have had
three and a half weeks to put forth amendments.
We didn't get them until last night.

And so I think that -- you know,
because of that, it makes it difficult to sit
down and talk about precinct-level data with the
members asking questions on amendments that they
sent last night. Please oppose the amendment.

CHAIRMAN SAINE: Representative
Harrison.

REPRESENTATIVE HARRISON: Just a quick
follow-up.

CHAIRMAN SAINE: You are recognized.

REPRESENTATIVE HARRISON: These are not
my amendments so I can't speak to the process,
but I do know that the staff has been pretty
backed up drafting because we're just seeing
them for the first time too.

I just -- not a question, but just
think there are ways to move precincts and equal
populations that would improve the map's compactness because the Polsby-Popper scores are clearly better in Reives' amendment, so I would urge you to support it. Thank you.

CHAIRMAN HALL: Mr. Chairman.

CHAIRMAN SAINE: You're recognized, sir.

CHAIRMAN HALL: I would like to see if Representative Harrison would yield for a question.

CHAIRMAN SAINE: Representative Harrison, will you yield?

REPRESENTATIVE HARRISON: Yes.

CHAIRMAN HALL: The lady said that these are not your amendments. Can you tell the committee whose amendments these are.

REPRESENTATIVE HARRISON: I believe Representative Reives. It's Representative Reives' amendment. I just offered the Chatham county one. Thank you.

CHAIRMAN HALL: Thank you.

CHAIRMAN SAINE: Thank you.

Any others wishing recognition.

Seeing not, we will go into a roll call vote at the request of Representative Reives.
The clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.

Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: No.

THE CLERK: Hastings.

REPRESENTATIVE HARRISON: I'm sorry. I meant to say aye. I apologize.

THE CLERK: Hastings.

CHAIRMAN SAINE: Representative Hastings and Representative Brockman, the chair and the vice chair have noticed you signified with a thumbs up as aye. If the clerk will record that for Representative Brockman.

Representative Hastings, we have no audio on your -- on your feed. If you could
either signify by cutting your camera on and showing us or using the app there that can give the thumbs up. We'll come back to you before we finish.

Go ahead, clerk.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: No.

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.

REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: [Unintelligible].

THE CLERK: Szoka.

REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

CHAIRMAN SAINE: Richardson on visual is signifying aye.
THE CLERK: Saine.
CHAIRMAN SAINE: No.
THE CLERK: Torbett.
REPRESENTATIVE TORBETT: No.
THE CLERK: Bell.
REPRESENTATIVE BELL: No.
THE CLERK: Stevens.
Hall.
CHAIRMAN HALL: No.
CHAIRMAN SAINE: We'll try one

   time -- one more time with Representative
   Hastings.

   Representative Hastings, if you can
come to your video or signify with the app
there, with the thumbs up or thumbs down,
whichever you prefer.

   REPRESENTATIVE HASTINGS: Can you hear
   now, Mr. Chair?
CHAIRMAN SAINE: The chair sees no
response from Representative Hastings.
   The clerk --
COMMITTEE MEMBERS: There he is.
CHAIRMAN SAINE: Representative
Hastings signifies no. Thank you, sir.
THE CLERK: 7 yes; 14 no.
CHAIRMAN SAINE: The amendment fails.

Next in our stack of stuff, try for HBA Amend 3 which looks like Cumberland county. Who's the maker of this amendment? Who wants to present?

Representative Reives, you're recognized.

REPRESENTATIVE REIVES: All right. And thank you for that, Mr. Chair.

And what I would note for the committee is this amendment does not split any VTDs, does not double-bunk any incumbents. We believe it better follows the committee's criteria in two ways. First, other than Fayetteville, there are no municipality splits. The chair's map splits the town of Hope Mills. Second, this amendment has a better average compactness score than the chair's map, and therefore we would ask that the committee adopt the amendment.

CHAIRMAN SAINE: Okay. You've heard the presentation on the amendment. Any --

CHAIRMAN HALL: Mr. Chairman.

CHAIRMAN SAINE: Representative Hall and then Representative Cooper-Suggs.

CHAIRMAN HALL: Mr. Chairman, I'll
yield to Representative Cooper-Suggs.

CHAIRMAN SAINÉ: Representative Cooper-Suggs, you're recognized.

REPRESENTATIVE COOPER-SUGGS: Thank you, Mr. Chair, and thank you, Representative Hall. I have a question that I'd like to ask.

The amendment, as Leader Reives says, does not split Hope Mills, but why does your map split the town?

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: 95 percent of Hope Mills is not split in the map. Well -- and I'd like to be recognized at the appropriate time to speak to the amendment.

CHAIRMAN SAINÉ: You're recognized.

CHAIRMAN HALL: And I use 95 percent as a rough figure. But as to this particular map, again, I'll note, I've seen this amendment last night. The map that I put out was put out over a week ago now with precinct-level data. I wanted to give the public time to look at it and make whatever suggestions they wanted to make. I seen this one, again, last night.

Cumberland county's been subject to
intense litigation over the course of the last
decade in state and federal courts, and as a
result, the map that we currently have on our
current districts has been upheld in court. And
so again, going with the same theory as some of
the previous groupings, my goal in this map was
to make as few changes as reasonably necessary
with population shifts to ensure that we
continued to have a legal map, and that's what
you have before you.

REPRESENTATIVE COOPER-SUGGS: I have
another question.

CHAIRMAN SAINÉ: Representative
Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Yes, just
to follow up.

Chairman Hall, for Districts 27 and 28,
before we pass these maps, are you going to take
any steps to ensure that African American voters
are not packed, being packed into these maps?

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Thank you,
Mr. Chairman.

As previously said, this map has been
upheld -- the current -- the current districts
we have has been upheld in court. This map
makes the minimal changes to that map, and so I
am confident that this will be upheld in court.

CHAIRMAN SAINÉ: Any others wishing to
speak on the amendment? Seeing none, we will
move to a roll call vote.

The clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.

CHAIRMAN SAINÉ: And just for those on
Webex know, they're working on the audio now.

Brockman signifies aye with a thumbs up.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: Aye.

THE CLERK: Hastings.
Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: No.

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.

REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: No.

THE CLERK: Szoka.

REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

UNIDENTIFIED SPEAKER: He's a yes.

CHAIRMAN SAINE: Richardson has signified yes, thumbs up.

THE CLERK: Saine.

CHAIRMAN SAINE: No.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: No.

THE CLERK: Bell.
REPRESENTATIVE BELL: No.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: No.

CHAIRMAN SAINÉ: And the chair will also note that Representative Richardson is having fun with emojis, and Representative Hastings has signified no.

THE CLERK: 7 yes; 14 no.

CHAIRMAN SAINÉ: The amendment does fail.

The chair has been informed it is time for us to go to session. We're going to stand at ease as a committee and we will come back ten minutes immediately after session.

UNIDENTIFIED SPEAKER: Mr. Chair, can we leave our stuff.

CHAIRMAN SAINÉ: You can leave your stuff in the room. It will be attended to while we're in session.

[At ease.]

(Transcription from YouTube ended at 10:07:09 and started again at 10:59:42.)

CHAIRMAN SAINÉ: ... in the room anticipating that he may be presenting these.
Let's see if this is one of his amendments, but we'll give it a few minutes. If somebody would like to text him and tell him we're starting.

REPRESENTATIVE HARRISON: And,

Mr. Chair, I don't mind trying to offer an amendment in his name if you want to get moving while we're waiting on him. It's up to the committee.

CHAIRMAN SAINE: Yeah. The chair will give him a moment if anyone gets a response back. You got him on the phone.

UNIDENTIFIED SPEAKER: What are we looking at?

CHAIRMAN SAINE: So you can go ahead and pull up HBV Amend 5. Stokes is at the top of that one.

CHAIRMAN HALL: Mr. Chairman.

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: I've called Representative Reives. He's on his way up right now, so if we can give him just a minute.

CHAIRMAN SAINE: We will certainly suspend until he arrives.

We're going to start with HBV Amend 5, and it's got Stokes in yellow at the top.
Representative Hall, do you know if we've got the audio fixed for the folks on Webex?

CHAIRMAN HALL: If we can just direct staff, make sure that the audio is working for the folks on Webex.

REPRESENTATIVE RICHARDSON: Can you hear me.

CHAIRMAN SAINE: Representative Richardson, we can hear you, sir. Thank you for the mic check.

Representative Reives, we'll give you just a moment to get settled. We're looking at the HBV Amend 5 which has got Stokes county in yellow at the top.

REPRESENTATIVE REIVES: Thank you for that, Mr. Chair.

CHAIRMAN SAINE: Yes, sir. When you get settled, just let me know.

REPRESENTATIVE REIVES: All right. Okay, I'm ready to proceed. Thank you.

CHAIRMAN SAINE: Yes, sir. And is this your amendment?

REPRESENTATIVE REIVES: Yes, it is.

CHAIRMAN SAINE: Okay. You are
recognized, sir.

REPRESENTATIVE REIVES: All right.

Thank you.

I would ask the committee consider supporting this amendment. This amendment does not double-bunk any incumbents; it does not splitting any VTDs. It does split Walkertown and Winston-Salem which is the same as the chair's map. And this amendment better complies with our criteria by not splitting Tobaccoville. This amendment also has better average compactness scores across all five districts. I would ask the committee to consider adopting the amendment.

CHAIRMAN SAINÉ: You've heard the amendment. Are there any questions or commentary?

Representative Hall.

CHAIRMAN HALL: Thank you, Mr. Chairman.

Members, I took the same approach with this one as I previously have stated in other parts of the map, and that is Forsyth has been heavily litigated over the course of the last decade, and so I started with the current set of
districts and tried to make changes based upon population. One of the changes that had to be made in this grouping is the change between Stokes and Yadkin counties. The prior grouping had Yadkin county. This grouping has Forsyth and Stokes county, and so I basically swapped Stokes and Yadkin and then tried to make minimal changes to the district, again, knowing that this has been heavily litigated and trying to stick with something similar to what was already there. So I would respectfully ask the committee to vote no on the amendment.

CHAIRMAN SAINE: Thank you.

Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair. Thank you, Chair Hall. I just had a couple of questions.

In looking at the map -- so as Representative Reives said, the compactness scores are quite different in the amendment that is before you and the proposed PCS. So the -- specifically the Reock is .52, which is great, and Chair Hall's map is .42, and then on the Polsby-Popper it's .46 to .33, which I would say is a fairly significant difference on the
But if you'll look at on the Stokes -- on proposed House District 69, you see that weird finger that goes down into -- into Forsyth county, into Winston-Salem and takes out 12 percent of Winston-Salem residences and puts them in with Stokes county, which I would say is probably not a good fit. It seems like it would make more sense to keep Winston-Salem a little bit more whole. So I am trying to figure out why you did it the way you did it, unless you've already answered that.

CHAIRMAN Saine: Representative Hall.

CHAIRMAN HALl: That change was made to keep Wake Forest whole.

REPRESENTATIVE HARRISON: Follow-up.

CHAIRMAN Saine: Representative Harrison, you are recognized for a follow-up.

REPRESENTATIVE HARRISON: And if I could also ask why you split the town of Tobaccoville. Or the amendment that Representative Reives is offering does not split Tobaccoville.

CHAIRMAN Saine: Representative Hall.

CHAIRMAN HALL: Again, this is a map
that I received last night. My map has been out for nearly ten days now. Members have had a chance to look at it. Nobody came to me until last night to try to change this map.

I stuck with what the current map was and tried to make minimal changes to it. The result is a map that complies with our criteria and also complies with a similar map to what the courts have already upheld. I would ask you to vote no on the amendment.

CHAIRMAN SAINÉ: Representative Harrison.

REPRESENTATIVE HARRISON: And just one more follow-up.

And I appreciate that response, Chair Hall. I do want to just point out, sort of in general, you mentioned this a couple of times about making minimal changes, but we have other -- we have other proposed districts where we started from scratch, say Buncombe county, and we have nuisances data and new county groupings, so I think it is worth contemplating making more compact districts in different configuration, and I will just end there. Thank you.
CHAIRMAN SAINÉ: Thank you. Any others wishing recognition.

Seeing none -- Representative Richardson on Webex.

REPRESENTATIVE RICHARDSON: Yes. Thank you, Mr. Chair. I'll be very brief.

I would hope that rather than looking at when the amendment came in, and I know it's frustrating and it's hard to compile all this, that we look at the actual merits of this. And while I do think it's important that we keep Wake Forest together, but taking Tobaccoville out of it, it seems like to me we can do a little bit better, and I think this amendment does that, so I would encourage folks to vote for the amendment. Thank you.

CHAIRMAN SAINÉ: Thank you, Representative Richardson.

Any others wishing recognition?

Seeing none, as previously asked by Representative Reives, we will move to a roll call vote, and the clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.
REPRESENTATIVE BROCKMAN: Yes.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: Aye.

THE CLERK: Hastings.

CHAIRMAN SAINES: Representative Hastings -- and the clerk, did you record Representative Brockman as a yes?

THE CLERK: Yes.

CHAIRMAN SAINES: Okay. Representative Hastings signifies no.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: No.

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.
REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: No.

THE CLERK: Szoka.

REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

REPRESENTATIVE RICHARDSON: Aye.

THE CLERK: Saine.

CHAIRMAN SAINE: No.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: No.

THE CLERK: Bell.

REPRESENTATIVE BELL: No.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: No.

THE CLERK: 7 yes; 14 no.

CHAIRMAN SAINE: The amendment does fail.

Members, next, choosing from the stack here, I've got HBV Amend 6. Looks like Guilford
county. I'll give you a moment to pull that up.
   And who's the sponsor of that amendment? All right. Representative Reives.

   REPRESENTATIVE REIVES: Thank you, Mr. Chair.

   And like we've just seen with the prior amendment, the differences in compactness and
   natural-looking districts I think are clear when comparing these to the map that we're presented
   with as the overall chair map. The average Reock score for these six districts in amendment
   is 52, compared to 40 for the main map;
   Polsby-Popper is 43 compared to 30.

   And I know that -- we've seen a lot of this, but I would make the same argument here
   that with the compactness and with the natural look, we'd ask that you support this amendment.

   CHAIRMAN SAINE: Thank you. Others wishing recognition.

   Representative Hall.

   CHAIRMAN HALL: Thank you,
   Mr. Chairman.

   Members, as previously stated and as the same for Guilford county. Guilford county
   was heavily litigated over the course of the
last decade, so the chair took measures to try to make minimal changes. My map moved only four total precincts from the 2020 map that was approved by the court, and the proposed amendment completely changes how Guilford county's drawn and the district that the members currently represent, so I would respectfully ask the committee members to vote no.

CHAIRMAN SAINIE: Any others wishing recognition.

Representative Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair, and thank you, Chair Hall.

I wanted to reiterate, I think Representative Reives commented about the compactness, and it's an important criteria in the criteria that we are operating under in drawing maps that shouldn't be understated. But I was wondering why you split the town of Summerfield into three districts.

CHAIRMAN SAINIE: Representative Hall.

CHAIRMAN HALL: Again, I received this amendment last night with no prior warning. No member came to me to talk about, for example, the question the lady just asked whatsoever.
Again, I made minimal changes. I moved only four precincts from the map in 2020 to deal with population shifts. This map comports with prior court rulings, and I ask you to vote no on the amendment.

CHAIRMAN Saine: Any others wishing recognition.

Representative Harrison.

REPRESENTATIVE HARRISON: Just a quick follow-up.

I disagree -- I want to encourage members to support this amendment because I think the compactness, which is a criteria in drawing the maps, is much better than the current proposal, and also we have a municipality that is not going to be split in the amendment that is being offered, so I encourage you to support Representative Reives' amendment. Thank you.

CHAIRMAN Saine: Any others on Webex or here in the room. Seeing none, the clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.
CHAIRMAN SAINÉ: Representative Brockman. Representative Brockman signifies aye.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: Aye.

THE CLERK: Hastings.

REPRESENTATIVE HASTINGS: No.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: No.

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.

REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: [Inaudible.]
THE CLERK: Szoka.

REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

REPRESENTATIVE RICHARDSON: Aye.

THE CLERK: Saine.

CHAIRMAN SAINÉ: No.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: No.

THE CLERK: Bell.

REPRESENTATIVE BELL: No.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: No.

THE CLERK: 7 yes; 14 no.

CHAIRMAN SAINÉ: And the amendment fails.

Next we will take up HCE Amend 1 which is Pitt county. Who's the sponsor of this one?

Representative Reives, you're recognized.

REPRESENTATIVE REIVES: Thank you,
Mr. Chair.

And I would ask that the committee support this particular amendment. In the chair’s map in my opinion will not be as compact as this map, and I've tried to improve on the compactness here. When you look at all the scores that we normally look at, it scores better on both scores, and also this amendment does not split the town of Winterville while the chairman's map, so no split VTDs, no double-bunked incumbents. I ask for your support.

CHAIRMAN SAINE: Thank you, sir.

Representative Hall.

CHAIRMAN HALL: Thank you, Mr. Chairman.

Members, again, I ask you to vote no on the amendment. I believe that my map does a better job of keeping municipalities whole. Winterville in this map is mostly unsplit. Again, I'd ask for you to vote the amendment down.

CHAIRMAN SAINE: Representative Hawkins.

REPRESENTATIVE HAWKINS: Yes, sir.
Chairman Hall, I want to thank you for being willing to answer questions today. And, you know, having grown up in eastern North Carolina, I'm still vaguely familiar with sort of the landscape, and so it really does beg the question about the town of Winterville. You know, the amendment that Representative Reives put forward does keep it intact.

And so I guess the question is is why didn't yours, and what was the decisionmaking that sort of went into your splitting of Winterville?

CHAIRMAN HALL: Thank you for the question.

CHAIRMAN SAINES: Representative Hall, you are recognized.

CHAIRMAN HALL: Thank you, sir.

You know, again, I'll go back to this amendment was just given to me last night. And I always enjoy working with the gentleman on redistricting, and as I've said, you're very thoughtful on these issues, and I appreciate that.

The position that I'm put in tonight is I've been in this room for three weeks drawing
maps. You've been in here some, but, you know, this is another area of the map where in my opinion, had I heard from other -- from members of the minority party, you know, we may have been able to give some of that input, but again, this is sort of sprung on me in the sense that I do want to give Representative Reives credit for letting me know -- he and I discussed amendments today, but as you know, Representative Hawkins, this is complicated stuff. And the map that I've got in front of me, I can't tell what cities are where.

Again, I know that the map that we currently have does a better job of keeping Winterville whole, and for those reasons I would ask members to vote no on the amendment.

CHAIRMAN SAINE: Representative Hawkins.

REPRESENTATIVE HAWKINS: Follow-up --

CHAIRMAN SAINE: And, Representative Richardson, I've got you next.

REPRESENTATIVE HAWKINS: And thank you so much for that answer. And again, I look forward to, you know, many more times of working on these maps with you because it seems like
that's where we're headed for this decade.

But one of the things that I want to make sure of, of course, is, again, sort of being familiar with the landscape and even in Pitt county, we know that voters live on different sides of town. And so are you concerned about sort of packing and sort of the ways that one district seems pretty -- potentially pretty heavy with African American voters? I know you did not take this into consideration due to our rules and what we voted on, but I do want to make sure that if we find out that this is the case, how do we approach that?

CHAIRMAN HALL: I have not looked at race at all, Representative Hawkins, and so I can't answer that question.

REPRESENTATIVE HAWKINS: Thank you, Mr. Chairman. Follow-up.

CHAIRMAN SAINÉ: You are recognized for a follow-up.

REPRESENTATIVE HAWKINS: And I -- you know, I understand that we -- as this process has gone on, things do get presented with not -- you know, without the opportunity to be
fully digestible even for a skillful lawyer like yourself, but one of the things that I -- you know, before I ask my next question I'll just say this as a statement.

We're only bound by the ways in which we do this and sort of our own timelines and our own criteria so, you know, if the chairman feels that, you know, we don't have enough time to digest some of this, I do kindly offer, Mr. Chairman, that we look at, you know, pushing back our primaries and giving ourselves more time so that we can do that because I do believe that the people of North Carolina would want us to get it right, and I think, as you have so clearly stated, we're only supposed to do this once a decade, and so I want to make sure that we get a chance to, but I'll ask my question now. That was just my statement, Mr. Chairman.

So one of the things, too, is that, you know, the number of the ways in which you split these precincts is -- you know, didn't necessarily seem like you had to. Was there any rhyme or reason for the split of VTDs?

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: Again, Representative
Hawkins, the gentleman's asking me just a general question tonight and, you know, sort of being bombarded. And I don't mean that as a --

REPRESENTATIVE HAWKINS: Oh, sure.

CHAIRMAN HALL: -- as a criticism of the gentleman, but we have gone through the most -- the most transparent process in this state's history. I literally drew this in in this committee room. Anybody in the public can go back and watch this video.

I believe that this map complies better with our criteria than the amendment. I don't have a lot of information about the amendment other than a picture of it in front of me that doesn't -- doesn't contain any of the VTDs, and so therefore I would ask the folks -- the members to oppose the amendment.

CHAIRMAN SAINES: Representative Hawkins.

REPRESENTATIVE HAWKINS: Last question.

And, you know, specific to sort of your map, and not the one that was put forth to you tonight, because I do understand that being sort of tougher to digest, but for the one that you drew, that, you know, you did within the last
three weeks, it seems that the southern -- it's specifically those southern precincts that border Lenoir county that seem to be one of the ones that -- you know, some of the issue that I want to sort of take note to and just sort of get a little bit of a thought process behind, you know, why we decided to do those because, you know, the way the county is broken up, it just didn't seem like it had to be done that way. So this is just referring specifically to the map that you drew, Mr. Chairman.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Again, Representative Hawkins, the map complies with the criteria. It actually -- it looks -- in my opinion, it looks like a better district when you look at Pitt county compared to the amendment, basically splitting the county in half from -- a northern portion and a southern portion, and I would ask the committee members to oppose the amendment.

CHAIRMAN SAINÉ: Representative Richardson -- Representative Hawkins, did you exhaust your question?

Okay. Representative Richardson, you are recognized.
REPRESENTATIVE RICHARDSON: Yes. Just for a brief making a point.

I don't know much, but I know this, that whenever you take a county as vital -- and I want to underscore vital -- to eastern North Carolina as this county is and you make it less competitive on both sides, it's not good.

You know, I know what the criteria are, but everybody in this room knows exactly what's going on here, and it needs to be -- this -- one of those districts needs to be a very competitive district. We get better people up here when we have competitive districts. Thank you.

CHAIRMAN SAINE: Thank you, Representative Richardson.

Any others wishing recognition.

Representative Hall.

CHAIRMAN HALL: Mr. Chairman, I'll yield to Representative Reives.

CHAIRMAN SAINE: I'm sorry.

Representative Reives.

REPRESENTATIVE REIVES: Thank you, Mr. Chair, and thank you, Mr. Chair.

I had one question with Pitt. One of
the things that we've talked about -- first I'll make a statement just for clarification. And I appreciate the chair's comments earlier that, you know, this wasn't an intentional spring. You know, staffs had to do a yeoman's job trying to get all of this stuff together for all of us, and we started putting together amendments as soon as we could based on once we saw the map we'd be working from. We did think it would be unproductive that every time somebody came in here and did a map that we would then come right behind them and tell them, hey, you've got to fix this or do this, and I tried to be considerate of people's process.

But with that being said, my question is so far with the amendments we've had, one of the things that we've emphasized have been minimalist changes to the prior maps. My question is what is it that was different about this county that -- you know, because, clearly, I mean, when you look at the maps and you look at the former map, there haven't been minimalist changes here but there have actually been a lot of changes. What is it about this particular map that caused this to have so many more
changes?

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: One of the things was that previously Pitt county had roughly two and a half members and now, because of population changes, they just have two members. And so just because of that fact alone, it's going to have to change. And again, I want to -- I do want to correct a couple of things that were said.

This does not -- this grouping in this map for Pitt county does not split any precincts at all in the chair's map.

And the other point that I want to speak to is Representative Richardson's comments about outcomes. I have not looked at any political data in drawing these maps, and so I do not know what the partisan outcome may be.

CHAIRMAN SAINÉ: Any others wishing recognition on the amendment. Seeing none, we'll move to a roll call vote. The clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.
CHAIRMAN Saine: Brockman signifies aye.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suiggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: Aye.

THE CLERK: Hastings.

REPRESENTATIVE HASTINGS: No.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: No.

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.

REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: No.

THE CLERK: Szoka.
REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

REPRESENTATIVE RICHARDSON: A big aye.

THE CLERK: Saine.

CHAIRMAN Saine: No.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: No.

THE CLERK: Bell.

REPRESENTATIVE BELL: No.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: No.

THE CLERK: 7 yes; 14 no.

CHAIRMAN Saine: In the opinion of the chair, and according to the vote, the amendment fails.

REPRESENTATIVE RICHARDSON:

Mr. Chairman, a point of order.

CHAIRMAN Saine: You're recognized for a point.
REPRESENTATIVE RICHARDSON: In the interest of time, I think the last five votes have been 7 to -- 14 to 7. Can we short circuit this and say does anybody want to change their vote from the last five votes on the next amendment, speeding it up.

CHAIRMAN SAINE: Representative Richardson, while the chair certainly appreciates the notion behind the request, I'm going to honor Representative Reives' original request. And we only have two more to go so I think we can make it through, but I do appreciate it and thank the gentleman.

Next we will take up HBA Amend 2 which is Wake county. Who is the sponsor of this amendment?

Representative Reives, you are recognized.

REPRESENTATIVE REIVES: And thank you for honoring the ayes and nos request. I appreciate that.

CHAIRMAN SAINE: Yes, sir.

REPRESENTATIVE REIVES: And as to this amendment, like in the chair's map, it doesn't split any VTDs, doesn't double-bunk anybody.
The maps also have the same Reock compactness averages, but this amendment has a much better Polsby-Popper average, and so we feel it complies better in our compactness criteria, and therefore, based on that and based on the fact that we do a better job of not splitting any municipalities, like Rolesville, Morrisville, Fuquay-Varina, we'd ask that you support this amendment.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Thank you, Mr. Chairman.

Members, the chair's map does a better job of keeping the smaller, more rural municipalities in Wake county intact instead of lumping them in with Raleigh. Examples are Fuquay-Varina, Apex, Wake Forest, Roseville, and Angier.

And so the other note that the chair would make, again, and I made this a few times, but I want to be clear. I had -- we had -- there's a tab on our website for member-submitted maps, and I submitted a map, and I asked others, and I've announced this on the floor several times, get us a map if you
want to put it out. So none of these amendments, none other than my map, were put out as member-submitted maps for members of the public to be able to take a look at.

So again, as was the case for the other amendments, I would ask you to oppose this amendment.

CHAIRMAN SAINES: Thank you. Those wishing recognition.

Representative Hawkins.

REPRESENTATIVE HAWKINS: Thank you.

And, you know, I want to make sure that the chairman hears that, you know, the time and the talent that went into drawing these is something that I'm just enamored with and so that's why I have sort of the questions that I do about sort of how you originated with some of these maps and sort of how you -- because Wake county is -- you know, it's the most populous county in the state so it's not an easy draw, and that was probably 50 percent of your time here while you were drawing.

But one of the things that I wanted to ask so that we can -- you know, especially for those who are in the committee just for their
pleasure and for those who are potentially watching at home, one of the questions, you know, for me is, you know, where did you start? And as a potential starting point, you know, did you look at and start with District 35? And so District 35 is sort of -- according, I guess -- you know, I make sure that I would start with Durham, but then, you know, I sort of center everything else around that, but District 35 is southwest Wake county. And so did you start there, you know, with District 35 in the north and then 39 and 40 in the south before filling in the rest of the map? So walk us through how you built your -- your Wake county structure.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Thank you, Representative Hawkins.

I know the gentleman's question is in good faith, but from my perspective, I sat in this room for three weeks, I made probably thousands -- or directed thousands of clicks on this map, and so to expect me to remember literally which one of these districts I started on in this map I don't believe is a fair question. And again, I'm not saying it's a
question that's in bad faith at all, but it is
8:30, I've been in here for three weeks, but I
will try to answer the gentleman's question.

When drawing a map like Wake county,
it's typically easier to start somewhere on the
outside than it is to sort of start in the
beginning and going out. And the gentleman
knows, you sat in here and drawn some of these
maps as well. So if the gentleman goes back and
looks at the instant replay of how I did it,
he'll be able to see which one I started with.

REPRESENTATIVE HAWKINS: Follow-up,
Mr. Chairman.

CHAIRMAN SAINÉ: You are recognized for
a follow-up, Representative Hawkins.

REPRESENTATIVE HAWKINS: I didn't
realize that was an option, but now I may take
you up on that.

The follow-up question for me is, you
know, the amendment that was given -- was put
forth does split fewer municipalities than your
map, Mr. Chairman, in all due respect. And so
in particular, why is Morrisville split 50/50
between two districts? Is there -- and I know,
again, in broad strokes, you may not
remember -- well, in broad strokes, you may remember, but detail you may not, but that's a pretty broad question about a major municipality and why it was split in half between two districts.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Well, in large part, it is because of Adcock and Dahle's residences makes it very difficult to draw a map that doesn't do that.

REPRESENTATIVE HAWKINS: Thank you, Mr. Chairman. Follow-up.

CHAIRMAN SAINÉ: You are recognized for a follow-up.

REPRESENTATIVE HAWKINS: And so one of the things -- and I do, I think -- not to -- again, with all due respect, you know, the amendment has a better compactness score. And again, you put a lot of work into yours, and so one of the -- that was put forth, but one of the questions is is that if you look at, you know, the VTDs and if you're looking here, you look at what -- this looks like -- almost like a red finger. And so, you know, why did you include that red finger VTD in District 45 instead of in
District 35? And so if you're, again, looking at the map here, you're looking at District, sort of, 35, which is southwest Wake county, sort of towards the bottom of Wake county, and if you're looking at the one that's sort of, you know, next to it, it sort of has a little bit of a red finger. And so I wanted to make sure that we sort of asked the question about sort of the red finger VTD that looks like that. And I'm just -- you know, that's something that we can all sort of look at and use as a common because the majority knows what a finger looks like, but thinking about sort of how you got to that process and why that was put there.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Representative Hawkins, that is the shape of the VTDs, and my map does not split any VTDs in Wake county.

REPRESENTATIVE HAWKINS: Okay. Thank you, Mr. Chairman.

CHAIRMAN SAINÉ: Thank you, Representative Hawkins.

Any others wishing recognition? Seeing none, the clerk will call the roll.

THE CLERK: Adams.
REPRESENTATIVE ADAMS: No.
THE CLERK: Brockman.
REPRESENTATIVE BROCKMAN: Aye.
THE CLERK: Carney.
REPRESENTATIVE CARNEY: Aye.
THE CLERK: Cooper-Suggs.
REPRESENTATIVE COOPER-SUGGS: Aye.
THE CLERK: Dixon.
REPRESENTATIVE DIXON: No.
THE CLERK: Hardister.
REPRESENTATIVE HARDISTER: No.
THE CLERK: Harrison.
REPRESENTATIVE HARRISON: Aye.
THE CLERK: Hastings.
REPRESENTATIVE HASTINGS: No.
THE CLERK: Hawkins.
REPRESENTATIVE HAWKINS: Aye.
THE CLERK: Jones.
REPRESENTATIVE JONES: No.
THE CLERK: Mills.
REPRESENTATIVE MILLS: No.
THE CLERK: Reives.
REPRESENTATIVE REIVES: Aye.
THE CLERK: Rogers.
REPRESENTATIVE ROGERS: No.
THE CLERK: Szoka.

REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

REPRESENTATIVE RICHARDSON: Aye.

THE CLERK: Saine.

CHAIRMAN SAINÉ: No.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: No.

THE CLERK: Bell.

REPRESENTATIVE BELL: No.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: No.

THE CLERK: 7 yes; 14 no.

CHAIRMAN SAINÉ: In the opinion of the chair and according to the vote, the amendment fails.

The chairman is in possession of one last amendment which we attempted to take up earlier from Representative Reives. It's HBA Amend 1, and it's Mecklenburg county. We
were giving Chairman Hall a little bit of time to gather some information. We're back on that amendment.

Representative Hall, you're recognized.

CHAIRMAN HALL: Thank you, Mr. Chairman.

And I want to speak to Representative Carney's question. And one of the reasons I wanted to get a copy of the map because I -- and I may have misunderstood the lady, but I thought I heard the lady say that we had two split precincts, and my recollection, off the top of my head, was we only had one split precinct in Wake county, so I wanted to get a copy of my map, and I've gotten that. I'm sorry. Mecklenburg county. And I've gotten that now, and I've confirmed that only one precinct is split in Mecklenburg county.

The other thing that I will note on this map is what I did here was essentially start with a version of the current map because the current version of Mecklenburg county, if folks will remember back in 2019, when we redrew these, was basically largely drawn by the Democratic members of the House in this
committee room. And, of course, you know, we were all in front of the computer, but at the time this was one that the Democrats really had a huge amount of input on. And so one thought in drawing it this way was, well, Democrats have had a bunch of input on that and nobody seemed interested in giving me any other input during this process, so I took the prior input into consideration in drawing this map, but it only splits one precinct, and therefore I would ask you to vote no on the amendment.

CHAIRMAN SAINE: Representative Hastings -- excuse me, Representative Hall.

Representative Hastings, your mic is on.

I apologize Representative Hall. Had you concluded your remarks?

CHAIRMAN HALL: I've concluded.

REPRESENTATIVE HASTINGS: I apologize.

CHAIRMAN SAINE: No problem,

Representative Hastings.

And the chair does apologize to the committee. We did find one more amendment, so we will have one more left in my stack of stuff, but those wishing recognition on the amendment.
Seeing none, we will move into a roll call vote. The clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.

REPRESENTATIVE BROCKMAN: Aye.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: Aye.

THE CLERK: Hastings.

REPRESENTATIVE HASTINGS: No.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: [Inaudible.]

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.
REPRESENTATIVE REIVES: Aye.
The CLERK: Rogers.
REPRESENTATIVE ROGERS: No.
The CLERK: Szoka.
REPRESENTATIVE SZOKA: No.
The CLERK: Warren.
REPRESENTATIVE WARREN: No.
The CLERK: Zachary.
REPRESENTATIVE ZACHARY: No.
The CLERK: Richardson.
REPRESENTATIVE RICHARDSON: Aye.
The CLERK: Saine.
CHAIRMAN SAINE: No.
The CLERK: Torbett.
REPRESENTATIVE TORBETT: No.
The CLERK: Bell.
REPRESENTATIVE BELL: No.
The CLERK: Stevens.
Hall.
CHAIRMAN HALL: No.
The CLERK: 7 yes; 14 no.
CHAIRMAN SAINE: The amendment does fail.

Last, unless someone produces something else, I believe we've got the last amendment.
It's HBV Amend 2, and it's Buncombe county. And who is the sponsor of that amendment?

Representative Reives, you're recognized.

REPRESENTATIVE REIVES: Thank you, Mr. Chair.

In this particular amendment, again, I understand there's been an attempt to stick to minimal changes, and I think on the chair's map on this particular district -- or set of districts, we do have a lot of changes. In both my map and the chair's map, we split Asheville and one smaller municipality in the county. Neither of us split any VTDs, nor double-bunk any incumbents.

I would ask that the committee support my amendment because this proposes a much more compact drawing of the three districts in Buncombe. Average Reock score of my amendments 49 compared to 42. Difference with the Polsby-Popper is even greater with a 32 compared to 23. And because of the huge difference in compactness, I would ask the committee to support this amendment.

CHAIRMAN SAINE: Representative Hall.
CHAIRMAN HALL: Members, in this particular map, Asheville -- we attempted to keep Asheville in as few districts as possible. The amendment essentially slices Asheville into -- as far as I can tell in just looking at this without any municipality overlay and, again, just seeing it last night, along with all the amendments before you and some other proposed amendments, it looks to me like what this does is equally splits Asheville. And I believe that it's better to try to keep Asheville in as few districts as possible, and so therefore I would ask you to oppose the amendment.

CHAIRMAN SAINE: Anyone seeking recognition? Representative Carney.

REPRESENTATIVE CARNEY: Thank you, Mr. Chairman.

And again, I'm going to point out to all the members in here and to the chair, I wish that the podium was back in the middle of the room because over here we have to turn to watch -- look at the people we're speaking to, so I apologize if my back or side is to you, Mr. Chairman.
So I just have a question about the -- obviously, when you look at the map, the chairman's map, Chairman Hall's map and then you look at the configuration of Representative Reives' map, there's a big, vast difference when you look at the compactness of it. I mean, it's blatant.

But I'm just curious that why -- well, the District 16 -- 116 and 117 are in very different shapes, and when you look at the map of Representative Reives, it's very -- it's a map that citizens can look at and it makes sense to them and it shows that it's compact, but we don't have that with the way you've drawn it.

Could you -- could you elaborate on why you chose 116 and 117 to draw them the way you did.

CHAIRMAN HALL: And I believe the numbers are different --

CHAIRMAN SAINE: Representative Hall, you are recognized.

CHAIRMAN HALL: The numbers are different in my map, but, you know, essentially, the amendment splits -- again, splits Asheville. It looks to be sort of an equal -- in equal
spaces. And so what I tried to do is in this
map try to put Asheville in two districts rather
than trying to split it equally between the
three districts to try to keep it as whole as we
could, and that's the difference that you see.

REPRESENTATIVE CARNEY: And a
follow-up.

CHAIRMAN SAINE: Representative Carney.

REPRESENTATIVE CARNEY: Thank you, and
thank you, Mr. Chairman.

In District 117, that district in the
last court rulings in the last decade, it was
ruled as unconstitutional. It looks very
similar as far as partisan gerrymandering. If
partisan gerrymandering was -- partisan, rather,
data was not used, how did you arrive again to
this shape of 117?

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: Again, I'm trying to
put Asheville in as few districts as we could to
try to keep Asheville as whole as we could.

CHAIRMAN SAINE: Any others wishing
recognition? Seeing none, we will move into a
roll call vote. The clerk will call the roll.

THE CLERK: Adams.
REPRESENTATIVE ADAMS: No.

THE CLERK: Brockman.

REPRESENTATIVE BROCKMAN: Aye.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: Aye.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Aye.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: No.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: No.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: Aye.

THE CLERK: Hastings.

REPRESENTATIVE HASTINGS: No.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: Aye.

THE CLERK: Jones.

REPRESENTATIVE JONES: No.

THE CLERK: Mills.

REPRESENTATIVE MILLS: No.

THE CLERK: Reives.

REPRESENTATIVE REIVES: Aye.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: No.
THE CLERK: Szoka.

REPRESENTATIVE SZOKA: No.

THE CLERK: Warren.

REPRESENTATIVE WARREN: No.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: No.

THE CLERK: Richardson.

REPRESENTATIVE RICHARDSON: Aye.

THE CLERK: Saine.

CHAIRMAN SAINÉ: No.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: No.

THE CLERK: Bell.

REPRESENTATIVE BELL: No.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: No.

THE CLERK: 7 yes; 14 no.

CHAIRMAN SAINÉ: And the amendment does fail.

Back on the original proposal. Anyone seeking -- Representative Harrison and then Representative Hawkins.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair. I have a question for Chair Hall.
CHAIRMAN SAINE: You are recognized.

REPRESENTATIVE HARRISON: Thank you.

I'm -- we heard -- we heard a lot of comments from the public about the maps. We -- I think there have been more than 4,000 submitted online. I haven't had a chance to go through all of them, but I'm wondering if you all had a way to -- I've been trying to get through them, but there are a lot.

How did -- did you all have a way to organize those comments and to consider them in terms of the map drawing?

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: I don't know if I really understand the question. We were in the same committee room together listening to what folks were saying. We all had an opportunity to listen to that. The chair has directed -- as the chair of this committee, I've directed staff to regularly send out the public comments to everybody on the committee so we've all had time to read those.

CHAIRMAN SAINE: Representative Harrison.

REPRESENTATIVE HARRISON: Follow-up. I
think my question was just more specifically how
were you taking into account public input when
you were drawing the maps, but that -- that's
good.

I also wondered how -- so if you had
criteria that were in conflict -- we had the
list of criteria that we had adopted back in
August. Was there -- I know that, if I recall,
you declined to create a hierarchy, but how did
you prioritize when they were in conflict, such
as compactness versus splitting voter tabulation
districts or splitting municipalities or
incumbent protection.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: I looked at it
holistically and tried to comply with as much of
the criteria as possible.

REPRESENTATIVE HARRISON: I appreciate
that. I -- there are -- we heard a lot of
comments from the public about the Princeton
Gerrymandering Project and how it gave the House
map and the Senate map and the proposed
Congressional maps grades of F, but I appreciate
that.

I'm mindful of the fact that if I
recall from some previous research that we spent $11 million in taxpayer money on the past decade of redistricting litigation, so this drawing maps that are not going to pass court muster is expensive to the taxpayer, and I want us to be mindful that there's a way to do it and a way to do it right, and we thought we had proposed some good amendments that would have fixed some problematic areas. I just will -- those will be it for now. Thank you.

CHAIRMAN SAINE: Thank you.

Representative Hawkins.

REPRESENTATIVE HAWKINS: Thank you, Mr. Chairman.

And hopefully I'm the last voice that you may hear. Hopefully it's one that's impactful and helps to inform decisions about how you want to improve these maps. I'm glad to be that person for you, glad to be that colleague for you.

But one of the things that I want to talk about is the PCS, and so that should be fresh in your mind because we just got that last night and it was, you know, sort of proposed today, so we should be able to sort of discuss
that with a clear mind and potentially some detail.

You know, one thing about Durham is that it has not sort of gone through -- I think what I've heard quite a bit is that, you know, some of these areas have gone through litigation. Durham sort of -- and now this new grouping of Durham and Person have not for whatever reason. I guess I'm glad for it.

But one of the things that I sort of, you know, wanted to sort of dig into the detail just a little bit on is the fact that if, you know, you're looking at sort of this breakdown of how the maps and the individual VTDs were broken down, one thing I guess for the -- sort of the pleasure of the group is could you walk through -- you know, sort of what does it mean when it says VTD and then has all these little numbers by it? Is that something that you can sort of explain? Because not only are we, you know, trying to make better maps, but we're also trying to inform the greater public about sort of how this is going because I think that that's just worth, to me, a little bit of detail because then it sort of sets up another question
about some reasoning and how you wanted to construct VTDs in some of those areas.

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: VTD is a voter tabulation district. And some of the numbers that you might see when you're looking at these maps are the census data for folks who live in that particular VTD.

REPRESENTATIVE HAWKINS: Yep. And so that -- follow-up, Mr. Chairman.

CHAIRMAN SAINE: You're recognized.

REPRESENTATIVE HAWKINS: And so, you know, one of the things that we see as you go through this -- thank you for that clarification for the public -- is that as you go through VTD and you're started to looking at VTD 32, VTD 37, VTD 44, VTD 45, you get to a place like VTD 30-2 which in this grouping and the way that it was drawn seems pretty intentional. And so, you know, I'm pretty familiar with this grouping, and so it does sort of beg the detail of the question about after that, you're right. So many different individual census blocks were chosen to sort of build out the rest of this grouping alongside the Person county.
And so again, we just got these, they were just PCS last night so they, you know, should be fresh detail because those decisions should have just been made. Is there a reason that we decided to go into that individual precinct and pick those individual, you know, census blocks in that VTD? Because, you know, again, that sets up my follow-up, Mr. Chairman.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Thank you, and I'll try to answer the gentleman's question.

Because there was no amendment on this particular grouping, I don't have a map -- a layered map that shows which VTDs the gentleman's talking about, but what I can say is that the -- that part of Durham, as you get down into the bottom of District 51 on the chair's map, the precincts or the VTDs are very large in number, and when you get down there it becomes very difficult to try to keep your populations correct.

And so some of the comment that we heard through public comment was the changes in deviations or the discrepancies in deviations, and one of the things that I did today is I went...
in and tried to equalize those deviations. And I can tell you, at least as to the change today, that was the purpose of doing that was to change those deviations.

REPRESENTATIVE HAWKINS: Follow-up, Mr. Chairman.

CHAIRMAN SAINE: You are recognized for a follow-up, Representative Hawkins.

REPRESENTATIVE HAWKINS: And related to -- and I'm pretty sure we'll get into some of this tomorrow, too, but, you know, for that side of town, you know, that sort of VTD, we have 30-2 and then VTD 32. And so the detail that I'm following are -- you know, it's not necessarily overlaid in a map, but it is outlined in the PCS. And so not only does it do every VTD that's in a district that also gives all the census blocks that are associated, and so we don't necessarily need the overlay to answer these questions.

But, you know, can you also talk about sort of what you think -- and I know as we have gone through a lot of this, we have talked about communities of interest and we talk about sort of making sure that areas are compact and that,
of course, voters understand who their representative is and people that have things in common. Can you talk about what you think those people in this side of Durham in VTD 32 have in common with the people in Person county in the remainder of the grouping.

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: Part of the problem, Representative Hawkins, is, you know, the grouping of Person and Durham counties. The gentleman probably agrees that Person and Durham, they don't really have a whole lot in common, but unfortunately, or depending on how you look at it, the Supreme Court has said there's a way to do groupings. And I think everybody agrees this is the optimal county grouping for Durham county, Durham and Person. Obviously, you've got to include a good chunk of Durham to get enough population into Person. So what I tried to do is to create a district that, as best I could, was compact and complied with our criteria, and I think that's what we've done.

CHAIRMAN SAINE: Thank you. Any others seeking recognition.
Representatives Harrison.

REPRESENTATIVE HARRISON: Thank you, Mr. Chair.

I just wanted to raise a couple questions about the Voting Rights Act. I reviewed Stephenson in advance of today. I'm going to review Gingles tonight again, but Stephenson, from my perspective, mandates that we would draw the Voting Rights Act districts prior to drawing the rest of the plan, so I'm trying to figure out how -- how did you ensure VRA compliance.

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: Thank you, Mr. Chairman.

And the lady is correct as to what Stephenson says, but the rest of that story is there was a case called Covington versus North Carolina that was from 2016, and in that case the court found there was not sufficient evidence of legally significant racially polarized voting in North Carolina. And so since that time, we have operated under the draws that we've done under a race-blind approach. That has been successful in court,
and so we're going to continue with that.

REPRESENTATIVE HARRISON: Follow-up.

Sorry.

CHAIRMAN SAINES: Representative Harrison, you are recognized.

REPRESENTATIVE HARRISON: Thank you.

And I remember Covington because I believe my district was one of the 28 that were race -- considered racially gerrymandered that the legislature had to redraw, and they found them unconstitutional, the districts unconstitutional racial gerrymanders. I'm just reading some facts here, unconstitutional racial gerrymanders, those 28 districts, and they acknowledge that there were two reports before the legislature indicating that there was statistically significant racially polarized voting in the state.

So I will just like -- I disagree with y'all's perspective on this. I think that this is a very big problem for us, and we're reminded of it through communications from the very first day of public comments that we heard back in August. So I just -- I think this is a big problem for us, and I just -- I think we need a
racedially polarized voting analysis. I think
that in order to comply with Stephenson and the
federal Voting Rights Act, excuse me, we need to
be mindful of this problem. And I'll stop
there. Thank you.

CHAIRMAN Saine: Any others seeking
recognition.

Representative Richardson from Webex.
Representative Richardson, we don't have your
audio. If you'll unmute your mic.

REPRESENTATIVE RICHARDSON: Thank you,
Mr. Chairman, and I'll be very brief.

I just want to raise two points. In
listening to us tonight and in watching us
tonight, somebody asked a very pointed question,
all we pay attention to is what the public
hearing citizens demanded of us and requested of
us.

And the second observation has to do
with this process is virtually impossible to do
and to do fairly if you don't listen to what the
people are telling us to do. And let's go back
to that. We heard time and time and time again
that we need to have an impartial committee.
And I know it takes a constitutional amendment,
but that's real simple to overcome and that is you can add legislative approval to the recommendation, but we need to have an impartial committee that -- commission that does this and we vote on it and approve it.

But the bottom line is we're not going to be a good body, we're not going to do what we need to do unless we have very competitive districts to draw out the best in all of us, in the ones that are elected. It just is essential that we go back to as many competitive districts as we possibly can have and then we let the people draw these lines. We're just not going to get anywhere. This is -- this process is impossible. A good man like Representative Hall, it's just so hard to do. You just -- you know, and follow all these guidelines and these theorems and these theories and what -- you know, and these precincts.

Let's just draw competitive districts, let the people draw competitive districts and let's move on. That's what we should do. That's what they want us to do. Thank you.

CHAIRMAN SAINÉ: Thank you.

Representative Carney.
REPRESENTATIVE CARNEY: Thank you, Mr. Chairman.

And to that point I just wanted to share with the members that I looked up, and since 2003, when I came to this legislature, there have been 39 -- 39 independent redistricting commission bills filed. 39. I just wanted you to know that. And that's -- the public has been weighing in all the years I have been up here and we still haven't done it.

CHAIRMAN SAINES: Representative Hawkins.

REPRESENTATIVE HAWKINS: To speak to the bill.

CHAIRMAN SAINES: You are recognized.

REPRESENTATIVE HAWKINS: Thank you.

I just want to sort of talk about the fact that before we sort of go into votes on this fairly soon, the remainder of the body, you know, that democracy just depends on what we do. And so the people -- the ten and a half people that call the great state of North Carolina home sort of depend on the 120 of us, and those specifically on this committee, to make sure that we're making the best decisions possible so
that they can have faith in the systems that we
put forth, in the elections process, democracy,
and so the way that they will be governed are
potentially for the next decade and sort of how
they will have relationship with the people who
represent them, right. And so many want to make
sure that they have a pretty decent hand in
that, and so one of the ways, of course, we can
always do that is by having fair maps, making
sure that something is pretty, you know, dear to
me and I know dear to all of you who give of
your time and your talent to come to Raleigh is
that people have faith in -- faith in these
processes, but most importantly that they know
who their representatives are; that we keep
communities of interest whole so that when
voters are making decisions and having
conversations that we're talking about some of
the same things. And so if a city, municipality
is split in half or if an area is sort of placed
in -- you know, awkwardly in a district that it
doesn't have anything in common with, that sort
of hurts the way that people understand and are
able to connect to the important work that we
do.
And so that goes down to making sure that we lessen the amount of split VTDs, which I know has been a goal; that compactness is something that -- as we look back and make final decisions is something that's absolutely paramount because, again, you know, many of us get a chance to dig into the details, like the chairman and I have just here today, by looking at and actually understanding what a VTD is and what a census block is, but so many people don't. They look at the actual map and they do the eye test, right. They make sure that they understand that, well, it looks like I should be in this area and it looks like, you know, myself and my neighbors should be able to vote for this same person, and when they can't do that, it puts us all in jeopardy.

And again, I want to commend the 120 members who come up here every single day. Some people come here for three or four hours away, some people come from 30 minutes, some people come from ten, but you give up your life, your talent and being able to do something else because you believe -- you know, was it Esse Quam Videri, that we are -- you know, we
are to be rather than we are to seem, and so we
want to make sure that we're doing all the
things that put us in the best possible light of
the people because, again, we don't spend time
here until 8:00 or 9:00 just for our health. We
do it because we love this state, and so we have
to make sure that we are being rather than
seeming. And so I just want to leave this
committee with this tonight, and I hope that
when we have this discussion tomorrow it will be
fruitful. Thank you.

CHAIRMAN SAINE: Any others seeking
recognition. Seeing none, I believe
Representative Torbett has a motion.

REPRESENTATIVE TORBETT: Thank you,
Mr. Chairman. My motion is that the House
Committee on Redistricting report favorably to
House Bill 976 as amended wrote into a new PCS
with H976-ABA-31 controlling for Chatham, Lee,
Moore, Randolph, and Richmond counties and leave
the committee for staff to alter the short title
to reflect the new resulting map.

CHAIRMAN SAINE: You have heard the
motion, and the clerk will call the roll.

THE CLERK: Adams.
REPRESENTATIVE ADAMS: Aye.
THE CLERK: Brockman.
REPRESENTATIVE BROCKMAN: No.
THE CLERK: Carney.
REPRESENTATIVE CARNEY: No.
THE CLERK: Cooper-Suggs.
REPRESENTATIVE COOPER-SUGGS: No.
THE CLERK: Dixon.
REPRESENTATIVE DIXON: Aye.
THE CLERK: Hardister.
REPRESENTATIVE HARDISTER: Aye.
THE CLERK: Harrison.
REPRESENTATIVE HARRISON: No.
THE CLERK: Hastings.
REPRESENTATIVE HASTINGS: Aye.
THE CLERK: Hawkins.
REPRESENTATIVE HAWKINS: No.
THE CLERK: Jones.
REPRESENTATIVE JONES: Aye.
THE CLERK: Mills.
REPRESENTATIVE MILLS: Aye.
THE CLERK: Reives.
REPRESENTATIVE REIVES: No.
THE CLERK: Rogers.
REPRESENTATIVE ROGERS: Yes.
THE CLERK: Szoka.

REPRESENTATIVE SZOKA: Aye.

THE CLERK: Warren.

REPRESENTATIVE WARREN: Aye.

THE CLERK: Zachary.

REPRESENTATIVE ZACHARY: Yes.

THE CLERK: Richardson.

REPRESENTATIVE RICHARDSON: A regretful no.

THE CLERK: Saine.

CHAIRMAN SAINE: Aye.

THE CLERK: Torbett.

REPRESENTATIVE TORBETT: Aye.

THE CLERK: Bell.

REPRESENTATIVE BELL: Aye.

THE CLERK: Stevens.

Hall.

CHAIRMAN HALL: Aye.

THE CLERK: 14 yes; 7 no.

CHAIRMAN SAINE: The ayes have it. The motion passes.

With no other business being before the committee, we stand adjourned.

(Transcription from YouTube ended at 11:57:36.)
STATE OF NORTH CAROLINA          }
                                )   C E R T I F I C A T E
COUNTY OF WAKE                           )

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Denise Myers Byrd
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NORTH CAROLINA GENERAL ASSEMBLY

SENATE REDISTRICTING COMMITTEE

NOVEMBER 2, 2021

Transcribed by:

Denise Myers Byrd, CSR 8340, RPR

Discovery Court Reporters and

Legal Videographers, LLC

4208 Six Forks Road

Suite 1000

Raleigh, North Carolina 27609

(919) 424-8242

denise@discoverydepo.com
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CHAIRMAN NEWTON: All right. Good morning, everyone. Welcome to the Senate Committee on Redistricting. We're going to go ahead and get started this morning.

I want to begin by thanking our sergeant-at-arms for helping us today. We've got Michael Cavness. Michael, thank you. Thanks for being here. Rod Fuller is here. Hey, Rod. Jim Hamilton. Jim. Mike Harris and Sherrie Hedrick, thank you so much for being here and being a part of this team.

We are going to hear Senate Bill 739 this morning. Senator Hise is going to present that. Shortly thereafter, we are going to take a break. There are a number of amendments -- proposed amendments that Senator Blue and Senator Clark are going to be offering this morning. Those are in process. So we're going to take a little bit of a recess, then we will get our arms around those amendments, come back, do the Q and A around the map and do the amendments and Q and A around the amendments.

So with that, Senator Hise, the floor
is yours.

CHAIRMAN HISE: Thank you, all members. I'm going to present Senate Bill 739. You should have the map and the bill in front of you. I want to go through an explanation of the 50 districts and, once again, be thankful I'm not in the House. That's for coming in.

So Senate District 1 is created by county groupings chosen in northeast North Carolina. The chairs chose the configuration that makes SD 1 out of the following whole counties: Bertie, Camden, Currituck, Dare, Gates, Hartford, Northampton, Pasquotank, Perquimans, and Tyrrell.

The configuration leaves four of the five finger counties in the northeast in one district. We had some public comments about keeping these counties together or the northern Outer Banks together. Seven of the ten counties and 81 percent of the population in SD 1 are in the Norfolk media market, Camden, Currituck, Dare, Gates Hertford, Pasquotank, and Perquimans, while others are divided between Greenville and Raleigh containing 19 percent of the district's population.
All North Carolina counties in the Norfolk media market are in SD 1 except for Chowan county, this being a whole county district. There are no split VTDs or split municipalities within the counties in SD 1. The incumbent for this district is Senator Bazemore.

Senate District 2 follows the Roanoke River from Warren county to Albemarle Sound in Washington county, Chowan county directly across from the Albemarle Sound from Washington county. It is also grouped -- is also grouped in this district. Hyde county, also on the Albemarle Sound, is in this district as is Pamlico county. Along the Pamlico River and the Pamlico, five of the eight counties in the district are in the Greenville media market with the others being split between the Raleigh media market and the Norfolk media market. Two-thirds of the population of this district live in the Greenville media market. This being a whole county district, there are no split VTDs or split municipalities. In Senate District 2, there are two incumbents in this district: Senator Sanderson and Senator Steinburg.
base county grouping map: Beaufort, Craven, and Lenoir counties. This being a whole county district, there are no split VTDs or split municipalities. The incumbent is Senator Perry.

Senate District 4 is created by the base county grouping map: Green, Wayne, and Wilson counties. This being a whole county district, there are no split VTDs or split municipalities. The incumbent in Senate District 4 is Senator Fitch.

Senate District 5 is created by the base county grouping map: Edgecombe and Pitt counties. This being a whole county district, no split VTDs or split municipalities within counties. The incumbent for Senate District 5 is Senator Davis of Pitt county.

Senate District 6 is created by the base county grouping map: Onslow county. This is a single county district; no split VTDs or split municipalities.

Senate District 7 [unintelligible] together comprise Brunswick, Columbus, and New Hanover counties. Senate District 7 is created by the county grouping choice in southeastern North Carolina. New Hanover county
is slightly larger than the maximum senate
district, therefore the chairs chose to move
three whole precincts out of Senate District 7
into Senate District 8.

    Senate District 7 is thus New Hanover
county minus these three precincts: CFO-1,
CFO-6 and HO-1. These precincts were selected
to keep all the municipalities in New Hanover
county whole and to keep as much of the
population in the county as possible in Senate
District 7. The district based in the county,
there are no split VTDs or split municipalities
within New Hanover county. The incumbent for
Senate District 7 is Senator Lee.

    Senate District 8 includes Brunswick
and Columbus county plus the previously
mentioned precincts in New Hanover county.
There are no split VTDs or split municipalities
within the counties of the district. The
incumbent is Senator Rabon.

    Senate District 9 and 12 make a
two-district, seven-county cluster also created
by the county grouping decision in southeastern
North Carolina. Bladen, Duplin, Jones, and
Pender counties are whole in Senate District 9.
Sampson county is split between the two districts. The chair chose to leave as much of Sampson county whole in Senate District 9 as possible. They had the choice of moving one precinct from northern Sampson county into Senate District 12; however, this would have split two municipalities and removed more residents from Sampson county into Senate District 12 than the alternative which they selected, which was to split the two precincts leaving the town of Plain View intact in Senate District 12 and the town of Spivey's Corner and the rest of Sampson county intact in Senate District 9. There are two split VTDs and no split municipalities within the counties in the district. The incumbent for Senate District 9 is Senator Jackson.

Senate District 12 is made up of Harnett and Lee county plus the municipalities of Plain View and Sampson county as described above. There are two split VTDs shared within Senate District 9 as previously mentioned and no split municipalities within the counties in the district. The incumbent for Senate District 12 is Senator Berger.
Senate District 10 is created by the base grouping map Johnston county. It's a single county district. There are no split VTDs or municipalities.

Senate District 11 is created by the base grouping map: Franklin, Nash, and Vance. Being whole county district, there are no split VTDs or split municipalities. The incumbent for Senate District 11 is Senator Barnes.

Granville and Wake counties form a six-district, two-county grouping in the base senate map. Within this grouping, the chairs are attempting to keep municipalities whole while splitting as few precincts as possible to accomplish this task and comply with the one person, one vote. The overall population when this -- within this county grouping is 1,190,402, meaning the ideal population for each of the six districts is 198,400, which is only 52 people above the minus 5 percent deviation minimum for senate districts in the state. In other words, all six districts were incredibly close to the minus 5 deviation minimum and some VTDs had to be split to the comply with the one person, one vote within Wake county.
Raleigh is too large for one senate district and, therefore, must be split. The chairs were unable to keep Cary or Apex whole within a district due to the populations and geography. However, all other municipalities -- Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell, and Zebulon -- were kept whole. Ten percent were split in Wake county to keep the municipalities whole and balance populations between the districts. Ten precincts were split to keep the populations whole.

Senate District 13 includes Granville county and unincorporated areas in northern Wake county plus the north wake towns of Rolesville, Wake Forest, Zebulon -- and Zebulon. Raleigh, the second largest city in North Carolina, again is too large for a senate district and was, therefore, contained in four senate districts. Over 98 percent of Raleigh is in three senate districts. Senate District 13 has the smallest portion of the population, less than 2 percent. The towns of Rolesville, Wake Forest, and Zebulon are left whole and 100 percent of their
Wake county populations are within Senate District 13.

One precinct was split with Senate District 18 to keep Wake Forest whole. Two precincts were split with Senate District 14 to keep Wendell whole. In the district, there are no incumbents in Senate District 13.

Senate District 14 includes Garner, Knightdale, Wendell, southeast Raleigh and parts of downtown Raleigh. 21 percent of the population of Raleigh is in Senate District 14. There are no split municipalities in the district other than Raleigh. 100 percent of the populations of Garner, Knightdale, and Wendell are in the district. As mentioned, two of the precincts are split with Senate District 13 to keep Wendell whole in Senate District 14. Three precincts are split along the southern edge of the district to keep Garner whole. Two precincts are split in east Raleigh to balance its population with the districts within the deviation range. The incumbent in Senate District 14 is Senator Blue.

Senate District 15 is in west Raleigh downtown and contains a portion of eastern Cary.
36 percent of the population of Raleigh is in Senate District 15. Within the district, 85 percent of the population is in Raleigh and 12 percent is in Cary. Senate District 15 splits two precincts with other districts to balance population. The incumbent in this district is Senator Chaudhuri.

Senate District 16 is centered in Cary and western Wake. 80 percent of the population of Cary is in Senate District 16. 45 percent of the population of Apex is in the district. The town of Morrisville is kept whole within Senate District 16. Of the population of the district, 69 percent is Cary, 15 percent is Morrisville, and 13 percent is Apex. There are two split precincts to balance population. One was Senate District 15 and one was Senate District 17. The incumbent for Senate District 16 is Senator Nickel.

And Senate District 17 includes Holly Springs, Fuquay-Varina, 55 percent of Apex, and 6.5 percent of Cary. Three VTDs were split to keep Garner whole in Senate District 13, and another VTD was split to balance population between 17 and 16. The
incumbent in this district is Senator Batch.

To recap, the Wake county senate map, the chairs decided to split ten VTDs to balance the population of the districts and to make as many of the municipalities as whole as possible. Apex, Cary, and Raleigh were each split into more than one district, and Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell, and Zebulon were each left whole within one district.

Cumberland and Moore county form a two-county, two-district grouping in the base map. Senate District 19 was drawn to keep as much of Fayetteville as whole as possible. The city of Fayetteville has an irregular shape and many satellite annexations and shares precincts with other municipalities such as Hope Mills, and the chairs were not able to leave it whole. The result is a district that includes over 88 percent of the population of Fayetteville and nearly 15 percent of the population of Hope Mills. There are no split VTDs in the district. The incumbent in Senate District 9 is Senator deViere.

Senate District 21 was drawn keeping
Moore county whole in part with the remaining rural areas of Cumberland county. As stated above, the irregular shapes of municipalities and precincts containing more than one municipality in them made it difficult to keep all municipalities whole.

Senate District 21 includes 85 percent of the population of Hope Mills and 12 percent of the population of Fayetteville. There are no split VTDs in Senate District 21, and there is no incumbent in the district.

Chatham and Durham counties form a two-county, two-district grouping in the base senate map. Senate District 20 includes all of Chatham county, any unincorporated Durham county, and the peripheral Durham city precincts. The town of Chapel Hill has some territory in two Durham county precincts. The chairs decided to keep the town of Chapel Hill whole and place both the precincts in Senate District 20. Most of the City of Durham is in Senate District 20 and Senate District 22, but SD 20 includes 30 percent of the city's population. There are no split VTDs in the district, and the incumbent is Senator Murdock.
Senate District 22 was drawn within the city of Durham. The city is larger than a senate district and is, therefore, split between Senate District 22 and Senate District 20. 70 percent of the population of Durham will reside in Senate District 22. There are no split VTDs in Senate District 22. Senator Woodard is the incumbent in the district.

Senate District 23 is created by the base county grouping map: Caswell, Orange, and Person counties. This being a whole county district, there are no split VTDs or split municipalities. The incumbent in Senate District 23 is Senator Foushee.

Senate District 24 is also created by the base county grouping map: Hoke, Robeson, and Scotland counties. This being a whole county district, there are no split VTDs or split municipalities. There are two incumbents in this district, Senator Clark and Senator Robins -- Senator Britt from Robeson. Sorry.

Alamance, Anson, Cabarrus, Montgomery, Randolph, Richmond, and Union counties comprise a seven-county, four-district grouping with the Senate Seats 25, 29, 34, and 35. The county
grouping is the base group in the senate map. Because of how the counties are aligned and the populations that live there, the counties must be split between districts are Cabarrus, Randolph, and Union. Alamance, Anson, Montgomery, and Richmond counties were left whole within the district.

Senate District 25 comprises Alamance county and eastern Randolph county. The chairs opted to keep as many precincts whole in Randolph as possible while also keeping municipalities whole. One precinct was split to keep all of Asheboro whole in Senate District 29 and to keep all of Randleman whole in Senate District 25. All other precincts in Randolph county are left whole as are municipalities in the county. Senator Galey is the incumbent for Senate District 25.

CHAIRMAN NEWTON: Senator Hise.

CHAIRMAN HISE: Yes.

CHAIRMAN NEWTON: I just want to congratulate you for being halfway through.

CHAIRMAN HISE: Actually, it's a little more than that, but that's good.

Senate District 29 comprises the rest
of Randolph county, including all of Asheboro and the eastern side of the county, all of Anson, Montgomery, and Richmond, and eastern and southern portions of Union county. Within Union county, the district line was drawn to keep all precincts and municipalities whole. Senate District 29 shares one split precinct with Senate District 25 in Randolph county to keep the city of Asheboro whole. There are no split municipalities within counties in the district. There are two incumbents in Senate District 29: Senator Craven and Senator McInnis.

Senate District 35 comprises of the rest of Union county and parts of the southernmost VTDs in Cabarrus county. The chairs opted to not take the entire VTD, leaving the blocks north of the town of Midland in Senate District 34 to leave as much of the population of Cabarrus county in the district base there as possible, that being Senate District 34, and to make the populations of the districts within the pod fall within the plus or minus 5 percent range. All the districts in this county grouping are above the ideal population number with Senate District 34 and 35.
above 218,000 people, just below the limit of 219,227.

A second VTD was split in Senate District 34 to keep the entire municipality of Midland within 30 -- within Senate District 34. The chairs were able to leave the municipalities of Locust whole in Cabarrus county. Most of the town is in Stanly county, but there are portions in Cabarrus. The Cabarrus county portion of Locust is, therefore, split between Senate District 34 and Senate District 35. The incumbent in Senate District 35 is Senator Johnson.

Senate District 34 comprises most of Cabarrus county. There are two split VTDs, as mentioned before, and one split municipality. The Cabarrus county portion of Locust, the incumbent in Senate District 34 is Senator Newton.

Guilford and Rockingham counties form a two-county, three-district grouping in the senate base map. Rockingham county is left whole in Senate District 26. Senate District 26 includes the unincorporated and bedroom community areas of Guilford county along with
Rockingham county. Greensboro is too large to be contained in one senate district and is, therefore, split.

Senate District 26 does not contain any G precincts, Greensboro [unintelligible] that begin with the letter G, but it does include 4 percent of the city's population. One VTD was split, SDRI, in western Guilford county to keep the population of Kernersville, the Guilford county portion, most of the municipalities in Forsyth county but within Senate District 26, therefore in total there is one split municipality, Greensboro, and one split VTD in Guilford county. The incumbent in Senate District 26 is Senator Berger.

Senate District 28 is drawn respecting the city limits of Greensboro as much as possible. The city's too large for one senate district, so Senate District 28 is situated in the northern two-thirds of the city. 68 percent of Greensboro's population is in Senate District 28. There are two incumbents in the district: Senator Robinson and Senator Garrett.

Senate District 27 includes most of the rest of Greensboro, specifically the southern
sections of the city and the city of High Point, leaving the Guilford portion of the municipalities whole. There is no incumbent in Senate District 27.

Senate District 30 is created by the base county grouping map: Davie and Davidson counties. This being a whole county district, there are no split precincts or split municipalities. Senator Jarvis is the incumbent in Senate District 30. 30, 32. Sorry.

Senate District 31 and 32 are in a two-county pod that includes Stokes and Forsyth counties. The chairs opted to pair Forsyth and Stokes instead of Forsyth with Yadkin because the resulting districts both within Forsyth-Stokes county groupings and the Alexander-Wilkes-Surry-Yadkin groupings are more compact and because its configuration leaves two more municipalities whole spanning the two counties Germantown and King which span Forsyth-Stokes county line.

Senate District 31 is drawn to keep Stokes county whole and to keep as many municipalities whole within Forsyth as possible. Senate District 31 keeps the suburban towns
around Winston-Salem whole: Bethania, Clemmons, Germantown, Kernersville, King, Lewis, Rural Hall, Tobaccoville, and Walkertown. This configuration keeps the municipalities King and Germantown whole across the Forsyth-Stokes counties. There are no municipalities that span the Yadkin-Forsyth county line, the alternative option for the two-county groupings, therefore selecting the Forsyth-Stokes county grouping option creates more compact districts and keeps two more municipalities whole across the counties.

Senate District 31 also includes parts of Winston-Salem that are in shared precincts with these two towns. The populations of Winston-Salem is too large for one senate district, therefore it is split between Senate District 31 and Senate District 32.

Senate District 31 contains 16 percent of the city's population. There are no split VTDs in the district. The incumbent in Senate District 31 is Senator Krawiec.

Senate District 32 is drawn within the city of Winston-Salem since it's larger than the population range for a senate district. Senate
District 32 contains 84 percent of the population of Winston-Salem. All VTDs were left whole in Forsyth county. The incumbent for Senate District 31 is Senator Lowe.

Senate District 36 is created by the same grouping choice in northwestern North Carolina: Alexander, Surry, Wilkes, and Yadkin counties. The alternative configuration for this district follows the Stephenson criteria, and Alexander, Surry, Wilkes, and Stokes trading Yadkin for Stokes. The chairs opted for the configuration that includes Yadkin because the district is more compact and leaves two more municipalities whole that span the border of Forsyth and Stokes. There are no split VTDs or split municipalities within this district, and there is no incumbent for Senate District 36.

Senate District 33 is created by the base county grouping map: Rowan and Stanly counties. This being a whole county district, there are no split VTDs or split municipalities within the counties in the district. Senator Ford is the incumbent in Senate District 33.

Six senate districts are contained in
the two-county grouping of Iredell and Mecklenburg county. Senate District 37, 38, 39, 40, 41, and 42. The county grouping is created by the base map.

Senate District 37 keeps Iredell whole and contains the northmost precincts of Mecklenburg county. The municipality of Davidson spans Iredell and Mecklenburg county, so Senate District 37 includes the Mecklenburg precincts containing Davidson, keeping the Mecklenburg and Iredell portions of that municipality whole. Part of Davidson is in Cabarrus county, but that piece of the municipality is in Senate District 34.

The town of Cornelius is too large to also fit in Senate District 37, and a split municipality is unavoidable. Senate District 37 includes 33 percent of the population of Cornelius. This is the only split municipality in the district. There are no split precincts. The incumbents in Senate District 37 are Senator Sawyer and Senator Marcus.

I would like to note that the Senate Democrats' amendment for Mecklenburg and Iredell county contains this same district, Senate
District 37, exactly the same way, creating the same double-bunking.

Senate District 38 is in northern Mecklenburg county, directly south of Senate District 37. This includes the town of Huntersville, 67 percent of the town of Cornelius, and 14 percent of the city of Charlotte. Charlotte, the largest city in the state, has over 857,000 people and is therefore contained in the five Mecklenburg base senate districts. Senate District 38 includes about a dozen north Charlotte precincts. There are no split precincts in this district, and the incumbent is Senator Mohammed.

Senate District 39 is in western Mecklenburg county and includes the unincorporated areas along with the Gaston county along and the South Carolina border along with parts of uptown, west Charlotte, Still Creek and the town of Pineville and southern Mecklenburg county. Of the population in the district, 81 percent is in Charlotte, 5 percent is in Pineville, and 14 percent is in the unincorporated areas of the state. Of the total population of Charlotte, Senate District
39 contains about 20 percent of the population. There are no split VTDs in this district. Senator Salvador is the incumbent in Senate District 39.

Senate District 40 is in northeastern Charlotte and includes 24 percent of the city's population. Of the population in the district, 96 percent is in Charlotte and 4 percent is in unincorporated areas of Mecklenburg along the eastern edge of the county bordering Cabarrus. There is no split precincts in the district. Senator Waddell is the incumbent in Senate District 40.

Senate District 41 includes south Charlotte and the towns of Matthews and Mint Hill. They're unincorporated areas in the district. Of the population in the district, 71 percent is Charlotte, 14 percent is Matthews, 12 percent is Mint Hill, and the remaining 4 percent is Union county base municipalities with territories in southern Mecklenburg and unincorporated areas. Approximately 18 percent of the population of Charlotte is in this district. There are no split precincts, and there is no incumbent in Senate District 41.
Senate District 42 includes parts of uptown Charlotte, south Charlotte, and east Charlotte. 100 percent of the district's population is in the city of Charlotte. The district includes 25 percent of Charlotte's population. There are no split precincts in Senate District 42, and the incumbent in the district is Senator Jackson.

There are two options for county groupings in the southwest part of the state. The chairs selected the county group configuration that combines Cleveland, Gaston, and Lincoln counties in a 3-2 district pod, Henderson, Polk, and Rutherford counties in a 3-1 district pod, and Buncombe, Burke, and McDowell in a three-county, two-district pod. The chairs selected this because the resulting districts are the most compact.

Senate District 43 is drawn within Gaston county and keeps all the precincts and municipalities whole. Five VTDs were pulled out of the Gaston county district, the three Cherryville VTDs, Landers Chapel, and Tryon, to stay within the correct population range. The incumbent in District 45 is Senator Harrington.
Senate District 44 is comprised of the five VTDs from Gaston county and Cleveland and Lincoln counties. There are no split precincts or municipalities within the counties in Senate District 44. The incumbent in this district is Senator Alexander.

Senate District 48 is combined of three county groupings: Henderson, Polk, and Rutherford counties. This being a whole county district, there are no split municipalities or precincts. The incumbent for Senate District 48 is Senator Edwards.

Senate District 46 includes all of Burke and McDowell county plus unincorporated precincts and small towns in Buncombe county. One VTD is split to keep the municipality of Woodfin whole within Senate District 49. There is no split municipalities in the district. The incumbent for District 47 is Senator -- 46 is Senator Daniel.

Senate District 49 includes the rest of Buncombe county, including Asheville, Biltmore Forest, Weaverville, Woodfin -- and Woodfin. This splits one VTD mentioned above to keep Woodfin whole. There are no split
municipalities in the district. The incumbent for District 48 is Senator Mayfield.

The senate based map includes a western North Carolina county grouping comprising three districts, 45, 47, and 50, and 17 counties, Alleghany, Ashe, Avery, Caldwell, Catawba, Cherokee, Clay, Graham, Haywood, Jackson, Macon, Madison, Mitchell, Swain, Transylvania, Watauga, and Yancey. Because of how these counties are aligned and the populations, the counties must be split between districts are Caldwell and Haywood.

Senate District 45 contains all of Catawba county and a portion of Caldwell county. The chairs kept the municipalities in Caldwell whole as Lenoir -- with Lenoir going to Senate District 47 and the small towns in the southeast of Lenoir in Senate District 45. There are two split precincts in Caldwell to keep the municipalities of Lenoir whole. There are no split municipalities within the district. Senator Proctor is the incumbent in Senate District 45.

Senate District 47 includes the rest of Caldwell county, all of Alleghany, Ashe, Avery,
Madison, Mitchell, Watauga, and Yancey counties and a portion of Haywood county. The chairs kept all municipalities and VTDs whole within Haywood county. In Haywood county, Senate District 47 includes the town of Canton. The larger municipality of Waynesville is left whole in Senate District 50. There are no split municipalities in the district, and only the two split precincts shared with Senate District 45 to keep Lenoir whole. There are two incumbents in Senate District 47, myself and Senator Ballard.

Senate District 50 includes the rest of Haywood county, includes all of Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania. There are no split precincts or municipalities in the district. Senator Corbin is the incumbent for Senate District 50.

CHAIRMAN NEWTON: Senator Hise, thank you. That's a lot of work, especially for a math guy. Very well done. [Applause.]

CHAIRMAN NEWTON: Yeah, give him a hand. Well done.

So, Members, where we're going to go
from here is I'm going to be making a statement of the chairs. We have a number of amendments that are being pulled together that I think will answer or go to many of the questions that you may have for Senator Hise.

So what we're going to do, I'm going to provide you the statement of the chairs, we're going to then pause, go into recess for enough time to get our arms around these amendments, see what we've got, then we'll reconvene and you'll be able to ask Senator Hise any questions you have about the map and then follow that with your amendment if you think that cures a concern that you have.

So, Senator Hise, you're welcome to take a seat at this point because you're not going to have to be asked any questions until a little bit later.

So the chairs wanted to be direct and address an issue that's being raised by some, and that is whether the General Assembly is required to draw districts using racial data. We've also received a lawsuit already from -- against the General Assembly filed before the plan has even passed. This interest
group activity litigated against the General Assembly this past decade and succeeded in developing some of the strict limits on permissible racial consideration -- racial considerations it now asks us to defy. I want to explain at the outset why we cannot do that. So just to be clear, they litigated to limit our ability to use racial data, we're choosing, as we did in 2019, not to use racial data, and now they're litigating, saying we should have used racial data.

So first, the General Assembly, the allegation is, cannot draw districts using race -- well, no, this is the law. Apologies. First, the General Assembly cannot draw districts using race under the Voting Rights Act unless we satisfy the three Gingles preconditions. They are, one, a reasonably compact majority-minority VAP district; two, a politically cohesive minority community; and three, white bloc voting usually defeating that community's candidate of choice.

To draw VRA districts according to Covington and other recent court cases, the General Assembly would need a strong basis in
evidence -- quote, a strong basis in evidence, for each of those three factors. Specific evidence would come in the form of reliable racial bloc voting analysis by an expert in the field. Spreadsheets and argument based on inadequate data do not create the strong basis in evidence the General Assembly would need to overcome a constitutional challenge.

Second, if we draw districts using race and we do not satisfy the Gingles preconditions, we risk violating the Equal Protection Clause of the 14th Amendment to the United States Constitution. In short, making one districting choice over another for racially predominant reasons will be subjected to strict scrutiny by the courts.

Our present record and most recent litigation does not provide a yes answer to any of the Gingles factors. Our two most recent redistricting efforts, overseen and approved by the courts, in the Covington case and the Lewis case did not consider race. In fact, in Lewis, a three-judge panel analyzed all regions of the state last year, last year, and found no region where the Gingles factors were met. Some have
asked about whether the Stephenson case require that race be used in redistricting. Stephenson says VRA districts must be drawn first only if there are VRA districts. Stephenson does not require VRA districts be drawn independent of the requirements of federal law. Stephenson assumed there would be VRA districts because Section 5 of the VRA then applied here which meant VRA districts would need to be preserved independent of the Gingles factors I just discussed, but the US Supreme Court has held that VRA Section 5 no longer applies which means it no longer protects the General Assembly from racial gerrymandering claims.

Now, I'll discuss district-specific issues several members have asked us about.

In the Wilson-Wayne area, we do not have any proposed plan from any member of this body that includes a reasonably compact majority-minority district in that area. If you have one, and we mean a complete plan with a majority-minority VAP district in that area, please provide it. If no such district can be drawn, then there is no need to continue the Gingles analysis. Creating such a district
would violate the 14th Amendment's Equal Protection Clause.

In addition, the General Assembly cannot justify departure from the whole county rule for expressly and predominantly racial reasons without a strong basis in evidence of the type I described earlier. Under current law, only majority-minority districts required under Section 2 of the VRA can be formed prior to other districts in a plan under Stephenson. Following this request would put the map squarely in conflict with the 14th Amendment.

Some members of this committee have also expressed concern about the grouping decision we made for SD 1 in the northeastern part of the state. The General Assembly is not in a position to create so-called crossover districts in this map. First, Section 2 of the VRA does not require such districts.

Second, if the General Assembly were to engage in such race-predominant drawing, they would run into claims of racial gerrymandering under the 14th Amendment and they would be without the protection of the VRA to survive strict scrutiny.
Finally, no one has given the General Assembly the data necessary to develop a strong basis in evidence for engaging in such drawing. That district was drawn with neutral criteria predominating as just explained when going over the map.

In short, we take our role and the legal precedence that guide it seriously. We reject the notion that we should flout binding precedent and clear guidance from the courts even when facing a lawsuit from a litigious group that developed some of the very guidance it now asks us to ignore.

Now we'll take a short recess in order to see these proposed amendments, and after that we will open the floor for the committee to ask questions of Senator Hise and to consider those amendments. So let's take a break. We will recess until -- what time is it, about ten till. Let's go till quarter after, and if that's not enough time we may have to go back and recess for a few more minutes. Thank you. So we recess now until 10:15. Thank you.

(Transcription from YouTube ended at 1:40:34 and started again at 2:21:59.)
CHAIRMAN NEWTON: We are going to conclude our 15-, 20-minute recess now, and we're at the point in the agenda where we are going to open the floor to members to ask any questions of Senator Hise that you might have but also to offer any amendments that you may have. So, members of the committee, the floor is open for either questions or for amendments.

Senator Clark.

SENATOR CLARK: I'd like to send forth an amendment.

CHAIRMAN NEWTON: Thank you. Senator Clark's sending forth an amendment.

Do the members have that already, Senator Clark? Not yet. Okay. So they'll need to be passed out.

CHAIRMAN HISE: Which one is it?

SENATOR CLARK: SCG-3.

CHAIRMAN NEWTON: Question for staff. Are we going to hand out all the amendments to the --

UNIDENTIFIED SPEAKER: Do you want to do that? Are all the amendments --

CHAIRMAN NEWTON: I'd rather go ahead and hand them all out. Members, we'll try to
give them to you in order so you can minimize
the shuffling, but that way you've got them and
we won't have to pause for distribution for
every -- because there's a bunch of amendments
being offered here, so let's go ahead and send
them all out.

CHAIRMAN HISE: Do we want to put them
in packets and hand them out that way?

[Unintelligible.]

CHAIRMAN NEWTON: Members, just FYI.
There are going to be 12-ish proposed
amendments. And again, we're going to try to
give those to you in order.

So, Members, they're coming to you in
reverse order to make your life a little bit
easier.

I'm now going to remove my guarantee
that they're in reverse order. They may not be.
We'll figure it out.

Members, you should be receiving SBVA
Amend-3 is the last map you're handed, but it
will be the first map we discuss -- or
amendment.

Members, we're almost ready to go. We
are going to go out of order, just to make
things interesting as we get started here.

SCH Amendment 1 is going to be the first amendment to be discussed. If you want to go ahead and shuffle your packet, it should be the second one down in your packet.

All right. Members, we are going to go ahead and get started again. And at this point I'm opening the floor to members for amendments or questions of Senator Hise.

Senator Clark.

SENIATOR CLARK: I'd like to send forth an amendment, Mr. Chair.

CHAIRMAN NEWTON: Okay. Thank you, Senator Clark. Which amendment are you sending forth?

SENIATOR CLARK: SCH Amendment 1, Cumberland county and Moore county cluster.

CHAIRMAN NEWTON: All right. Thank you. Senator Clark, are you moving for the amendment, or you just want to explain it at this point?

SENIATOR CLARK: I will explain and ask that it be accepted.

CHAIRMAN NEWTON: Thank you. You have the floor.
SENATOR CLARK: Okay. Thank you, Mr. Chair. I appreciate y'all's effort to do a grouping -- or should I say separation within the group of a senate district between Moore and Cumberland counties. However, I think I have an option that will probably serve the communities of that -- those two counties a little bit better.

As you come down from Moore county, which is numbered Senate District 21 in this particular iteration, the first thing you see essentially is Fort Bragg, which is that large block Manchester precinct that is there, and adjacent to it in the top right-hand corner you will find the Spring Lake precinct, and then this little knob down at the bottom is what we call west area. Essentially, they provide for a very tight community of interest within the Fort Bragg community that is also associated with this lower tier in Moore county which much of it has been designated as a protection for the military training environment.

But instead of coming down and forming a block such as you all do, I connect this Manchester precinct with some of the
northwestern precincts in Cumberland county as well as Hope Mills. So essentially it is splitting the same municipalities as your plan, both of them split Fayetteville and both of them split Hope Mills, but I believe this supports the community of interest concept much better. And for one thing, like the -- I guess you can say the top portion of this, what looks like a C beneath the Manchester precinct, that is a part of what we call the big bang expansion in Cumberland county, when Fayetteville expanded out from its original boundaries, and it picked that area up. And then to the south of that you have Hope Mills, so we have all of the Hope Mills precincts.

But as you indicated, because of the irregularities in the VTDs within Cumberland county, invariably you're going to, you know, possibly split a municipality, and that's why we split a little bit of Hope Mills, just as your plan does, in addition to splitting Fayetteville.

So that being said, Mr. Chair, I recommend to the committee that we adopt this version of the cluster.
CHAIRMAN NEWTON: Thank you, Senator Clark.

So Senator Clark is moving that we adopt this amendment. First, are there any questions by members before we take that vote? Any questions of Senator Clark on his amendment?

All right. If not, those in favor of Senator Clark's adopting this amendment to the map say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: Those opposed.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: All right. The nos have it.

So thank you, Senator Clark. Are you up next as well?

SENATOR CLARK: I'm not up next.

Senator Blue is up next.

CHAIRMAN NEWTON: All right. So just so the record is clear, SCH Amendment 1 was voted nay, and now we have SBV Amendment 3; is that correct?

SENATOR BLUE: Is that the first one? I'm sorry, I'm out of order here. I'm trying to -- is that the northeast one?
CHAIRMAN NEWTON: I have -- we took Senator Clark's out of order at his request.

SENATOR BLUE: I want the northeast cluster.

CHAIRMAN NEWTON: Okay. Senator Blue is asking to go to the northeast cluster which is SBA Amend-2. Is that what you'd like?

SENATOR BLUE: Yes, that's it. It was initially SST 10.

CHAIRMAN NEWTON: It should be the next to last map in your packet, Members, SBA Amend-2. And this is -- Senator Blue is offering this amendment.

SENATOR BLUE: Yes. Thank you, Mr. Chairman. If everybody has gotten it, I'll comment.

CHAIRMAN NEWTON: Okay. Senator Blue, you have the floor.

SENATOR BLUE: Thank you, Senator Newton.

First, I'd like to sort of follow up and explain in this district what the comments that the chair ably stated just before we took a recess, and that is whether the General Assembly is required to draw districts regarding race.
And I simply go back to the Stephenson decision that said that before you do any clusters or do any kind of redistricting, you first must determine the VRA districts. And I say it against this context. At least as I understand it -- and I don't hold myself out to be an expert in this area and haven't litigated in it in 40 years, but let me simply say that if you look at Senate District Number 1 and Number 2, there are two clusters up there, and there was a choice of clusters that the committee made.

I heard Senator Hise explain the historic reason of putting certain counties together in that area, but history indicates just the opposite has happened.

There are seven or eight counties along the North Carolina-Virginia border that historically I'll call the black belt of North Carolina because they're majority black counties, and you don't need to consider race or statistics to know that. If you -- again, I go back to eighth grade geography. It's one of the lessons you learned. And if you go to the efforts in the 1960s, voter registration efforts
and all that, you got it reinforced, and when I was in college in the '70s you got it reinforced again. And those counties have not significantly changed population percentages. They're losing populations like all of the other counties -- almost all of the other counties in that region.

Starting in 1980, after the census, starting in '81, when the districts were drawn, there was no minority district drawn up there. There was one black House member who had gotten elected in 1980, the first African American from that area, that entire area of the state to be elected since 1900 -- either 1898 or 1900. And so following that is what led to the Gingles decision. A lawsuit was filed. It was originally Gingles versus Edmisten, because Rufus Edmisten was the attorney general. A lawsuit was filed. It was a Section 5 lawsuit, meaning that the counties had to be pre-cleared. There were 42 counties in North Carolina under Section 5 of the Voting Rights Act that had to be pre-cleared. You couldn't change them without getting the justice department's permission.
The justice department objected. Went back, tried to fix them again. A district was drawn up there in 1984, after the Gingles decision, and that's where the doctrine that you just recited came from. And the Gingles decision, later changed to Gingles versus -- the successor to Rufus Edmisten as attorney general and later on another name. But anyhow, the court in that case decided that you had to, because of history in that area, and that history was a history of polarized voting, that you had to draw certain districts in there if as -- again, using your criteria, if they were reasonably compact, if there were politically cohesive, meaning they voted primarily, minorities in that area, as a bloc, and you could show racially polarized voting, that is, you could show that whites tended not to vote for African Americans in that district.

The districts were drawn, it later evolved in the mid '80s to a senate district drawn pretty much along that same area, with those seven counties in it.

What you have here is -- and in Senate District 1, with the amendment that I'm
offering, is putting those counties back together naturally, because that's how they've been, and they have elected a minority from that district I think since it was created. That became the case in the 1990s in the various lawsuits that came about. Even when the justice department wasn't sure what they were requiring with congressional districts, they required that one up there. That was the case in 2000, the district was drawn with those counties together, and it was the case in 2011.

Now, an interesting thing happened in America during that time and particularly in North Carolina. Initially, Guilford county and Cumberland county and Mecklenburg county were affected counties because of their voting patterns, and you can show all of these Gingles factors.

Over the course of the last almost 40 years, since the Gingles decision by the United States Supreme Court, areas of the state are less polarized in their voting patterns. Wake county never was a Section 5 county, neither was Durham county. And in fact, in the Gingles decision, the court pointed out that
Durham was not a Voting Rights district because you could not show polarized voting, although you could show the other aspects of it. Durham, as Wake county, had elected African Americans countywide, the judgeships, county commission races, and various other races, so you could not show polarized voting and, consequently, you couldn't create majority-minority districts.

The problem -- and I think the way it was described, and I know that folk interpret this different ways -- is that Rucho -- the case Rucho in 2011 that was filed was because even in places that you had not had -- you could not prove racially polarized voting, this General Assembly took the number of minority voters in every district in the urban areas, in every district that African Americans represented with the exception of Orange county, took them up to 50 percent plus one minority voters, voting age population and minority voters. That way all of the districts that were represented by African Americans were placed in the category of Voting Rights Act districts, they weren't, but what that case brought to the forefront was a doctrine called packing which meant that you
would put all of the African Americans, or the minorities, in as few districts as possible, and that's what you did when -- this assembly did, you were not here so you didn't do it.

So when you took all of these districts up to 50 percent plus, the court did not make the specific determination that they were -- the determination was not made that you could justify 50 percent certainly in non-VRA districts but even more so in VRA districts such as this district was. And it said now because the idea behind the Voting Rights Act was overtime to ameliorate the effects of polarized voting and the inability of blacks to get whites to vote for them, and all of the counties in eastern North Carolina were part of the 42 that were covered by Section 5 of the Voting Rights Act.

Section 2 of the Voting Rights Act covered the entire country, not just this -- the way Section 5 affected 42 counties out of 100 in North Carolina. But the court said in Rucho that what you have done in taking all of these districts above 50 percent is in violation of the Voting Rights Act. First, you haven't shown
the Gingles measurements, and it is possible to have VRA districts that are not 50 percent plus. Justice Kennedy said in his ruling that if in fact you try to dismantle a VRA district where you can create one, then that raises serious questions under the 14th Amendment and the Voting Rights Act, the Equal Protection Clause of the 14th Amendment.

So when you say that you haven't shown any VRA violations, it begs the question that you don't have to show 50 percent in the district for it to be an operating VRA district.

The point that I've been trying to make all along is if you can show that you can draw a VRA district that meets these criteria, you don't have to draw that district because you can analyze what's been going on over time, and you can take that number down because ideally, all of us want that number to disappear, but you gradually take it down without doing it abruptly. And when you do it abruptly, you dismantle districts where you've shown a history of polarized voting.

And that's what the letters to the chairs and to all of the members were trying to
get at; that the preliminary evidence shows that you have a responsibility to inquire as to whether or not there is further need for a Voting Rights Act district. The burden of making the inquiry is on the legislature, not on citizens out here because when citizens do it, they sue you because you haven't done it. And Stephenson says that you will make that analysis before you do all of the clustering and all of the other things.

What becomes obvious here in this cluster -- and mind you, the Voting Rights Act trumps the clustering, and that's why Stephenson says you first make the inquiry as to whether you can create -- or you must create VRA districts. You can show up in the northeast that you can create a VRA district, and you can show that you can -- look, I will tell you, it probably would take four hours to get from one end of the district that you've recommended down to Carteret county. No direct way to do it. You might have to catch boats, planes, and cars to get there. But the point is that there have been districts drawn down there that have been determined to be compact, now, even if they
meander through 8 or 10 or 12 counties and they
dip into counties, affecting counties that ought
not be affected in it you can draw, because
we've drawn in the past, and the population is
still there to support a VRA district.

What I've offered in this amendment is
a solution to that problem, a simple solution.
The fact of the matter is, as pointed out in the
communications that have come to the chair, is
that this district, as appears up here, that was
created by the clustering, not by any drawing
that I've done, all whole counties, are
certainly much more compact than the two
districts that the committee is recommending.
But what I've shown is is that you can adopt
that cluster and you got a functioning VRA
district just by accepting this top cluster with
those counties in it.

It is currently represented by an
African American woman, and it would still
be -- she would still be residing in that
district. You're not looking at race figures in
the district, but the communication that you got
indicated that black candidates, African
American candidates had consistently scored
50 percent of the vote -- 50 plus percent of the vote, so you don't have polarization to the extent that whites are not voting for African Americans, and they point out that in those districts, 53 percent of the vote went to these African American statewide candidates. And that's how they suggest that there's enough information that would make you inquire whether or not you can create a functioning district without having 50 plus percent in that district.

Because you can create the district without the disruption that creating a full VRA district would require, it seems the choice would be to create that district because then you would not tear into all of those counties, ferreting out the black vote in all of those counties the way the 1980s, 1990s, and 2000 district initially did before the whole county provision was reactivated in 2003. And prior to that time, I might add, that for 20 years plus, the state was districted without regard to the whole county provision in the state constitution because folk had assumed that it was repealed by the Voting Rights Act.

So that's why I'm offering this
district. The two groups that have communicated with the chair and with this committee have made it plain to you that this is a VRA district. You have all the tools at your disposal to inquire as to whether you can create it, how you would create it, but they point out to you that based on this anecdotal evidence you clearly still have a degree of racially polarized voting. I believe, and I think you believe too, that it’s not to the degree that it was in the 1980s or 1990s, but it hasn’t gotten to the point that it is in these urban areas which are no longer -- which no longer have the degree of polarized voting that existed, those areas that were covered by Section 5 and, again, all of us by Section 2.

One of the things -- and I'll point this out because I've been asked about it. Gingles, the decision, and you can read it in black and white, points out, and they point it out in Gingles itself, and we've referred to it in many cases since then, that you can do, as far as drawing, whatever you need to in Durham county now, in Wake county, in Mecklenburg county, and in Guilford county, and that on its
face is not violating the Voting Rights Act unless you can show packing again in Guilford county or Cumberland county. But with respect to the others, there is no Voting Rights Act violation unless you unreasonably take the black vote beyond the level where it is functioning effectively, but that doesn't say that you can go 50 percent plus without justification because that was Gingles -- I mean, that was Rucho. And Rucho did not say you no longer look for Voting Rights Act districts and that there are none any more. Rucho just said you hadn't done the study that supports your taking these districts to 50 percent plus. And the case was finally resolved when this legislature redrew the districts, took them down in the 30s and 40s. There are African Americans representing senate districts with 20 some percent African American population that went up to 50 plus. Rucho said you got to bring that back down. There were districts such as mine that went back into the low 30s and had not been in the 40s.

And I'll just make one comment and I'll shut up on this amendment. There were nine senate districts represented by African
Americans prior to 2011. Nine. None of them except this one -- I believe this was the only one. There were three districts in the east, but none of them, I believe except one, had a VRA greater than 50 percent, yet all of them had elected African Americans which showed that the Voting Rights Act was working and you were bringing the polarization down and we were all getting to the point that I hope all of us aspire to.

So I'm suggesting to you that this district, this district recognizes the progress that's been made, but it does not dismantle a district without at least doing the baseline study which has a burden on the General Assembly to do. You indicated you had not done it, you did not plan to do it, and this morning, Senator Newton, you indicated you were not doing it because you didn't see any need to do it because the people who litigated it to the limit -- to limit it now want to make you look at it. The people who litigated it litigated it because you had packed all of these other districts and said you got to unpack and make sure that the Voting Rights Act is working, not that you're going
back to pre-1965 practices.

So this district in the northeast, District 1, whatever it is officially, would -- it's reasonably compact, because it's a cluster; it's politically cohesive, because that's what the information from these various groups have told you that it is; and there is racially polarized voting in it to some extent but not to the degree -- not to the degree that you got to create a district that's 50 percent plus African American minority.

Now, you say that there's no expert evidence available. The burden is on this General Assembly to have the experts tell you that there's no need for it, not on the citizenry to tell you that there is a need. But if you're looking for that, the public hearings tell you that the citizens in this district think you ought to preserve the district as it is and keep those counties together.

What you've done in choosing one option over the other with these two -- and again, they're two clusters. You can choose one cluster over the other. Senator Hise explained why you chose the first cluster. Well, the
first cluster hasn't been like that over the years. It hasn't been like that in the earlier cluster, and it should not present an excuse to you to do it like that when you know that you're dismantling a functioning VRA district.

So I'll answer any questions, but I would move the adoption of the amendment, Mr. Chair, because I believe -- I sincerely believe that in this map that you've presented there are two viable Voting Rights Act claims that would survive in this action.

Now, the theory might be -- and I don't know what the lawyers' strategies may be on this. The theory might be that maybe you want to tee it up and let the supreme court decide further what Section 2 means or what the Voting Rights Act means, but what you do is put the burden of doing that on the taxpayers of North Carolina. And again, we spend tens of millions of dollars litigating something that at the end of the day we're going to lose unless the United States Supreme Court significantly changes the law on it. And we go back up to a fourth circuit that issued some of the harshest rulings in the last cycle about North Carolina's
redistricting than it did of any other redistricting in the country from any of the circuit courts -- or any of the three-judge panels. I'm sorry.

And so I would ask you to really look seriously at this. And I will offer one more amendment so that you can absolve the state of Voting Rights Act violations and litigate whatever else you have done in the context of whether it is political gerrymandering because those are the choices. You had two issues in 2010 decade: Racial gerrymandering, which I have just described to you why the court reversed it, but the court didn't say you didn't have to look at it. And secondly, political gerrymandering. The issues that might remain in Guilford county and Cumberland county or the other urban counties are issues of political gerrymandering unless you far exceed what the court said in 2015 or '16 you had to do with respect to creating minority districts within those areas if you were going to create them, and no requirement that you create them, but you can't unreasonably -- I don't think there's a requirement except maybe again in Greensboro and
1 Fayetteville because it was covered -- as long as you don't unreasonably discriminate against minorities.

But what I am trying to offer to you is a way to stay clear of federal court with respect to the racial gerrymander and leave open these issues of the political gerrymander, because that's the only thing that I've seen the letters about, these two districts, and those clearly are racial gerrymander issues that bring in other parts of the state that don't have to be involved in we fix them here without leaving it to the courts to send it back and involving a much broader swath of the state.

CHAIRMAN NEWTON: Thank you, Senator Blue.

Senator Hise, or any other members that may have comments or questions.

CHAIRMAN HISE: I'd like to respond.

Members, I think it is clear with what we have here that this is not a consideration under the Voting Rights Act. I think Senator Blue has made it clear several times that that is a separate consideration that must be done first and considered prior to the
consideration of county pods, if it's necessary. We may disagree on the concept of whether those standards have been met, whether the anecdotal evidence proves those standards have been met.

But this decision is clearly about Stephenson groupings in the two districts. We have moved on -- Stephenson requires, says ten counties are grouped in one manner and eight counties are grouped in another, there are two options for doing so. And so his amendment presents one of those options, our amendment presents -- our bill presents a different option chosen. Both meet the Stephenson criteria. Both are drawn under the Stephenson criteria.

As I have said previously, the chairs looked at this extensively and made a decision as to which of those best conformed communities of interest. We looked at compactness. The map you currently have -- not the amendment. District 1 is the most compact of the four districts that are created in the map. The fingerling counties and [unintelligible] are most contained within this map. Four of the five are placed together in the current map. It moves it to a 3/2 split in the other map.
Particularly looking at the northern Outer Banks region, the map that you have contains all of those counties together in a more compact district. So I would ask that the committee reject the amendment and consider the map as is.

SENATOR BLUE: Mr. Chairman, can I ask Senator Hise a question.

CHAIRMAN NEWTON: Thank you, Senator Hise.

Yes, you may. Senator Hise.

SENATOR BLUE: Senator Hise, you indicate that your map is more compact. How do you determine that having a map that runs from Warren county down to Carteret county is more compact than what we see on the board up here.

CHAIRMAN HISE: Senator Blue, I'll be clear on what I said, not transpose what I said. There are four districts that can be created. District 1 in the map that we currently have is the most compact of the four districts.

SENATOR BLUE: Let me ask another question --

CHAIRMAN NEWTON: Follow-up. Sure, Senator Blue.
SENATOR BLUE: And so it's your testimony that you chose -- you chose the district in your map because it is more compact than the other two?

CHAIRMAN HISE: I can repeat my answer.

SENATOR BLUE: Please do.

CHAIRMAN HISE: District 1 that is created is the most compact of the districts formed. I also stated that it keeps more of the finger counties, which we heard from both comments and others that are community of interest, keeps more of those counties together within that map and keeps the northern Outer Banks region together within a map.

I also talked about in the choice for the districts comparing the media markets that the two were in versus which ones are in the Norfolk media markets and which ones are in the Raleigh or Greenville media markets for those considerations. All of that went into those considerations for determining communities of interest as well as looking at the compactness.

CHAIRMAN NEWTON: Follow-up,

Senator Blue.

SENATOR BLUE: Follow-up.
So that I understand, then, compactness is the dominant issue in this choice of districts.

CHAIRMAN HISE: I never said that. I said it is one of the issues.

SENATOR BLUE: What are the other issues that --

CHAIRMAN HISE: Considering communities of interest, and that included a consideration of the fingerling counties, that included a consideration of the media markets that the counties are in and the northern Outer Banks region.

SENATOR BLUE: Follow-up.

CHAIRMAN NEWTON: Follow-up.

SENATOR BLUE: So the media market is in your opinion a legitimate community of interest?

CHAIRMAN HISE: It identifies -- it would help identify a community of interest, yes.

SENATOR BLUE: Follow-up.

CHAIRMAN NEWTON: Yes, sir.

SENATOR BLUE: Did you examine the community of interest of all of these
traditionally African American counties and agricultural counties as opposed to aquacultural counties or various other things that the coastal counties might entail?

CHAIRMAN HISE: Senator, we looked at as many considerations as we could to identify which of these two choices were the better choice to make between the grouping -- the 10/8 groupings of the counties, and from what we concluded, with keeping the fingerling counties whole as well as the northern Outer Banks region together that this better met the needs of that region.

SENATOR BLUE: Further question.

CHAIRMAN NEWTON: Yes, Senator Blue.

SENATOR BLUE: Did you consider the community of interest of the northern border counties?

CHAIRMAN HISE: I would say that with the exception of inland to Halifax or Warren, so -- and the only one of those that happens to be different would be Warren, all the northern border counties are the same -- with the exception of Warren county are in the same district in both maps.
CHAIRMAN NEWTON: Follow-up, Senator Blue?

SENATOR BLUE: Yeah, further question.

CHAIRMAN NEWTON: Yes.

SENATOR BLUE: In looking at the map that's displayed on the screen, could you tell me what the communities of interest are if you start in the northeast at Warren county, which is the extreme -- northwest, rather, in the pink and go all the way down to Carteret county which is in -- below the south central eastern part of North Carolina.

CHAIRMAN HISE: Senator Blue, I did not determine the two possible groupings for the counties. We were just in a position to make a choice between the two possible groupings.

SENATOR BLUE: Further follow-up.

CHAIRMAN NEWTON: Another follow-up.

SENATOR BLUE: My question is what is a community of interest if I flow through them from Warren county, then looks like is it Halifax, Northampton and then down a couple hundred miles or so to Carteret county which is a coastal county?

CHAIRMAN HISE: Other than looking at
what I've said previously about a similar media market for those counties, I would say that we have identified and mentioned the communities we were trying to keep whole and keep together, and when choosing between two groupings of counties, there was only one grouping of counties that did that.

SENATOR BLUE: I think one last question, if I could, Mr. Chairman.

CHAIRMAN NEWTON: Yes, sir.

SENATOR BLUE: Senator Daniel pointed out yesterday, when we were considering the congressional map, that one of the things that you had considered or that you thought about was the travel time. One of the congressional maps caused him some hiccups with respect to travel time. I think it may have been from Forsyth county down to Lincoln county.

Did you have an idea of what the travel time is from Warren county down to Morehead City?

CHAIRMAN HISE: I don't. I'm sure that's a number we could get you on what the travel time is.

I will tell you that it is clear that
when you're doing congressional maps, you are not drawing predetermined poddings of counties that you choose between. So congressional maps are open. There -- we did the analysis. There are no poddings of counties in congressional maps. In this manner, we had two choices of podding between two groups of poddings to choose from.

SENATOR BLUE: So -- and one last one.

CHAIRMAN NEWTON: One last, last one.

SENATOR BLUE: As I understand it -- as I understand it, in this grouping, the only thing that mattered was compactness.

CHAIRMAN HISE: I never said that. I said we looked at a lot of considerations, and what we -- and I could go through them all again, which communities were important to stay as together as possible, what media markets they were in and others and made the choice for the other podding different than this amendment.

SENATOR BLUE: Well, that does call for one last question.

CHAIRMAN NEWTON: Okay.

SENATOR BLUE: And as I understand it, the media market in Warren county, what's that
media market? Is it Raleigh?

CHAIRMAN HISE: I can go back through and see if I've got --

CHAIRMAN NEWTON: Senator Blue, we're hearing someone in the gallery saying, yes, it is in fact Raleigh.

SENATOR BLUE: What about Carteret county?

CHAIRMAN HISE: Bertie, Tyrrell, Northampton, Raleigh.

So I have that the Greenville media market is Carteret, Hyde, Martin, Pamlico, and Washington that's coming in. The Raleigh media market will be Halifax and Warren. The Norfolk media market will be Chowan. The Greenville media market would also be Bertie and Tyrrell in the northern, and Raleigh would be in the Northampton media market. The rest, Camden, Currituck, Dare, Gates, Hertford, Pasquotank, Perquimans, in the Norfolk market.

SENATOR BLUE: Would Carteret --

CHAIRMAN NEWTON: Senator Blue, you have a last, last, last, last, last question.

SENATOR BLUE: Yeah, just a follow-up because I'm intrigued by this media market
element.

CHAIRMAN NEWTON:  Sure.

SENATOR BLUE:  But is it fair to say, and I'll put multiple ones together, there's a New Bern media market that would be affecting this district, there's a Wilmington media market that would be affecting this district as well as a Greenville media market?

CHAIRMAN HISE:  We have identified a Greenville media market.  I'm assuming the others --

SENATOR BLUE:  Well, there are TV stations in all of those towns.

CHAIRMAN HISE:  I come from the mountains so we're all pretty consistent on where WLOS or those go to, but they identify -- those areas identify their media markets.

SENATOR BLUE:  Thank you.

CHAIRMAN NEWTON:  Thank you, Senator Blue.

Senator Marcus, no, your question has been answered.

Seeing no -- Senator Nickel.

SENATOR NICKEL:  Yeah.  I just kind of did a double take with the distance and looked
on my phone to try to figure out how long it would take someone to go from Emerald Isle in Carteret county all the way up to -- I found Wise, North Carolina, right along the Virginia border. And Senator Blue is about right, if you stop for a rest break, it's about 4 hours, 177 miles, and that's if you're cutting through Senator Perry, Senator Davis, Senator Barnes' districts to get there.

You know, so my question just is what does somebody living in Emerald Isle, all the way on the bottom there on the coast, have in common with someone living in Wise, North Carolina, way on the Virginia border, up there, in Warren county.

CHAIRMAN NEWTON: So, Senator Nickel, I'll allow Senator Hise to answer that question, but I think it's essentially asked and answered multiple times with Senator Blue, but Senator Hise.

CHAIRMAN HISE: Having served for 10 years in a district that's over a three-hour drive from Marshall to Tryon, about three and a half, if you do that, I understand the complexities of doing so, but that is in a lot
of ways the geographics of the map and the county pods that formed.

CHAIRMAN NEWTON: Thank you.

Anything else, Senator Nickel?

Okay. Well, with that, Senator Blue has moved for the adoption of SBA Amendment 2. All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: All those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: The nos have it.

So the next amendment -- I'll ask the proponent. The next one that I have on my list is actually right back up to the top which is SBV Amendment 3. Is that what you would like to pursue next?

UNIDENTIFIED SPEAKER: Just Buncombe county.

CHAIRMAN HISE: Buncombe, McDowell, Burke. It's red and pink. It's on the screen as well.

CHAIRMAN NEWTON: It's up to the sponsor what order you'd like to take these in. I've done my best.
[Unintelligible.]

CHAIRMAN NEWTON: Okay. Not that one.

Members.

SCH Amendment 2. Is that the Moore, Cumberland 21, 19 districts. Okay, very good. All right. And who is going to be offering these?

SENATOR BLUE: I'll talk about it. I want to first ask Senator Hise a couple questions since this is before us, but I want to ask Senator Hise a couple questions.

CHAIRMAN NEWTON: Okay. Go ahead.

SENATOR BLUE: Yes. Senator Hise, I'm trying to get straight in my mind these criteria that the committee adopted, and they were all listed with specific statement by you, I believe, that you couldn't rank order them, but you could consider all of them depending on what you were looking at at the time.

And what I'm trying to figure out about this is you mentioned that keeping municipalities whole was one of the priorities at least in the other maps that you've drawn; is that right.

CHAIRMAN HISE: And continues to be in
both maps, yes.

SENATOR BLUE: Keeping municipalities whole. And following that, what was the next most important criteria that you think you applied?

CHAIRMAN HISE: Senator Blue, I can go through the entire list of the criteria. We have made no statements about most important or next important. These are the criteria of the committee, and we considered them when drawing maps.

SENATOR BLUE: Okay. So is it fair to say --

CHAIRMAN HISE: Each member will make their own choice.

CHAIRMAN NEWTON: Senator Blue.

SENATOR BLUE: Thank you. So is it fair to say that you got this set of criteria and no one criteria determined the outcome?

CHAIRMAN NEWTON: Senator Hise.

CHAIRMAN HISE: So, Senator Blue, I would not say that that -- I think that is true for several criteria. There are criteria in the maps that I do see as absolute. We had said that -- when we said that we would comply with
the Voting Rights Act, we will comply with the Voting Rights Act. When we said that the Stephenson groupings -- so violating the Stephenson groupings would be absolutes for the committee to consider. Not using race, not using political data were absolute considerations of the committee.

Beyond that, we moved to considerations minimizing -- which is not an exact science, but minimizing, dividing counties, dividing VTDs, dividing municipalities. All of those have varying levels that maps are drawn to try to accommodate them, but there were also absolute criteria that we felt were important to comply with.

SENATOR BLUE: Another question.

CHAIRMAN NEWTON: Yes, Senator Blue.

SENATOR BLUE: And what made me ask you that question, Senator Hise, is because in many of the clusters, as you explained them earlier this morning, it appears that you prioritize not splitting municipalities. For example, when you say that next door in Sampson county that you decided -- you went out of the way to split a precinct in order to keep I believe the
municipality of Plain View, one of those places
next to the hollerin' capital of the world.

CHAIRMAN NEWTON: Spivey's Corner.

SENATOR BLUE: Yeah, Spivey's Corner.

You went out of the way not to split
precincts -- or you went out of the way, rather,
to split a precinct to keep the municipality
whole, but in Cumberland county your map decided
to split Hope Mills.

Tell me, what was your thought process
in determining the split Hope Mills and not
Plain View?

CHAIRMAN NEWTON: Senator Hise.

CHAIRMAN HISE: And I believe in the
same map we, by necessity, also split
Fayetteville. With coming in, for the way it
was coming, it is a balancing factor, and in
choosing to make -- you know, could we choose to
split a single VTD in order to keep a
municipality whole, we made that choice and
could do so. Would that choice be different if
it required splitting multiple VTDs that's
coming in in order to keep a municipality whole
would be a different consideration and decision.

SENATOR BLUE: Follow-up.
CHAIRMAN NEWTON: Follow-up.

SENATOR BLUE: Now, in your map, I believe you split Fayetteville several times; is that right?

CHAIRMAN HISE: Fayetteville is split.

SENATOR BLUE: Several times.

CHAIRMAN HISE: Fayetteville is split.

There's a portion -- I think it came to 12 percent or something like that of Fayetteville is in a different district.

SENATOR BLUE: Just for information, you had to split it because of Fort Bragg, I believe you got to split it at least once, but you split it more than once.

CHAIRMAN HISE: We did keep -- all the military installations are whole within a district.

SENATOR BLUE: And one last follow-up. But you split Hope Mills also.

CHAIRMAN HISE: I believe we did.

SENATOR BLUE: And would you agree that a better cluster map in Cumberland county would be one where you didn't jeopardize any of the other criteria? You kept municipalities whole, you didn't split precincts, et cetera,
et cetera.

CHAIRMAN NEWTON: Senator Blue. I mean, I'm sorry. Senator Hise.

CHAIRMAN HISE: He'll answer his own question. That's the attorney side.

What I would say is, again, it is weighing multiple considerations, and the challenge would be, in doing so, taking a district that was 80 percent contained in Fayetteville and trying to divide it to more of a 50/50 district would be something that would weight that decision I think more towards keeping more of Fayetteville within a district.

SENATOR BLUE: Okay. Thank you, Mr. Chairman.

Senator Hise, I offer you a district that does not split Hope Mills in Cumberland county and it splits Fayetteville only in the place that you split it. I believe it splits Fayetteville only at that place. I'm trying to remember my geography of my used-to-be next door neighboring county, but I think it -- but if it splits Cumberland -- or Fayetteville, it doesn't split it more times than you do, but it keeps Hope Mills totally whole as you did the
surrounding districts up in its neighboring Sampson county.

CHAIRMAN NEWTON: Is that a question or a comment?

SENATOR BLUE: It's a statement. And with that said, unless I'm wrong on that, which I don't believe I am, I would move the adoption of the map.

CHAIRMAN NEWTON: Thank you,

Senator Blue.

Senator Hise, any other comments?

CHAIRMAN HISE: I am trying to find, and I don't believe that it's in this pack, the percentage of Fayetteville that is now in the district. It now takes Fayetteville I believe to a 53/47 split between the two districts, as I had said earlier, and makes a district that was a predominant Fayetteville district and kept as much of it as whole as possible to almost an even split between the two, and I see no reason and would not support making that decision.

CHAIRMAN NEWTON: All right. Thank you.

Seeing no other comments or questions, Senator Blue has moved to amend the map
SCH Amendment 2. All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: All those opposed say no.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: The nos have it.
Okay. Senator Blue, which is your next?

SENATOR BLUE: Yeah, let me get out of my own way.

CHAIRMAN NEWTON: No worries. Take your time.

SENATOR BLUE: Question of -- I'm going to introduce -- the next one I'm going to introduce is going to be SBK 3 is the number I have. I don't know what the corresponding new number for the amendment is.

CHAIRMAN NEWTON: SBA --

SENATOR BLUE: SBK. SBK 3.

CHAIRMAN NEWTON: SBA Amendment 3.

SENATOR BLUE: Is that it?

CHAIRMAN NEWTON: I don't have an SB 8.

SENATOR BLUE: No. It's -- SBK 3 was my old one.

CHAIRMAN NEWTON: SBA 3. Is this it?
SENATOR BLUE: It's a Wake county map.

CHAIRMAN NEWTON: Members, SCG Amendment 6 we think is the -- Granville and Wake. SCH -- SCH Amendment 6? Sorry.

SENATOR BLUE: SCG Amendment 6, is that it?

CHAIRMAN NEWTON: That's it. I got it.

SENATOR BLUE: Question first of Senator Hise. And it might -- it might help if we could have displayed the map that Senator Hise is defending.

CHAIRMAN NEWTON: So I'll ask staff if we can -- you want a split screen, if we can get that.

SENATOR BLUE: Yes.

CHAIRMAN NEWTON: So, staff, if we can -- if not, you just want Senator Hise --

SENATOR BLUE: Just Wake county portion.

CHAIRMAN NEWTON: Wake county portion.

SENATOR BLUE: With the Wake-Granville county portion of Senator Hise -- that cluster.

There it is.

CHAIRMAN NEWTON: How about that.

SENATOR BLUE: That's perfect.
CHAIRMAN NEWTON: Senator Blue, you have the floor.

SENATOR BLUE: Thank you, Mr. Chairman. And, Senator Hise, correct me if I'm wrong, and I'll ask you because I can't keep up with all this stuff. In looking at your drawing of Wake county, if I could first go to the Granville-Wake county district.

It looks like in doing those six districts you appear to split ten precincts and split three municipalities; is that right?

CHAIRMAN HISE: I believe that is accurate.

SENATOR BLUE: I think you split Raleigh --

CHAIRMAN HISE: I don't have that report in front of me.

SENATOR BLUE: I think you split Raleigh -- Raleigh, Apex, and Cary, I believe.

CHAIRMAN HISE: Yes.

SENATOR BLUE: And did you find keeping municipalities whole to be of higher importance than splitting VTDs?

CHAIRMAN HISE: There were individual cases in which we felt like we could pick an
individual VTD and as a result not split municipalities, but again, there was no priority on the criteria that ranks one higher than the other.

SENATOR BLUE: Then if you -- so none of them have -- again, and you said this, but I want to make sure I understand it. None of them have necessarily a higher priority. It just depends on the specific district that you're drawing at the time.

CHAIRMAN HISE: And we are showing how we considered each of them in the reports for what the results are.

SENATOR BLUE: Okay. If you will take a look at that protrusion from the green district into the blue district up there, that's from -- I can't see the Raleigh district number. I think it may be -- I don't know what the district is, but there's a protrusion reaching sort of north that extends from the green district into the blue district.

Do you see that?

CHAIRMAN HISE: I see it.

SENATOR BLUE: Okay. If you look at that, tell me why you determined to put that
protrusion in the map as you were drawing it.

   CHAIRMAN HISE: As I said when I explained this map, our intent was to connect Granville county with the unincorporated, more rural areas of the northern county. All of drawing this two-county pod was exceptionally difficult compared to the fact that our variance for the district was already at 4.9 percent below the average district, and so we really only had an average variance of about 52 individuals per district. I know you and others that have drawn in Wake county ran into this same complexities in doing so.

   And so balancing populations required many more circumstances in which you could not keep VTDs whole and others in doing so in drawing it, but literally this district was drawn starting with Granville county and looking at the northern particularly unincorporated areas of Wake county and adding the two of those into the district and then coming down into the district as was necessary to balance population.

   CHAIRMAN NEWTON: Senator Blue.

   SENATOR BLUE: Follow-up.

   So you chose not to split Raleigh where
it protrudes up into the district, that is, the blue district.

    CHAIRMAN HISE: Correct. Well, we can't show it on these. On the map you could put the city limits up and I could better respond to that question, but we -- again, by adding the unincorporated areas and kind of moving down to get towards that equal population number.

    SENATOR BLUE: Further question.

    CHAIRMAN NEWTON: Question.

    SENATOR BLUE: In looking at the stat pack on that district, you did split Raleigh, and you have part of Raleigh into the blue district. And so could you tell me why you chose to put the part of Raleigh to the left of that green protrusion into the blue district and not part of the green since both of them are part of Raleigh's corporate limits.

    CHAIRMAN HISE: A specific decision for that choice, I think you're looking at as we were coming south, when you look in the other part of the green area, those seem to be smaller, more compact VTDs, particularly with higher populations that's with coming in. And
so when we're trying to balance populations, as we're getting close, we're looking for the VTDs that closest match that in order to minimize the splitting of VTDs.

    CHAIRMAN NEWTON: Follow-up.

    SENATOR BLUE: Follow-up.

But you could split one precinct and one VTD and make up for any difference in population.

    CHAIRMAN HISE: And that would be an additional split VTD.

    SENATOR BLUE: Yes, sir.

Another question.

    CHAIRMAN NEWTON: Yes. Follow-up.

    SENATOR BLUE: And one of the criteria that you looked at, one of the criteria adopted by the committee was not to split precincts except where it was necessary.

    CHAIRMAN HISE: Yeah.

    SENATOR BLUE: And that was because when you start splitting precincts, you create a lot of districts for election officials in trying to match up all of these areas with what's in and what's out since we elect on a precinct basis.
CHAIRMAN NEWTON: Senator Blue, I'll just note that you're kind of answering your own question there.

SENATOR BLUE: Thank you, sir. Thank you. I don't mean to answer it, but I think he's going to say yes so I'll state it for him, lead him a little bit, if you will.

So if you had a map that didn't split any precincts and still conformed with all of the other criteria, would that not be a superior map?

CHAIRMAN HISE: Senator Blue, I think -- I don't know if there's a distinction being made. The data in the system is by VTDs. In some areas, those are not consistent with what are called precincts but in others they are and I don't have an answer off the top of my head where those are coming in.

I will tell you with an average variance of 52 individuals, not dividing a VTD in Wake county was a -- considering that your VTD probably minimum size is somewhere around a thousand. If there's many below that, there's not many, that's coming in and having to get districts within 50 people of each other
necessitates the division of VTDs.

CHAIRMAN NEWTON: Follow-up.

SENATOR BLUE: So then -- thank you very much.

So, Senator Hise, I'm going to show you, if you would refer to the map that I have up over there which is before us. It is a map that splits no precincts in Wake county.

Would that not be a superior map based on the criteria? No split precincts.

CHAIRMAN HISE: It would meet the criteria of not splitting VTDs more efficiently, but there are other considerations to consider, including what does it do splitting municipalities, what is the change on that, all the other criteria. I could go through the list, but if you're asking if splitting fewer VTDs meets the criteria better of splitting fewer VTDs, the answer is yes.

CHAIRMAN NEWTON: Follow-up.

SENATOR BLUE: I move the adoption.

CHAIRMAN NEWTON: All right.

Senator Blue moves the adoption --

SENATOR NICKEL: Can I ask a question first?
CHAIRMAN HISE: Sure.

CHAIRMAN NEWTON: Senator Nickel, yes.

SENATOR NICKEL: We were talking yesterday about Senator Tillman, and I just wanted to dig up what he said in lead up to my question here.

On the floor of the senate, the last session, he said that this process is --

CHAIRMAN NEWTON: I'm sorry, Senator Nickel. Who is he?

SENATOR NICKEL: Senator -- Republican Senator Jerry Tillman.

CHAIRMAN NEWTON: Okay. He is not serving in this body. Is this relevant to today's discussion?

SENATOR NICKEL: It is to my question.

UNIDENTIFIED SPEAKER: Mr. Chairman, point of order. We had a motion on the floor.

CHAIRMAN NEWTON: You are correct, we do have a motion on the floor. Do you want to speak to that motion without -- something that is germane to the motion on the floor today?

SENATOR NICKEL: I think we've got another Wake map coming up; is that correct?
Senator Blue, we have a second Wake map? I can give my comments then.

CHAIRMAN NEWTON: All right.

Senator Hise, would you like to make any other comments before we vote?

All right. Those in favor of the motion to adopt SCG Amendment 6 say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: Those opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: The nos have it.

Senator Blue, do you know which amendment you'd like to propose next?

SCH Amend-6. SCH Amend-6.

CHAIRMAN HISE: That might be the one that I don't have. There's a lot of Wake county options here.

CHAIRMAN NEWTON: All right.

Senator Blue, who's going to be proposing this amendment? The question is Senator Blue is going to be presenting this amendment and he has a question for Senator Hise.

You have the floor, Senator Blue.

SENATOR BLUE: Yeah. Senator Hise, in the last series I asked you about was splitting
VTDs and you said that that was important and probably took precedence over splitting precincts, at least as you drew the Granville-Wake county district; is that correct?

CHAIRMAN HISE: Again, I would make -- I'm assuming on this line of question that the VTDs and the precincts are not aligned in Wake county.

SENATOR BLUE: They pretty much are aligned, they pretty much are.

CHAIRMAN HISE: And as we -- because it's the layer in the system, we have looked at this from the lens of splitting VTDs.

SENATOR BLUE: Okay.

CHAIRMAN NEWTON: Follow-up.

SENATOR BLUE: Follow-up.

You think that splitting -- at least as you made the decision here, you wanted to split as few VTDs as possible in Wake county.

CHAIRMAN HISE: We balanced the criteria between splitting VTDs, municipalities, compactness of districts, all that exists in coming up with these maps.

SENATOR BLUE: And if I were to show you a map that split two municipalities as
opposed to the three that you split in your map
and it split only three VTDs as compared with
the ten VTDs that you split in your map, would
you agree that that's probably a better map
using the criteria that the committee adopted?

CHAIRMAN NEWTON: Senator Hise.

CHAIRMAN HISE: Senator Blue, I will
actually say on what's being presented,
SCH Amendment 6, it is our understanding from
the report it splits the same municipalities.

SENATOR BLUE: And let me correct that.
That's what I was going to point out to you. It
leaves six people in one of the -- I think it's
an Apex VTD, but those people could easily be
transferred out to a neighboring district and it
wouldn't affect the numbers.

So if in fact you split two
municipalities versus three and you split
only -- and you split only three VTDs, that
would be a better map using the committee's
criteria.

CHAIRMAN HISE: There are a lot of
considerations under those specific areas. I
will say that if you -- driving this home, if
you split fewer municipalities, you have better
met the criteria for splitting municipalities. If you split fewer precincts or VTDs, you have better met the criteria of meeting VTDs. That does not imply in some manner that the overall has better complied with the map drawing because it met any one particular criteria in a better manner.

CHAIRMAN NEWTON: Senator Blue.

SENATOR BLUE: [Unintelligible] a question again and we'll move on and other folk can ask questions.

But if you improve on both of those, which of the criteria you used to determine how to draw this map, you say these are the important considerations, then it is a better map if it's improved on the other aspects of the criteria.

CHAIRMAN HISE: I would not limit my comment to both. If you meet all of the criteria better, then you have drawn a better map.

SENATOR BLUE: Okay. I'll hold it for a minute. I think Senator Nickel --

CHAIRMAN NEWTON: Senator Nickel.

SENATOR NICKEL: My question is about
the partisan intent of drawing the map. And, you know, I represent Wake county so I know every single precinct here pretty well. I know how they perform. I know where people live and how they vote. And in the last session I know Senator Jerry Tillman, who's not here, but he said "This is set up to be partisan. Do you think we're going to draw Democrat maps? We're doing exactly what you all did for 140 years."

And so my question is about intent. And you know, I'm a lawyer, I was a prosecutor, I'm a defense lawyer. You know, we talk to people and you try to ask them to tell you things that will help with their intent for the fact finder, and it's rare that people will say, "Oh, hey, I did it, I did it."

But the question I have is very specific about Wake county. I know if I wanted to drew two Republican maps, I'd do the top part and then I'd do the bottom part, and that's where the Republicans live, on the top part and on the bottom part.

And so one of the things that's neat about this process, and really boring at the same time, is watching people draw maps. And I
got to watch when you were drawing Wake county, and, you know, you did it and you started at the top with Granville and then you did that weird finger thing and the top part of Wake, and then, instead of drawing other districts, you skipped down to the bottom and you did the Republican district on the bottom.

So my question just is I believe if I were trying to draw two Republican maps, that's the way I would do it, but my question is why did you start at the top and then, instead of doing other districts, skip down to the bottom?

CHAIRMAN NEWTON: Senator Hise.

CHAIRMAN HISE: So I appreciate you giving your intent for drawing several of the other options that are available for us to be considered and for what your intent was. I will say --

SENATOR NICKEL: I didn't draw maps.

CHAIRMAN HISE: -- we began this process in the northern because there is actually a requirement under the Stephenson that when Granville does not meet the criteria of a district in size that it be -- that the county can remain whole and be added to another
district. It so happens in this map that it connects to Wake in the northern area of the county, so we knew that we had to come in and transverse into Wake county on the northern end of the county, that's with coming in. So we completed that district first with the others.

Do I have a propensity to start north? South? East? West? It probably depends more which mood I'm kind of in coming in, and most of my maps I've drawn with the state I've started in the west with coming in. I think it's clear versus the first time I was involved in drawing maps ten years ago where we had data that told us the election results of the top ten districts in every precinct in the state or VTD in the state and how it performed and formed those together for that purpose.

We have not considered any political data in doing this, and to somehow suggest that my knowledge of political data in Wake county, you know, some 250 miles away from where I live, was somehow the basis for why, after drawing the required transversal, I then moved to the bottom of the county it seems to me a little ridiculous.
CHAIRMAN NEWTON: Senator Nickel, do you have a follow-up?

SENATOR NICKEL: I mean, my follow-up is just pretty obvious. You know, all the experts who have commented on these maps call it an extreme partisan gerrymander because there's virtually no other way to draw Wake-Granville to make two districts more favorable for Republicans, and that's what I see here.

And, you know, Senator Blue's amendment would have a community of interest, you know, on the top northwest corner. You know, you see on his map, those folks there have a lot more in common with folks from the east and all the way over to the west side. So for me I see, you know, if we're following criteria with that district, one that makes a lot more sense with the committee's criteria.

CHAIRMAN NEWTON: Senator Nickel, are you moving for the adoption of SCH Amendment 6?

SENATOR NICKEL: No.

CHAIRMAN NEWTON: Senator Blue.

SENATOR BLUE: Mr. Chairman, thank you. And I want to thank Senator Hise for catching the same error in this map that I caught, but it
is my intention to fix that error so that it
does have fewer things. So I can end the
discussion, but I will fix that error in it, but
the point is to show you that we can draw a more
efficient map. And I say that because, you
know, I'm probably the only person around who
has represented every single inch of the
geography in Wake county. I've represented this
entire county in different forms in senate
districts, house districts or the county as a
whole.

And I will tell you that for those of
us in these urban areas, and it's something that
you might really take seriously, we look at
ourselves as representing the county, for the
most part, and that's the way the county looks
at us, especially the business community, that
we represent collectively the interests of Wake
county, the interests of the state, but these
nuances and fine pickings, once we get real
communities of interest out of the way, don't
really carry the kind of sway. We've got a
 consolidated school system, so we all -- you
know, we work for the same school board. We've
got commissioners that are countywide, and so
we -- so we see ourselves as representing the county. So these fine points that you're raising don't register as much here as they do in some of the other areas where you have other entities that are being represented in so many -- you know, if you're representing a senate district, most of you have six or eight school districts and those kinds of things or other cities and towns outside the immediate area that you're in.

But I want to fix this map by putting those six people into a -- so that we're not making another municipal split so that you can see that we can draw a map that still protects all of the interests that the criteria pointed out that we were going to consider and have fewer split municipalities and fewer split VTDs.

So with that said, I will withdraw this map -- and no hurry to get it done. I will just offer it again tomorrow. Okay.

CHAIRMAN NEWTON: Thank you, Senator Blue.

All right. So SCH Amendment 6 has been withdrawn.

What's up next, Senator Blue?
SENATOR BLUE: Senator Marcus.

SENATOR MARCUS: Mr. Chair, I believe we are going to move to Durham and Chatham county now, and that's amendment -- SBVA Amend-2.

CHAIRMAN NEWTON: SBVA Amendment 2.

SENATOR MARCUS: Yeah. I said that A twice. Sorry about that. If staff could have the side-by-side up again, that would be I think most helpful for people following along.

CHAIRMAN NEWTON: All right. Senator Marcus, you have the floor.

SENATOR MARCUS: Shall I let Erika get that other map up before I start.

CHAIRMAN NEWTON: It's up to you.

SENATOR MARCUS: Okay, here we go.

Thank you so much.

This amendment that we're submitting here is an amendment that honors the criteria of compactness better than the map that is otherwise drawn here, the Republican map.

So the map that we're offering is the one on the screen to the left compared to the one on the right which is the Republican map. And that one on the right has one very compact
district. You can see it's a tight circle around the center of the city of Durham there, that green area inside all the purple.

And then the other part of this county cluster is not compact at all. It's pretty stretched out. It's oddly shaped. It goes around, it goes over the next two and then under Durham and then picks up all of Chatham county, so it's pretty contorted. It also, this map, unfortunately cuts up some communities of interest.

So the amended map that we're offering here makes two equally compact districts instead, that's the one on the left without any odd shape, and it has a better both Polsby-Popper average compactness score. Ours is a 42 versus the map on the right which is 32. The Reock scores are about the same since when you look at an average of the two they come out to be about the same.

So between these two maps there's no difference in municipality or VTD splits, so we don't have to worry about that, and we're offering this alternative to make both districts compact, for the map to make more sense to the
community, and to improve the compactness of the overall county cluster. So unless there are any questions.

CHAIRMAN NEWTON: Thank you, Senator Marcus.

The chair has two questions for Senator Murdock because she's the most impacted -- just not catching you cold. We talked about this with respect to one other amendment and one other senator as well.

Are you in favor of this amendment?

SENATOR MURDOCK: Yes, I am.

CHAIRMAN NEWTON: And is it your view that it complies with the VRA?

SENATOR MURDOCK: That it complies with the VRA?

CHAIRMAN NEWTON: It complies -- is it your understanding, your view, your belief that it complies with the Voting Rights Act if we take this amendment?

SENATOR MURDOCK: It's my understanding.

CHAIRMAN NEWTON: Okay. Very good. All right. Anybody else have any questions? Senator Hise?
CHAIRMAN HISE: So, Members, I will just add, in choosing this district was unique. We tried to keep as much of Durham as possible, but Durham is sufficiently too large to be contained in a senate district and -- both in this amendment and the map we had to divide Durham in order to do so, and so I'm actually okay with it.

CHAIRMAN NEWTON: All right.

Senator Marcus, have you moved for the adoption of the amendment?

SENATOR MARCUS: I believe Senator Blue would like to be recognized.

SENATOR BLUE: I just want to make one point, Mr. Chairman. And again, I want to disclaim any expertise in the area, but I just don't see any Voting Rights Act violations in Durham, not that there aren't some and maybe experts can tell you differently, but I know that Senator Murdock indicated to her understanding that it complied with the VRA.

I'd rephrase that to say that I am aware of no violations of the Voting Rights Act that exist in the Durham county redistricting. I think that they just want to do it because it
satisfies some community-of-interest issues, but I'm not aware of any VRA issues in the way that Durham county is -- there may be some other issues. As I said, there may be some issues on gerrymandering still, even though it might not have any effect, but again, that's my lay opinion. That's not an expert opinion.

CHAIRMAN NEWTON: Thank you, Senator Blue.

And is there a motion.

SENATOR MARCUS: I move for the adoption of this amendment.

CHAIRMAN NEWTON: Thank you.

Senator Marcus has moved for the adoption of SBV Amendment 2. All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: All those opposed.

All right. The amendment is in fact adopted.

Next up. Who would like to lead the charge on whatever amendment you prefer next?

UNIDENTIFIED SPEAKER: Looks like --

SENATOR BLUE: It's my understanding that there's a Guilford county amendment that's
up next; is that right?

UNIDENTIFIED SPEAKER: Yes.

CHAIRMAN NEWTON: Is that SBV Amendment 3?

SENATOR CLARK: Yes. I'll do that, Mr. Chair.

CHAIRMAN NEWTON: Wait a minute. Hold on. I've got the wrong one there. Let's find the right map. Which one is it?

SCG Amendment 3? Is that the one, SCG?

SENATOR CLARK: I will handle SCG Amendment 3, Mr. Chair.

CHAIRMAN NEWTON: Okay. Thank you, Senator Clark. You have the floor.

SENATOR BLUE: Is it SCG Amendment 1, the one that Senator Lowe has?

SENATOR LOWE: Yes. I have 3.

SENATOR BLUE: Senator Clark just said he has 3.

SENATOR CLARK: I have SCG Amendment 3. That's the one that's on the screen now.

CHAIRMAN NEWTON: Senator Lowe has made the handoff, a good, clean handoff to Senator Clark.

SENATOR CLARK: Okay. Thank you,
Mr. Chair. Thank you, Senator Lowe. Sorry for the confusion there.

But anyway, Mr. Chair, I would like to move that the committee accept this amendment. What it does, it follows one of the criteria that we have established, and that is to give, I guess, relief to the double-bunking of members if we can do so in a reasonable way.

And what this particular amendment does is it essentially changes the orientation of the Senate District 28 and 27 as in the plan put forth by the Senate Republicans by shifting it from a north-south orientation essentially to an east-west orientation, and also it avoids the double-bunking of Senators Robinson and Garrett.

CHAIRMAN NEWTON: Thank you, Senator Clark.

And, Senator Robinson, I do have the same two questions for you that we asked Senator Murdock. Are you in favor of this redraw, this amendment?

SENATOR ROBINSON: Yes, I am.

CHAIRMAN NEWTON: And is it your understanding, belief, view that it complies with the VRA to take this amendment?
SENATOR ROBINSON: Yes. Based on the previous ruling of the courts, yes.

CHAIRMAN NEWTON: Thank you, Senator Robinson.

Senator Blue.

SENATOR BLUE: I make the same observation that I'm certainly not an expert, and I don't think Senator Robinson is holding herself out as one in this area, but I believe that the issue in Guilford county that we wrestle with with these two districts the last time had to do with partisan gerrymandering, and there was a special master appointed who drew what had been earlier VRA district and we complied with the special master's recommendation and that's how we settled the last lawsuit. And so I'm assuming that this configuration doesn't change radically anything that the special master did in District 28. I think that was the number of it when he did it the last time, and that resolved the voting rights issues in that district as well as political gerrymandering issues.

CHAIRMAN NEWTON: Thank you, Senator Blue.
Senator Hise, do you have any comments on the proposed amendment?

CHAIRMAN HISE: No, I think [unintelligible] ...functionally equivalent.

CHAIRMAN NEWTON: Okay. So Senator Hise endorses the amendment as well, and Senator Clark has moved that we adopt SCG Amendment 3.

All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: All those opposed. The amendment is adopted.

All right. Senator Blue, we'll look to you to determine which amendment is up next.

SENATOR BLUE: I think Senator Lowe has -- on the list I got is SCG Amendment 1.

CHAIRMAN NEWTON: All right. Senator Lowe, I think we have the pink SCG Amendment 1 in front of us.

SENATOR LOWE: We do have pink.

CHAIRMAN NEWTON: And you have the floor.

SENATOR LOWE: Just looking at this map, it's a much cleaner-looking map, and I think it can be well seen that it's cleaner and
it gets to the point and it does what the
criteria is trying to do. And I certainly
submit this map -- submit this amendment unto
you.

CHAIRMAN NEWTON: Thank you,
Senator Lowe.

Members or Senator Hise, do you have
any comments?

CHAIRMAN HISE: Yeah. I would just
say, technically, I think this amendment would
undo the previous amendment we just did and
replace the two-county podding with a different
two counties, three districts, replace them with
different others. This seems to significantly
change, I don't have them on top of it, but
where High Point would go as well as what in
Greensboro would go and how it was configured
and would not support -- especially in light of
having just changed it to change it again for
the committee, I don't think that's a really
good fit.

CHAIRMAN NEWTON: Thank you, Senator
Hise.

Senator Blue.

SENATOR BLUE: Thank you, Mr. Chair. I
will simply say that's why they were staged in the order that they were staged.

CHAIRMAN NEWTON: Do you want to --

SENATOR LOWE: I will withdraw.

CHAIRMAN NEWTON: The motion to amend SCGA Amend-1 has been withdrawn.

Members, we're getting very close now. Next map or next amendment.

SENATOR MARCUS: Okay, Mr. Chair, I believe I'm up next.

CHAIRMAN NEWTON: What number?

SENATOR MARCUS: This is SCH Amend-5 for Mecklenburg and Iredell.

CHAIRMAN NEWTON: You have the floor to explain proposed Amendment SCH Amend-5.

SENATOR MARCUS: I'll give staff just a minute to get the side-by-side up. I'll get my papers here.

Okay, thank you so much.

So this amendment concerns the new two-county cluster of Mecklenburg and Iredell counties. As you know, this body must carve those two counties into six districts, trying to keep population as equal as possible and following all the other criteria that this body
has adopted. As the chairs have mentioned several times throughout this process, the criteria are not ranked, rather the criteria are considered co-equal and in the chair's own words should be blended to be fair and to honor all of the criteria whenever possible.

So the Republican map, which is on the left, for this cluster, it fails to meet at least two of the criteria that this committee adopted. First, it has low compactness scores. I'll note that when the chair presented the map, he did not even mention this criteria in his discussion of the map to justify why it's drawn as it was and that he also has emphasized frequently, when he was speaking to Senator Blue earlier, that there should not be any one criteria that trumps all the other criteria, that we should blend them all.

The second reason that this map, as drawn, fails to meet this committee's criteria is that it double-bunks two current members of this body, putting the precinct where I live in a district that is now represented by Senator Sawyer in Iredell county. This double-bunk is especially egregious for two reasons. First, it
takes me across county lines, out of the county in the community where I live and I serve, north Mecklenburg, to tack me into a district that is made up almost entirely of Iredell county. And the second reason is it's the only double-bunk that still exists in this entire state map that could have been avoided.

The members of the Mecklenburg delegation thought that we could do a better job of honoring all of the criteria, so we sat together and we drew this map that is now on the right of your screen which I now offer to you as an amendment.

Our map puts all incumbents in separate districts and is significantly more compact. Our Reock average score is .48 which is 11 points higher than the Republican map which scores only a .37. Our map has a better Polsby-Popper compactness score too. Our score is .39 while the Republican map scores only .32.

At the start of this redistricting process, this committee required all current senators to provide a map which marked with an X exactly where we live. I did that. I hoped that that information would be used to honor the
criteria about considering member residences and
the rule that this committee has followed in the
past with the court's blessing, I will mention,
to avoid pairing incumbents in the same district
when it can be avoided with reasonable efforts.

Unfortunately, when I saw the
Republican-proposed map, it seemed to me that my
information was used for the opposite purpose,
since the Republican map double-bunks me,
pitting me against one of the few other female
members of this body who also happens to be of
the opposite political party.

Now, it's true that some incumbents
from other parts of the state, including one of
the chairs of this committee, ended up in the
same district with another member due to the
county clustering rules. Those double-bunks
were unavoidable, they're not in anyone's
control, and they will eliminate some members of
this body on a partisan-blind basis. But the
double-bunk in Mecklenburg-Iredell that is in
this map on your screen now is not necessary and
in fact drawing the map that way makes it less
compact and therefore less fair on two of the
criteria that this committee said it would
follow when drawing maps.

In Common Cause v Lewis, the court approved using reasonable efforts to avoid pairing incumbents in the same district. It is certainly reasonable in this case where the map that avoids pairing incumbents is more compact than the map that double-bunks. Now that you've fixed Guilford county's map, there aren't any other double-bunk members when it can be avoided.

And I'm asking you to treat me and the voters I represent fairly based on their public comment that does not like your map and taking into account all the criteria in a blended way and applying those criteria consistently across all districts.

This map that I'm offering is more fair, it is more compact on both Reock and Polsby-Popper, it splits zero precincts or VTDs, and it allows all current members to remain in separate districts. It's fair, and I ask for your support for this amendment.

I'll pause to see if there's any questions.

CHAIRMAN NEWTON: Thank you,
Senator Marcus.

Senator Hise.

CHAIRMAN HISE: Yeah. I think -- I think there's -- and similar to the proposal the Democrats put forward for how to draw this map that we mentioned earlier, there are some absolute criteria in drawing, and that is that when you have this two-county pod, Iredell county must be kept whole, Mecklenburg is divided, and so it is a narrow region in the northern part of Mecklenburg county where you cross into Mecklenburg and are required to transverse into Mecklenburg.

It does not seem unreasonable to find that the most north municipality in Davidson would be wholly contained in that district when it could be wholly contained in that district versus the options in this. I think it's about a 60/40 split of Davidson coming in and intentionally splits that for the criteria that says we may consider members' addresses in drawing maps.

So I think it is the most -- I'll also say that it is really a misrepresentation of the scores for compactness to average six scores
together and compare the averages of those scores. With coming in, that's not how they were designed, and so trying to take six separate circles and the percentage that fills the circle and somehow averaging that over six circles and making conclusions from that misses a lot of variance that's not included in that, but I know I digress on that, but by comparison of what you may look specifically at what district 37 does -- I don't have those in front of me. It seems to what is being changed specifically in this map, but I am not inclined to support this amendment.

CHAIRMAN NEWTON: Thank you, Senator Hise.

Senator Marcus.

SENATOR MARCUS: Could I make a comment?

CHAIRMAN NEWTON: Yes.

SENATOR MARCUS: Thank you, Mr. Chair. I will just respond to that by saying it sounds to me like Senator Hise is saying that he didn't like the way we're taking an average compactness score on both and that therefore, what, would should -- there's no other way to
assess that. We should just not use compactness in this cluster? I mean, the statistics I showed you are average compactness scores for the cluster on my map and on the Republican map. And so I hope we all agree that compactness is a criteria that this committee adopted and is definitely relevant here as is consideration of member residences which is a criteria you've taken into account in every other district that we've drawn for the whole state.

And so I'm just asking you to consider both of those when you look at this map and find that it is more fair -- my amended map is more fair and meets more of the criteria better than your map.

CHAIRMAN NEWTON: Thank you for your comment, Senator Marcus.

Other questions, comments. Is there a -- Senator Daniel.

SENATOR DANIEL: I mean, I guess, if I could, I would like to ask Senator Marcus a question.

CHAIRMAN NEWTON: Senator Marcus, will you stand for a question?

SENATOR MARCUS: Sure.
SENATOR DANIEL: Do you consider Davidson a community of interest?

SENATOR MARCUS: I do. And you know, this is painful to put up a map that has to split my municipality. I didn't want to do that. It certainly wasn't my first choice the way it seems to be Senator Hise's first choice to put Davidson with Iredell. I heard from so many -- so many people who live in Davidson that don't want to be moved into the much more rural area outside of our county, but there's no other way to draw this map.

You're splitting Davidson as well, I'll point out, going over into Cabarrus county. I know you say that doesn't count, but that's also a split of Davidson. Davidson is an oddly shaped municipality, and I will note that in other cases you specifically took into account the oddly shaped municipality to split some VTDs to make it work there.

So I know that the people of Davidson feel very much part of north Mecklenburg. That is how we refer to ourselves. That's the area where we shop and go to church and go to school. And so at least my map allows some of Davidson
to stay with north Mecklenburg.

CHAIRMAN NEWTON: Senator Daniel, you good?

SENATOR DANIEL: No follow-up.

CHAIRMAN NEWTON: Okay. Any other comments, questions?

Senator Nickel.

SENATOR NICKEL: Yeah. You know, I just want to say I think, you know, if we reject this amendment, you're ending Senator Marcus's career in the senate, and I just -- I hope that this committee and the chairs will continue to meet with Senator Marcus and the members of the Mecklenburg delegation about this issue. We're not done yet, we're not at the floor, and I think the way we address this is going to determine how we proceed as a body. And I hope -- I hope there's a way to find a solution here that follows the committee criteria and allows folks to have a real choice here.

So I know where this is going, I believe, but I truly, truly hope that, you know, the conversation can continue here because I have been with Senator Marcus here since I got here and seen how hard she works every day to
represent her constituents.

CHAIRMAN NEWTON: Thanks,

Senator Nickel.

Senator Lowe, do you have a comment or are you good?

SENATOR LOWE: Yes. As I look at this amendment, I am really hoping that there is a way that given the criteria that is given that we can make the necessary adjustments so that we don't have these two senators double-bunked. I think that there is a way. As a matter of fact, I know there is a way. If we put our heads to it, we can figure this one out, and I'm hoping that we'll do everything that is necessary, hopefully in this meeting, to figure this out so that we don't have a two of our members double-bunked. I think it's important to the work that we're doing to figure this one out.

CHAIRMAN NEWTON: Thank you,

Senator Lowe.

Any other comments, questions?

SENATOR BLUE: One here, Mr. Chairman.

CHAIRMAN NEWTON: Senator Blue.

SENATOR BLUE: Yeah, and I would simply say that there is precedent for what
Senator Marcus is asking for. In the dialogue between Senator Hise and me a little bit earlier, I think I pointed out to him that decisions are made to split townships or not split -- not townships. I'm sorry. -- towns, municipalities, and we've done it in Sampson county, putting it together, but yet we come to Cumberland county and we split Hope Mills, a town which I'm very familiar, they still stay in the same cluster, and that's in effect what you would be doing here. Yeah, you come down from the north, which is what Granville did to Wake county, came down from the north, and you decided to take a radical left turn. That's strange, but you took a left turn when you could have taken a right turn coming down in Wake county from Granville. Took a left turn to go over to Zebulon and in that area.

And here you're coming down, you got these four, five precincts across the top -- or towns across the top of Mecklenburg county, you can come down the -- as I look at it, the left edge from here and allow this split in that city just like you did in Hope Mills. And that's what I was trying to get at. If none of the
criteria trumps the other, that is, if none is more important than the other criteria and you got eight or ten criteria, none is more important than any other criteria and you got eight of them, you've shown that you're willing to elevate one to a higher level depending on what you're trying to achieve.

So there's no reason not to split Davidson, it's still got the same group of people representing it, and you can do it within these other five districts in Mecklenburg county in that cluster without -- you can accommodate the question of members who already occupy this body. That's why you put it in as one of the considerations, one of the criteria.

And as I told you privately, I'll tell you publicly, I appreciate the efforts that the three of you have made to unbunk Democrats because we're the ones in the urban areas who ended up being double-bunked. You did it in the case of Wake county. You did it in one instance in the case of Mecklenburg county. You did it in Guilford county. You may have done it somewhere else, but you've done it in the places where we ended up double-bunked.
Certainly, you didn't have to split municipalities or anything like that, you can shift things around, but again, this is a case where you can do some of the things that you've done in other districts and observe that criterion in this decision.

Again, as Senator Nickel said, there are ways you can do it and still preserve the efforts that you've made in the rest of this map, and you know you can in southern Mecklenburg county still preserve the effort that you've made down there, but not just end up in this being the single double-bunk where you could do something about that you didn't do something about.

CHAIRMAN NEWTON: Senator Blue and Members, in the discretion of the chair, I'm going to recommend that we displace this amendment. Let's get our heads together. I will -- I will point out, just for fun, the humor in the fact that I think Senator Marcus championed an amendment to remove consideration of members' residences from the criteria, but that's okay, that was yesterday. Today's today. And why don't we displace this and we'll spend a
little time seeing if we can find a solution.

All right. Thank you. Next amendment.

SENATOR MARCUS: Mr. Chair, can I just
set the record straight on that since you
represented what I said.

This caucus, not me, did put forward an
amendment when we were adopting these criteria
to say let's not consider anybody's residence,
to be fair, and the committee turned that down.
They said, no, no, we want to consider member
residence. So my amendment, for the record, was
to say let's be fair and make sure that we use
that data for everyone to not double-bunk.

CHAIRMAN NEWTON: Thank you,

Senator Marcus.

SENATOR MARCUS: And you turned that
amendment down. So we are where we are for
exactly that reason. I don't think I've been
inconsistent. I'm trying to be consistent and
honest. Obviously, I have feelings about this,
and I hope you'll forgive me for being a little
bit emotional about it, but I don't want you to
misrepresent or suggest that I've been
inconsistent in how I feel about this issue.

CHAIRMAN NEWTON: Thank you,
Senator Marcus.

SENATOR MARCUS: And I'll be happy to displace this for today.

CHAIRMAN NEWTON: Thank you.

Senator Blue, what's the next amendment?

SENATOR BLUE: Since this one is displaced, Mr. Chair, I have I think one other amendment, and I'll be very brief on that.

That's SBK 4. It's a VRA district based in Wilson county.

CHAIRMAN NEWTON: I don't have that nomenclature before me.

SENATOR BLUE: Let's see.

SENATOR MARCUS: Senator Blue, I believe it's SCH Amend-7.

SENATOR BLUE: Okay. I've got it here.

SBA Amend-3.

CHAIRMAN NEWTON: Okay, got it.

So, Members, it's SBA Amend-3.

SENATOR MARCUS: I'm sorry.

CHAIRMAN NEWTON: Members found that map, we're good to go. The map's up on the screen.

Senator Blue, you have the floor.
SENATOR BLUE: Is that it?

CHAIRMAN NEWTON: Vance. That is not -- that is not it.

SENATOR BLUE: That's not it.

CHAIRMAN NEWTON: How about to the left there. Yeah.

SENATOR BLUE: Yeah, that's it, that's it. I'm looking at the wrong one.

I won't repeat everything I said about a VRA district, but this was one of the originally created VRA senate districts, and it stayed in place through 2011. I think it was created in the -- in 2003 with the whole county provision applicable, and this body redid it in 2011, and Senator Angela Bryant was representing various portions of it.

The only thing I've done here -- and again, this is a solution to a problem before it becomes a problem. The only thing I've done is take districts whatever it was beforehand, but as to Wilson, Nash, Edgecombe area, and it starts up in Vance county, comes down to Franklin, then through Nash. It takes those two clusters -- there are two clusters. It takes those two clusters and it combines them because
you can create the functioning VRA district without going through the exercise of the original VRA district which had Wilson, Nash, Edgecombe, Northampton -- I think Northampton, but Halifax and Warren and maybe even Vance, but it went into all of those counties.

And its configuration after Rucho -- or as a result of Rucho was Wilson -- Wilson, Halifax, and Edgecombe, those three counties, and it met the requirements of a VRA district as it was intended to be. And once it got thrown into this new cluster that it was thrown into, it dissolves that VRA district. And as I said earlier, Stephenson can't in and of itself dissolve a VRA district. You've got to make the study. It, too, was one of the districts pointed out by those who were telling you some problem areas and it showed the statistics.

What this would do is preserve that district and it would combine those two districts so that the remaining district -- again, just as with my first formulation over in the northeast, it would combine the districts, and the remaining district would be the second district of those two. It would still be three
counties. It wouldn't cause any other configurations under the Stephenson criteria because you will have created a VRA district and then you are left with three counties from that VRA district -- from creating that VRA district just as it is going into it. So it's a three-county cluster. It would still be a three-county cluster. The cluster around it would still be a two-county cluster, and this would be a cluster going into three or four counties, but it would be a VRA district so it wouldn't count against that, and it solves a problem before you have to address it in any other proceeding win or lose. It gives you certainty through this decade, and it doesn't do any harm to the other stuff that you've come up with cluster-wise or any other way. So I offer it to you for your consideration and move its adoption.

CHAIRMAN NEWTON: Thank you, Senator Blue.

And before we take up the motion, Senator Hise.

CHAIRMAN HISE: Thank you, Mr. Chairman.
I guess I want to point out that this fails to create a two-county pod for Edgecombe and Pitt, a three-county pod for Wilson, Greene, and Wayne, and a three-county pod for Vance, Franklin, and Nash, and instead creates an eight-county pod that it divides among three members. No evidence to suggest that that is required that I have seen before you bypass the entire podding and destroy three pods.

Even if I accepted that, I do not -- the challenges of why Edgecombe would be divided seems to make no sense to me when Edgecombe and Pitt form a two-county pod already, and so you've got this small, little blip that was divided just because.

But trying to get into those, I think that the request here is to throw out the Stephenson poddings of a two-county pod and two, three-county pods and instead make that an eight-county pod and divide it among three districts, splitting all those counties and others.

They claim that -- the claim is being made that there are some VRA requirement that has to do so. I refer everyone to the statement
we've made earlier today that we don't see that, and I think it would be a tremendous mistake for us to go this far in violating all the pods and others in order to accommodate with certain other people's opinions of what's required of us.

CHAIRMAN NEWTON: Thank you, Senator Hise.

Senator Blue, comment.

SENATOR BLUE: Just to be clear, Stephenson says you first draw the VRA districts. That's an instruction to the General Assembly. Nobody disputes that. That is the first thing that the opinion says that you do. It says first draw the VRA districts.

After you draw the VRA districts, then you group counties, those that can be separate in and of themselves, a single-member district, you do that. Those that contain within themselves a concrete number of districts, then you do that. So you get Wake -- you used to get Wake and Mecklenburg, and that's how you got Onslow.

Then it says after -- after you do the VRA district, you do the clustering. After I've
done this proposed VRA district, the clustering is still the Pitt-Edgecombe cluster. That's the cluster. That's a two-county cluster because it disregarded what you did to draw the VRA district. The cluster is still Nash, Wilson, and Wayne, a three-county cluster which is what it is now. So those are the clusters that you draw after you've drawn the VRA district.

And that's what Stephenson says you do, no difference than what you did when you started initially. You just didn't recognize the obligation to do a VRA district. That's all this does. It doesn't make an eight-county super cluster. You haven't -- remember, you haven't done the clusters when you do the VRA district. You do the clustering afterwards, and that's why it leaves these counties intact. You don't -- you're still observing the clustering mandate.

Remember, the whole theory behind Stephenson was that you harmonized the whole county provision with -- and that's the language from the case, you harmonize it with federal law, which is what I just tried to do, and that's what I was pointing out to you. It does
not create an eight-county super cluster.

CHAIRMAN NEWTON: Thank you,

Senator Blue.

Seeing no other comments or questions,

Senator Blue has moved for the adoption of SBA Amendment 3. All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: Those opposed no.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: The nos have it, so we will not be amending the map.

All right. So I know Senator Blue said that was his last amendment, but I do have a couple other maps here. I don't know if somebody else moving for those amendments, or are those withdrawn at this point? I've got SBVA Amend-3 and SCHA Amend-7.

SENATOR BLUE: SCH -- I pulled back SCH 10 Amend-7 because you said you're going to set the discussion that Senator Marcus was having aside.

CHAIRMAN NEWTON: 3 and 7.

SENATOR BLUE: Yeah. So it wouldn't be appropriate to do that one until I see how that's resolved.
CHAIRMAN NEWTON: So that takes care of 7. And then so I still --

SENATOR BLUE: And we're pulling back on 3.

CHAIRMAN NEWTON: You're pulling back on 3 as well? Okay.

So that is all the amendments. Am I missing anything? That's all the amendments you wanted to offer today.

SENATOR BLUE: I think it is. It's all that I have. I don't know whether some other members have other amendments.

CHAIRMAN NEWTON: Okay. I want to make the committee aware that we will be having a committee meeting tomorrow. The time is TBD because I think it's dependent on some work the House is doing, but I wanted to put that on your radar. As soon as we know the schedule, we will certainly let you know.

And I'd like to stand at east for just five minutes or less here. The chairs need to caucus a second.

SENATOR BLUE: Can I do one thing before you go at ease --

CHAIRMAN NEWTON: Sure.
SENATOR BLUE: -- to make sure that the -- so the staff knows where we're going.

Again, and I appreciate publicly the effort that the three chairs made with respect to not unnecessarily changing district numbers in the same counties, and I acknowledge that, and I certainly appreciate it for those members in these counties who are returning who order their supplies in great quantities -- in great quantities so that you'll save some trees. And I'm sure that Senator Hise recognizes that from the western part of the state where they just cut down Christmas trees.

But so that the staff will understand, in case there's a need for them to renumber whatever the final districts are within your map where you've changed, and we won't be rushed to do it, if you could sort of give them some direction in that regard. I know you changed mine in the ones in Wake county, but I didn't know whether there were others where you had made those kinds of --

CHAIRMAN NEWTON: Thank you, Senator Blue. The staff's got that on their radar.
ERIKA CHURCHILL: Mr. Chair, if I might, we're happy to engross today's amendments into an underlying map if y'all will give us a couple of hours and then we can reopen the drawing room if Senator Blue and the chairs would like to come in and instruct us how to renumber.

CHAIRMAN NEWTON: All right. Let us caucus here for just a moment. Thanks.

[At ease.]

CHAIRMAN NEWTON: I'll start with just a little housekeeping. The chairs have discussed with Senator Blue the best mechanism for -- if we can come to agreement to cure the double-bunk that Senator Marcus has, we can do that as a floor amendment, so we're going to proceed today to vote out the map as amended with any changes thereto either being technical which we're going to give the staff the ability to make at the direction of the chairs or it can be done on the floor.

And with that, Senator Hise has a motion.

CHAIRMAN HISE: Thank you, Mr. Chairman.
I move for a favorable report to Senate Bill 737 as amended rolled into a new PCS with leave for staff to make technical and informing changes inclusive of the numbering of districts as technical, unfavorable to the original bill on the direction of the chairs.

CHAIRMAN NEWTON: That is well done, Senator Hise.

Any comments, questions? Good.

All those in favor --

SENATOR BLUE: One --

CHAIRMAN NEWTON: Senator Blue, of course. I should have known.

SENATOR BLUE: No. No. I want to make a statement so the record is clear.

I was iterating the different versions of Edmisten, and the second iteration was Gingles versus Thornburg.

CHAIRMAN NEWTON: Thank you so much for that clarification to the record.

All those in favor of the motion say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: Those opposed.

The ayes have it. And so the motion
that's been adopted is unfavorable to the
original bill, favorable to the bill as amended
rolled into a new Proposed Committee Substitute
with a favorable report to the committee
substitute and to make technical changes which
include renumbering of districts under the
direction of the chairs, and with that we stand
adjourned. Thank you.

(Transcription from YouTube ended at
4:41:50.)
STATE OF NORTH CAROLINA  
COUNTY OF WAKE  

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Senate Redistricting Committee held on November 2, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 17th day of December 2021.

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CHAIRMAN HALL: Today's calendar for the committee, we have the proposed state Senate map which we'll take up first, then we've got the proposed congressional map which we'll take up second. I anticipate -- the chair anticipates having both of these maps on the House floor tomorrow.

With that said, Senator Hise, the gentleman is recognized to debate the proposed state Senate map.

SENATOR HISE: Thank you for the opportunity. I am sure that you all have been highly anticipating the Senate map and looking forward to what changes we may have put together. I will say that as far as the criteria, we have met the plus or minus 5 percent population. There's no point contiguity in the districts.

The things I would like to highlight about the map is that in drawing 50 districts, we only split 15 of 100 counties, we only split 11 out of 552 municipalities, and, finally, we only split 19 VTDs out of 2,647 voter tabulation
If you have any specific questions, we did take a couple Democratic amendments in the Senate process to change some things, and I'd be happy to answer anything else you may have. It might be important to note we just put the House map through the Senate committee and it went through flawlessly, with no amendments as well.

CHAIRMAN HALL: So the chair will note that the leverage is in our hands now. They've already passed our map so have at it.

Further discussion or debate on the proposed state Senate map.

Representative Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: Thank you, Mr. Chair, and thank you, Senator.

My question deals -- my question is in reference to Wayne -- Senator Fitch's district, District 4. And I'd like to know why -- why did you place us in -- with this configuration since -- since we in Wilson county have very little to do with those other two communities of interest.

CHAIRMAN HALL: Senator Hise is recognized.
SENATOR HISE: Yeah. The answer is actually pretty simple when you look at what are Districts 4, 5, and 11. When we followed the Stephenson criteria that exists, District 5 forms a two-county pod which those two counties contain a single-member district; District 4 is a three-county, whole county pod that contains one member; and District 11 is a three-county, whole county pod. All three of those districts were formed by the Stephenson pairings of counties.

CHAIRMAN HALL: Further discussion or debate on the bill.

Representative Hawkins, the gentleman is recognized.

REPRESENTATIVE HAWKINS: I'll yield to Representative Harrison. She had her hand up first.

CHAIRMAN HALL: Representative Harrison, the lady is recognized.

REPRESENTATIVE HARRISON: Well, thank you, Mr. Chair, and thank you, Chair Hise.

I just -- I know that y'all had a healthy debate about the Senate maps in the Senate and these are y'all's maps, but I think
it can't go without saying that a lot of us have concerns about the potential violation of the Voting Rights Act looks like not only Senator Fitch's district, maybe Senator Bazemore, I don't know if there are others, but I think a lot of us feel very strongly that we should have done a racially polarized voting analysis prior to drawing the maps and drawing the VRA districts first.

And I think this map, like the House map, got an F from the Princeton Gerrymandering Project. I think we're looking at litigation, and I think it's unfortunate because we spent $11 million in taxpayer money in the past decade defending indefensible maps. And I just will end it there. Thank you.

CHAIRMAN HALL: Representative Brockman.

REPRESENTATIVE BROCKMAN: Thank you, Mr. Chair, and thank you, Senator Hise.

I have a question about the congress -- or excuse me -- the Guilford county Senate maps and particularly wondering how we got to having a High Point district with someone who doesn't necessarily live in High Point.
I've gotten some feedback from folks who live in High Point who are very much appreciative of High Point getting a Senate district but are kind of wondering how we ended up with someone who actually doesn't live in High Point to represent that district.

CHAIRMAN HALL: The gentleman's recognized.

SENATOR HISE: Districts 27 and 28 were created in this configuration actually by an amendment from the Democrats in that group that changed the split of 27 and 28 into the manner you currently see. It was a north-south split for 27, 28, and that was changed by the Democrats in the committee. They have indicated, when making the map, that there are no VRA issues that they saw in creating that district, and this represented a fair division of that county in these districts.

CHAIRMAN HALL: Representative Hawkins.

REPRESENTATIVE HAWKINS: Yes, sir. Thank you, Mr. Chairman, and thank you, Senator Hise.

My question is about Senate District 2. You know, the question that, you know, is just,
you know, sort of a part of this is how do we speak to compactness, communities of interest, and how do we speak to sort of the eye test for the voter when they're trying to get to know -- I mean, you know, I'd hate to be the senator running in this district for sure, but I do want to make sure that we do ask that question related to how we look at Polsby-Popper, how we look at, you know, compactness, how we look at communities of interest because this -- this does stretch from the Virginia line to the Crystal Coast.

CHAIRMAN HALL: Senator Hise.

SENATOR HISE: Thank you.

Districts 1 and 2 formed an 18-county pod in eastern North Carolina that had to be divided under the Stephenson criteria into a 10-county pod and an 8-county pod. There actually were two possible configurations for what counties make up the 10-county pod and what counties make up the 8-county pod, but that were the only standards that produced four districts that were here, two pairs of two districts that were here.

The Senate chairs are making the
decision for this. In the version we have in
front of you, District 1 that is here is the
most compact of all the four districts that are
drawn. It does conversely change the
compactness of Senate District 2, but 1 is the
most compact of the four districts drawn.

We looked from public comments of
keeping as much as possible what are called the
finger counties, the five finger counties
possible. This configuration paired four of
them together with one of the counties. You can
see what it is. The other was a 3-2 so we chose
the one that kept more of the finger counties
together.

And this looked at the communities of
interest for the northern Outer Banks region and
keeps the northern Outer Banks region whole in
that district versus the other configuration
that divided that region.

REPRESENTATIVE HAWKINS: Thank you,
Mr. Chairman.

CHAIRMAN HALL: Representative
Richardson.

REPRESENTATIVE RICHARDSON: Thank you,
Mr. Chair, and I have a question for the
Looking at Senate District 21, traditionally, we have very little -- as much as I love Representative Boles, Cumberland does not have a lot in common with Moore. We traditionally have been with Hoke and Robeson or we've been with Harnett, but, I mean, there's this little finger joining Moore in, you know, 21 to Cumberland.

And why did you switch it from Hoke and put it into Moore where we have very little in common with them?

CHAIRMAN HALL: Senator Hise.

SENATOR HISE: We did not split as the Stephenson pairings came together. That is, they are contiguous counties. That is not point contiguity between the two so there actually is an area. And those two counties, Moore and Cumberland, formed a two-county pod with two members. In dividing within, we kept as much of Fayetteville as possible within District 19, created the Fayetteville district. The remainder creates District 21, but it is as simple a question as a two-county pod could be created in that process, therefore it must be
created.

CHAIRMAN HALL: Further discussion or debate.

Representative Carney.

REPRESENTATIVE CARNEY: Thank you, Mr. Chairman.

Chairman Hise, I'm in Mecklenburg county. I'm sorry I have to turn my body. I'm going to complain about this every meeting. That should be in the middle of this room.

Anyway --

SENATOR HISE: I didn't place it.

REPRESENTATIVE CARNEY: -- be that as it may -- I know you didn't do it.

But I've been from Mecklenburg county, and I've been to several of our public hearings, and I've heard from several people, lots of people in north Mecklenburg, and just today I would like to ask you, so I can have an answer for them, why are we now -- the people in northern Iredell have been writing us, asking us not to keep them whole as a county, Mecklenburg, and now it appears that the northern tip of the county is now part of Iredell. Could you just give me an answer to that, please.
CHAIRMAN HALL: Senator Hise.

SENATOR HISE: I will. As I've said with other districts, Iredell and Mecklenburg form a two-county pod. Those two counties are podded together for I believe a six-member district that is in there, so those two have to form. By the transversal rules, the smaller county would be kept whole, so -- and so therefore you must keep Iredell whole. And as you transverse into Mecklenburg county, as you would see, that's a very narrow path to come there, and I believe it is Davidson that is in the northern part. The map that we drew kept Davidson whole in avoiding that, so it did create issues.

I will say specifically on this, the Senate considered an amendment from the Democrats that had asked to remove the double-bunk that that creates, and we withdrew it on committee. They drew a map that we had said was acceptable, but they have decided specifically not to offer that amendment to create -- to change the double-bunk on the floor today so it stands as is.

REPRESENTATIVE CARNEY: Wow. Thank
you.

CHAIRMAN HALL: Further discussion or debate on the bill.

If not, Representative Torbett is recognized for a motion.

REPRESENTATIVE TORBETT: Mr. Chairman, I move that the House Committee on Redistricting report favorably as to Senate Bill 739.

CHAIRMAN HALL: And, Members, the chair does intend to call the roll.

Further discussion or debate.

If not, you've heard the motion from Representative Torbett. Those in favor will vote aye. Those opposed will vote no.

The clerk will call the roll.

THE CLERK: Adams.

REPRESENTATIVE ADAMS: Aye.

THE CLERK: Brockman.

REPRESENTATIVE BROCKMAN: No.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: No.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: No.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: Aye.
THE CLERK: Hardister.
REPRESENTATIVE HARDISTER: Aye.
THE CLERK: Harrison.
REPRESENTATIVE HARRISON: No.
THE CLERK: Hastings.
REPRESENTATIVE HASTINGS: Aye.
THE CLERK: Hawkins.
REPRESENTATIVE HAWKINS: No.
THE CLERK: Jones.
REPRESENTATIVE JONES: Aye.
THE CLERK: Mills.
REPRESENTATIVE MILLS: Aye.
THE CLERK: Reives.
REPRESENTATIVE REIVES: No.
THE CLERK: Rogers.
REPRESENTATIVE ROGERS: Yes.
THE CLERK: Szoka.
REPRESENTATIVE SZOKA: Aye.
THE CLERK: Warren.
REPRESENTATIVE WARREN: Aye.
THE CLERK: Zachary.
Richardson.
REPRESENTATIVE RICHARDSON: No.
THE CLERK: Saine.
REPRESENTATIVE SAINE: Aye.
THE CLERK:  Torbett.

REPRESENTATIVE TORBETT:  Aye.

THE CLERK:  Bell.

REPRESENTATIVE BELL:  Aye.

THE CLERK:  Stevens.

Hall.

CHAIRMAN HALL:  Aye.

THE CLERK:  13 yes; 7 no.

CHAIRMAN HALL:  13 having voted in the affirmative and 7 in the negative, the motion carries and the bill receives a favorable report.

SENATOR HISE:  Thank you, Mr. Chair.

CHAIRMAN HALL:  Members, I am now going to shift to the congressional map, and the chair is going to move over to the dais, along with our friend from the Senate, to present the congressional map, and I am going to turn the chair over to Chairman Saine.

CHAIRMAN SAINÉ:  Thank you, Members of the Committee.

Representative Hall, you are recognized.

CHAIRMAN HALL:  Thank you, Mr. Chairman.
Members, I won't say a lot of the same things that I've said already in this committee, but I will just briefly say again that this is an historic process that we've undertaken in both the House committee and the Senate committee. It's the most transparent process in the history of North Carolina in redistricting. It's also unprecedented in the decision to not use political data in the drawing of these maps.

We've had this room open now for over three weeks. Any member who wanted to could come in and draw these maps. Any member of the public who wanted to, anywhere in the world, who had an internet connection, could log in and watch as these maps were drawn live and they could listen to the audio that was being said at the computer terminal that was being drawn on.

Members, I was disappointed to see that no members -- none of the Democratic members put forth any congressional maps as member-proposed maps. I solicited those from the floor and also sent emails out to let members know that prior to public comment, we would be putting the proposed-member maps out on our committee website. I submitted a map, but I didn't
receive any other maps.

So, Members, as for the map itself
that's before you today, I will mention that the
House and the Senate have now filed the same
map. This is not the initial map that I
drafted, but for process purposes, we're going
to be taking up the Senate version even though I
did file the same one.

The map before you and the map that I
filed were both drawn in the Senate committee
room. I drew a separate map that was posted on
the House committee website, but again, I
ultimately decided that the map drawn in the
Senate committee was a better map because, among
other reasons, it splits fewer municipalities
than the initial map that I drew. Also, in
public comment, we heard from folks that it was
important to keep those finger counties together
in northeastern North Carolina, and I advocated
for that change to be made and the Senate chairs
agreed with that and that change was made, and
therefore I felt the map drawn in the Senate
committee with those changes was the best
member-submitted map.

I will -- Mr. Chairman, I will turn
this over now to Senator Daniel to speak to the
map if he sees fit.

CHAIRMAN SAINÉ: Thank you,
Representative Hall.

Senator Daniel, you're recognized.

SENATOR DANIEL: Thank you, Mr. Chair
and Representative Hall. And I guess if it
pleases the chair, I can go through and give a
general description of each of the 14
congressional districts just as we've done in
the House and the Senate.

So let's start in the east with
Congressional District 1. So this is a coastal
district that's anchored in eastern
North Carolina. It contains 15 whole counties.
I won't go through those because you can see
them there, and it contains two partial counties
which are Onslow and Pitt.

The district takes in the Outer Banks
and most of the state's shoreline. Its shape is
mostly dictated by the Atlantic Ocean. And in
this district there is zero municipalities split
by the district boundaries, and VTDs are only
split for the purpose of equalizing population
to zero deviation.
The district keeps all of the finger counties in northeastern North Carolina together in the same district as well as most of the counties that run along the Virginia border. And that was some of the public comment that we had heard during public hearings, that the finger counties, it was important to them as a community of interest to be kept together.

Congressional District 2 is a district taking in most of rural northeastern North Carolina. It contains 16 whole counties, and there are two split counties, Pitt and Wayne. There is zero municipalities split by this district, and there is one precinct split in Pitt county and one split in Wayne county for the purpose of equalizing population.

Congressional District 3 is a district based in southeastern North Carolina. It improves upon the compactness of the current district by keeping mostly rural counties closer to the coast in the same district as the remaining coastal counties. It contains seven whole counties and one split county that is Onslow. The district contains zero split municipalities, and the only split VTD is
required in order to equalize population. So this district is also a product of public input from some of the comments at the New Hanover public hearing. And I guess that's all for Congressional District 3.

Congressional District 4 is a nearly perfect four-county district south of where we are right now. It includes Cumberland, Harnett, Johnston, and Sampson counties, and a small portion of Wayne county that is necessary to balance population. These counties have similar geography, industry, and proximity to the population base in the region near Fayetteville and Raleigh. The district is extremely compact and contains zero split municipalities. There is one split VTD in Harnett county and one in Wayne county. Both were split to equalize population between the districts.

Moving on to Congressional District 5. It's based entirely in Wake county. It's made up of the following municipalities: Garner, Knightdale, Raleigh, Rolesville, Wake Forest, Wendell, and Zebulon. Raleigh and the other municipalities in Wake county share common interests. Many people live and work and
commute between these different cities and towns in Wake county. There are no split municipalities in this district, and any VTDs that are split are done for the purpose of maintaining municipality boundaries or equalizing population.

Congressional District 6 is made up of Durham county, Orange county and the portion of Wake county that contains Apex, Cary, and Morrisville. This is a district that has existed in one shape or form for decades. As the population has grown in the area, it has been concentrated more specifically in the Triangle. It is home to some of the state’s most prominent universities and hospitals. Along with Charlotte, it is the preeminent urban population based in our state. There are no split municipalities in the district, and any split VTDs are located in Wake county and also are done merely for the purpose of equalizing population or to keep municipalities whole.

Congressional District 7 is made up of four whole counties and portions of five counties. That includes all of Alamance, Chatham, Lee, and Randolph, parts of Davidson,
Guilford, Harnett, and Wake. The district runs from the Triangle west through the central Piedmont region. It is made up of the smaller cities and towns as well as the rural areas that make up this area of the state. There is only one split municipality in the district as it contains a very small portion of Greensboro. VTDs are only split for the purpose of equalizing population and keeping cities whole.

Congressional District 8 is made up of eight whole counties and part of one county, Mecklenburg. The district takes in most of the counties considered to be in the Sandhills region. There are no split municipalities in the district, and one VTD is split in Mecklenburg county for the purpose of equalizing population. By adding Anson, Montgomery, and Richmond, we believe this district will be rooted in the Sandhills region and represent that region of our state well.

Congressional District 9 is a Charlotte district. Charlotte's population, as you know, is too large for one congressional district so it must be split, so 97 percent of this district is made up of Charlotte, and 83 percent of the
city is in this congressional district. VTDs are split only to equalize population and ensure that there are no other municipalities in the district.

Congressional District 10 is made up of three whole counties, Cabarrus, Davie, and Rowan, as well as parts of Iredell, Davidson, and Guilford. This district takes in the counties in suburban and exurban areas that stretch between the two population centers of the Charlotte and the Triad. There is only one split municipality, as mentioned before, which is Greensboro. The district does contain all of High Point, and VTDs are split only for the purpose of equalizing population.

Congressional District 9 -- 11, I mean, is based in the northwestern corner of North Carolina, is made up of eight whole counties. The district also contains a portion of Guilford county and one precinct in Watauga where the current incumbent lives. There's one split municipality, again, that's Greensboro, but more than 90 percent of Greensboro residents are kept together here in this congressional district. And that was one of the things that
we tried to do in order to honor the spirit of
the criteria which was to consider
municipalities and to try to keep them whole.
As a community of interest, we would try to keep
as many -- much of the population of a town
together as possible -- or a city together as
possible.

Congressional District 12 is made up of
four whole counties and one partial county. It
contains all of Catawba, Forsyth, Lincoln, and
Yadkin, and a portion of Iredell. It is a
compact district that connects the suburbs
outside Charlotte to the area in and around
Winston-Salem. It contains no municipality
splits, and it splits VTDs in Iredell only for
the purpose of equalizing population.

Congressional District 13 is made up of
seven whole counties and the portion of
Mecklenburg county that contains the
municipalities and towns to the west and north
of Charlotte. The only municipality split by
this district is Charlotte because it has to be
split, and VTDs are split only to equalize
population.

Finally, Congressional District 14 is a
western North Carolina district that takes in most of the mountain counties in the westernmost tip of North Carolina. It contains 14 whole counties, which I won't read, but you can see there on the map. It splits one VTD in Watauga county to avoid double-bunking two incumbents. There are no municipalities split by the district. And this district was based in part on public comment that we heard during the comments that suggested that the western district should go more north towards Watauga county rather than taking in some of the southern North Carolina -- southwestern North Carolina counties.

So to summarize, going through the committee criteria that was passed by the joint House-Senate Redistricting Committee, all of these districts are drawn to zero deviation or to one person less than ideal. There is no point contiguity used in this map. It divides only 11 counties. It divides 24 VTDs out of over 2600, which is less than 1 percent, so over 99 percent of VTDs are kept together. And it divides only two municipalities in the entire state, one of which had to be divided just based
Racial data was not used in the drawing of this map and neither was partisan data used drawing this map. Member residence was considered when possible and communities considerations were made to try to keep communities of interest together particularly in terms of towns and cities.

So, Mr. Chair, that's the description of the map. Sorry if it was too lengthy, but it was shorter than the 50 Senate district description we heard from Senator Hise in our own committee.

CHAIRMAN SAINE: Your brevity is greatly appreciated, sir.

I see that Representative Harrison has a question, you are recognized, and then Representative Richardson after that.

REPRESENTATIVE HARRISON: It may be a comment. Is a comment appropriate at this time? I mean, I --

CHAIRMAN SAINE: You may make a comment.

REPRESENTATIVE HARRISON: Okay. I appreciate that.
I start going into questions about why Greensboro is split the way it is, but I think you probably answered it the way you're going to answer it so I don't want to waste anybody's time, but I did want to note -- well, a couple things.

I appreciate -- I appreciate that the chairs have all tried to make this a very public, transparent process, and at the risk -- it's not a hearing in Guilford, it was in Forsyth or Alamance and some participated online. As I said yesterday, I haven't read all 4,000 comments, but there was a very strong commentary on the -- and recommendation to keep Guilford whole and to keep the Triad whole. Greensboro, High Point, Winston-Salem are the Piedmont Triad, and this map splits it up very, very significantly and in ways that are splitting up the large African American populations and communities of interest. And I -- it confounds me how -- how y'all came up with this map for Guilford county because it's -- it's just taking downtown Greensboro all the way to the Tennessee border just doesn't seem to make a lot of sense so me. And you have
Representative Fox's precinct carved out, and that's sort of not very compact, and members don't have to live in their district at the congressional level anyway, so I'm not sure why you did that.

But I did want to -- I do want to note that this is a problem. It's a problem with all the three major urban counties. And I'll let the others speak to their respective counties, but the folks in Greensboro are pretty upset about it.

So I wrote -- I wrote my notes, so I took notes on everybody who spoke at the post map drawing, and the maps were described as ludicrous, racially unfair, grossly partisan gerrymandered, disconnected, scary, undemocratic, dishonest, confusing and more. And I think that there was sure a better way to do this.

Right now Congressional District 6 is entirely Guilford county and half of Forsyth county, and that's worked out very well. And the folks who spoke at the public hearing talked about how the current Congresswoman Manning has done a great job representing the interest of
the Piedmont Triad.

And I think that it was a problem for us not to consider, as I said, on the Senate maps and the House maps the Voting Rights Act implications for this because I think you have a serious violation here with the African American populations in Greensboro that are all divided up. I just don't understand it. I think it's a terrible congressional map. The partisan analysis shows this as a possible 11-3 in a 50/50 state, and that's just flat wrong. And that's all I'm going to say. Thank you.

CHAIRMAN SAINE: Thank you, Representative Harrison.

Representative Richardson, I didn't mean to bypass you, sir. I did have you as first, but we'll go to you now.

REPRESENTATIVE RICHARDSON: I think Representative Harrison said it all.

As you look at the map, it seems pretty contiguous, but there's some glaring spots where it's not, and I think they're easy fixes, and I'd like to offer a couple. For example, with Wayne in District 4. Wayne has very little in common with Cumberland, Harnett, Johnston. That
could be -- that could fill in all of Onslow and you could -- you could easily move -- we could take Lee and put that in the 4 and then that way that you would -- you would not have these counties split like that.

And another example of that is over in the west where you split one -- you know, Iredell. There's a way to fix those splits. And I think if you did that it would vastly improve these maps to the point I could almost vote for them, but you've got -- there's some glaring -- there's some -- the overall map is -- really follows the guidelines and does a good job. It's just those glaring exceptions that are -- that are there that cause a problem. And if possible, I'd like to sit down with the chairs and offer a fix on that.

But that's what I've noticed is the overall map's outstanding. It's the glitches that really devalue the map in terms of its voting value. Thank you.

CHAIRMAN SAINE: Thank you, sir.

Any other members seeking recognition.

Representative Cooper-Suggs and then Representative Reives.
REPRESENTATIVE COOPER-SUGGS: Thank you, Mr. Chair, and thank you, Senator.

As I look at the maps, I'm looking at eastern North Carolina, and we know that for those of us who live down east that Pitt county is basically the heart of the east, but when I look at this map and I look at District 2, Pitt county was excluded from it. And I'm saying part of this because I know that from Wilson's area, we travel to Pitt, to the hospitals, to shopping and other kind of things that we do.

So my question is why was Pitt county excluded from District 2 but yet and still you added Caswell and Person? So why was Person and Caswell added to District 2 when, once again, we look at interests and how a person could best represent persons who have very similar interests. So why was Pitt excluded and then but yet instead you added Caswell and Person?

CHAIRMAN SAINES: Senator Daniel.

SENATOR DANIEL: Thank you, Mr. Chair, and thank you for the question.

I don't know that there's an easy way to answer that other than, you know, we started drawing the map from the east and the west and
worked towards the middle. Obviously, you know, in both of those areas of the state, the west and the east, you have low-population counties and it takes a lot of counties to make up an entire congressional district. And, you know, when you try to put all the criteria together, splitting as few counties as you have to, trying to make it as compact -- the district as compact as you can, we just felt like this was the best configuration of that area of the state.

REPRESENTATIVE COOPER-SUGGS: May I do a follow-up.

CHAIRMAN SAINÉ: You're recognized for a follow-up.

REPRESENTATIVE COOPER-SUGGS: Okay. My next question deals with do you intend to run any analytical checks on these maps, now that you created them, to make sure that all voters are treated fairly?

SENATOR DANIEL: These maps were drawn without partisan data or racial data, and I don't believe the Senate has any intention to run those, you know, partisan checks now. And I don't know about the House.

REPRESENTATIVE COOPER-SUGGS: Thank
you, Mr. Chair.

CHAIRMAN HALL: Mr. Chair, if I may speak to that as well.

CHAIRMAN SAINE: Representative Hall.

CHAIRMAN HALL: Our criteria, as the lady knows, is we're not going to use any election data and we're not going to use any racial data at all in analyzing these maps, drawing them or analyzing them. Of course, there are compactness scores that we voted on and so they can be analyzed in that sense pursuant to our criteria, but we're not going to use any racial data or any election data in analyzing nor drawing these maps.

REPRESENTATIVE COOPER-SUGGS: A comment.

CHAIRMAN SAINE: You're recognized.

REPRESENTATIVE COOPER-SUGGS: Okay.

Thank you so much.

We've heard before about the Princeton Gerrymandering Project. And I'm a former classroom teacher, national board certified, so whenever I see an F in grading anything, I know that something was not right. When we look at the criteria, even though we said that we
followed all the criteria, that's truly a concern to me, it truly is.

So therefore I just want to say that, you know, it's disheartening for us not to truly go back and look at this and get it right because I think the state of North Carolina is better than an F, and that's just one of the agencies that have graded us. Thank you.

CHAIRMAN SAINE: Thank you.

I've got Representative Reives, and then after Representative Reives, Representative Hawkins. Representative Reives.

REPRESENTATIVE REIVES: Thank you, Mr. Chair.

I want to go back to District 11. And, Senator Daniel, I appreciate you being here, and I appreciate the work you guys put in. What I was trying to figure out with residence being taken into consideration, like, what I'm looking at just on its face, Congresswoman Manning is barely in the district on one side and then, as Representative Harrison was discussing, Congresswoman Fox, you know, had to be -- I don't know what term is best to use that isn't charged, but there had to be some movement to
get her into that district.

And so my question is why was that done? Because, I mean, that took some effort. So what was the thought process behind doing that?

SENATOR DANIEL: Thank you for the question.

CHAIRMAN SAINE: Senator Daniel is recognized.

SENATOR DANIEL: So I think this is the district that contains 90 percent of Greensboro, and so in trying to keep Greensboro whole, that's just, you know, the way the district was drawn. And so I don't know that there's a better answer than that. There -- I think there may be another district where there's some pairings of members. Like Congressional District 9, it was just difficult to eliminate that everywhere, accommodate all the congressional members.

CHAIRMAN SAINE: Representative Reives.

REPRESENTATIVE REIVES: Right. And I understand that. Like, for instance, 9 is the first thing you look at clearly because Congressperson Adams and Congressman Bishop live
right beside each other almost, but, you know, here, for instance, if we're keeping Greensboro whole, it seems you just take the 10 percent of Greensboro that's not in this district and include that and don't include that finger that goes into Watauga, and that makes it pretty easy, like, you know, and then that actually makes it a cleaner district.

So what was the decision as to not taking that 10 percent of Greensboro and bringing that in but instead going into Watauga, and instead of keeping Watauga whole, taking that little finger out of Watauga? Because, I mean -- and I guess to take it to its next logical conclusion, Congresswoman Fox was going to get double-bunked either way, but I think Congresswoman Manning could have easily not been double-bunked so that's why I'm asking that.

CHAIRMAN SAINE: Senator Daniel.

SENATOR DANIEL: I guess, you know, on the one hand I think just to say it was -- you know, it was a choice of the Senate chairs who drew the map to do it that way. And in terms of the population you were mentioning, there are very few people that live in that section of
Watauga so it wouldn't be apples to apples in terms of, you know, you wouldn't be able to get much more of Greensboro -- you know, I don't think you could probably -- you may not even be able to get 1 percent of Greensboro to swap for that, so...

CHAIRMAN Saine: Representative Reives.

REPRESENTATIVE REIVES: Thank you.

And my next question is I know that there are different interpretations as to how the Voting Rights Act applies to redistricting and how we take that into consideration.

My question is how do you feel the Voting Rights Act applies in terms of trying to make sure that we're complying with it in drawing congressional maps?

CHAIRMAN Saine: Representative Hall.

CHAIRMAN HALL: Mr. Chairman, if I can take that one.

Representative Reives, as you know, and we've talked about this previously in committee, the courts have said that there is not sufficient evidence of legally significant racially polarized voting in North Carolina, and therefore we believe that the legally safest way
to draw these maps is not using race at all.

CHAIRMAN SAINÉ: Representative Reives.

REPRESENTATIVE REIVES: Okay. But then -- so going on the assumption that applies on the congressional maps the same as it does on our Senate and House maps, if I'm understanding -- and I really am trying to make sure I'm not restating anything incorrectly. So the position you've taken when drawing this map, or any of these maps, is saying that you would have to have evidence of racially polarized voting to then affirmatively go in and try to make sure we're complying with the VRA; is that correct?

CHAIRMAN SAINÉ: Representative Hall.

CHAIRMAN HALL: That's generally my understanding of the law, but again, as we know in the past few cases we've seen or the Covington case, they found that there was not sufficient evidence of that. Then we went in 2019, of course, and drew maps not using race at all, those maps were upheld, and so we're trying to stick with what the courts have told us works which is in this case drawing these maps without using race at all.
REPRESENTATIVE REIVES: All right.

Thank you.

CHAIRMAN SAINÉ: Representative Hawkins.

REPRESENTATIVE HAWKINS: Thank you, Mr. Chairman.

And Representative Reives and Cooper-Suggs mentioned a lot of things that I also had in mind, but I want to speak to two things. First, you know, are the communities of interest, and I'll start with District 6, if that's okay, Senator.

You mentioned that there were very few sort of breaks in municipalities. Is that true?

And the question for District 6 is did you -- were you able to keep Morrisville, Cary and those areas together in whole? And -- well, I'll ask that question first, then I'll ask my follow-up, Mr. Chairman.

CHAIRMAN SAINÉ: Senator Daniel.

SENATOR DANIEL: Thank you, Mr. Chair, and thank you for the question, Representative Hawkins.

My understanding is there's only two municipalities split in this entire map, which
is Greensboro and Charlotte. If you want staff
to verify, I'm sure they can do that. That
should be in the stat pack. So all the towns
you mentioned, they should be kept whole.

REPRESENTATIVE HAWKINS: Follow-up,
Mr. Chair.

CHAIRMAN SAINES: You're recognized for
a follow-up.

REPRESENTATIVE HAWKINS: Thank you,
Mr. Chairman.

And so also, when we're looking at Wake
county -- and I know you did go over this in
your overview, but do you think there was
another way that we could have drawn this
district without breaking up, you know, arguably
the largest county in the state in three ways?
Did you see any other alternatives? I know you
probably went through many, many versions of
this so I'm not doubting that, but I just wanted
to think if you all thought that this was the
best way and the best potential configuration
because it does sort of break those -- that
county into three. And I don't necessarily know
because I'm like you, I don't use partisan or
racial data to analyze these and will not know
until much later, right, until actual maps are -- until people run on these maps.

But I do wonder, you know, why that was the choice and if you had any other strong alternatives that could have potentially kept Wake county broken into two at least because, you're right, it will hold one congressional district on its own and have to be broken, but this breaking it into three just seems like it does sort of break areas that work all together.

And I give context to that because Research Triangle Park sits on the eastern portion of Durham and some of those people in Cary and Morrisville do participate in the economy that Durham creates, but it just seems a little unnatural is the word I want to use for that southern portion to be connected to Chatham, Lee and others.

CHAIRMAN SAINE: Senator Daniel.

SENATOR DANIEL: Thank you, Mr. Chair.

So, Representative Hawkins, if you followed the discussions in the Senate Redistricting Committee, you know, there were some other alternatives that were offered by, you know, members of our opposite party that,
you know, took a different approach than we took. And so in harmonizing all of the criteria, we tried to maximize -- or minimize the number of counties split. So in this map it keeps 89 of 100 counties whole, without being split, and it also only splits two municipalities. So we just -- I guess we chose to place weight on those criteria in drawing the map, and that's just what we did, but, you know, there were other choices that could have been made and there were other options that were offered.

REPRESENTATIVE HAWKINS: Follow-up, Mr. Speaker. So that actually -- may I be recognized.

CHAIRMAN SAINE: You are recognized, Representative Hawkins.

REPRESENTATIVE HAWKINS: That was actually an incredible lead into my next question is when you were giving weight to criteria -- and we've asked this question of Representative Hall as well and ours and so we're familiar with his answers, but this one for you, Senator, is as you went district by district, did you prioritize those that you just
mentioned, or did you sort of standardize the way that you put weight on the criteria?

And that's a really interesting question for us to sort of understand how you sort of went through the list and decided across the state or just district by district.

CHAIRMAN SAINE: Senator Daniel.

SENATOR DANIEL: I don't know, Representative, if there's an easy way to answer that because as you go district by district, you just try to harmonize the criteria. I think we tried to harmonize it in each district. It makes it difficult in congressional-district mapping because you have to have zero deviation between the districts which makes the choices difficult.

And I know like Representative Richardson was talking about, you can move this here and move this here. Well, you know, every time you shift something, then you really can't just change one district, you have to -- you kind of have to draw a whole map.

But I would say that we did -- you know, we were -- you know, I cited the statistics of VTDs, county splits, and municipal
splits because those were three things that we thought were very important.

REPRESENTATIVE HAWKINS: Okay. Good.

Last question, Mr. --

CHAIRMAN SAINÉ: You are recognized, Representative Hawkins.

REPRESENTATIVE HAWKINS: Thank you, Mr. Speaker.

And I do want to go back to the 11th. You know, again -- and I'm always a fan of sort of, you know, if it's hard to figure out, sometimes we just need additional time to let, you know, sort of cooler heads prevail. And, you know, after, of course, we've had the opportunity to look at these maps and everyone actually has something -- you know, they've had their feedback and had, you know, opportunities to lay their eyes on this, it does seem in the 11th, as Representative Reives mentioned, there is just another potential alternative.

Now, I know that Representative Hall is okay with that because, you know, he's an App State grad and being connected to App State is probably preferable for him, but when it comes to sort of the eye test, having that
finger jut out when we could have included a little more of Guilford county -- this is District 11 -- you know, just seems to, you know, ensure that, again, communities of interest are put together, you know, compactness is sort of ensured and again, just for the voter, you know, sort of catches the eye test.

And not to mention in the double-bunking, you know, also I have to sort of mention that, you know, sort of using your words, not mine, that a choice had to be made about who was double-bunked and where. And it seems that -- you know, I'm a college football fan, and App State is a great college football town, but it just doesn't have much interest -- in interest with the remainder of the district.

And so I'm always concerned about that as we try to explain these things to voters because though we don't live in those areas, of course, all of our constituents ask us how these things come to be, and so I want to make sure that -- I'm giving that as a statement but also giving you an opportunity to sort of think through how we can explain that in particular
because if we -- if we can't, that means -- I'll
go back to my famous statement, that I was a May
baby and so nothing wrong with a May primary and
us really pushing this back and doing the best
that we can to best serve the people of
North Carolina.

CHAIRMAN SAINE: Senator Daniel.

SENATOR DANIEL: Thank you, Mr. Chair.

So I guess one point that I should have
made but didn't is that when you go into Watauga
county, it would have overpopulated the 14th
district so you had to cut out some of Watauga
county in order to make a -- you know, a zero
deviation district.

Appalachian State -- all the
universities are kept whole, and my
understanding is that all of Appalachian State
is still in the 14th district, unless staff
corrects me on that. I don't think it's in the
11th district.

CHAIRMAN SAINE: Any others wishing
recognition.

Representative Hawkins.

REPRESENTATIVE HAWKINS: I didn't know
if the staff was going to verify that.
CHAIRMAN Saine: Standby.

Staff is indicating they would have to pull that up to verify that. They can get that answer for you probably after the committee hearing.

Senator Daniel: Our staff says that I have that reversed and that Appalachian State is kept whole but it is in the 11th district. Okay. So you're right. You're right.

Representative Hawkins: Yeah. Thank you, Mr. Chairman.

CHAIRMAN Saine: Thank you.

Any other members wishing recognition.

Representative Carney.

Representative Carney: Well, we can't let all the Democrats speak and leave me by myself. So I do just have a quick question of Senator Daniel. You want to correct me. That's okay. Just a quick question.

You said that you only split, out of all the -- correct me if I'm wrong. Out of all the municipalities in the state, you only split two. One was Charlotte. What was the other one?

Senator Daniel: The other one is

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Greensboro, and Greensboro is kept 90 percent whole in one district.

REPRESENTATIVE CARNEY: Okay. And I probably should know this, but in the last -- currently now in Charlotte in the congressional seat that's in there, is the city of Charlotte split?

CHAIRMAN SAINIE: Senator Daniel.

SENATOR DANIEL: I don't have the current congressional map with me so I can't answer that question.

REPRESENTATIVE CARNEY: Okay. And so -- and maybe staff might know, but I can find that out later.

SENATOR DANIEL: And staff, Mr. Chair, might be able to answer the question.

CHAIRMAN SAINIE: Refer to staff. They're looking that up now.

REPRESENTATIVE CARNEY: Okay. And so, Senator Daniel, you were saying -- excuse me. You were saying that they were split because of the need to disperse the population. Is that what you were saying?

CHAIRMAN SAINIE: Senator Daniel.

SENATOR DANIEL: Mr. Chair.
Yes, ma’am. So the only city that was required to be split was Charlotte because it was too large for one district, so we kept as much as we could in one district for that -- for that municipality.

REPRESENTATIVE CARNEY: Okay. I appreciate that.

CHAIRMAN SAINE: Thank you. And I have online, on Webex, Representative Brockman, you're recognized, sir.

REPRESENTATIVE BROCKMAN: Thank you, Mr. Chair. And this is a simple question.

Representative Harrison mentioned that we would be producing maps that would produce a result of 11-3, and we've heard time and time again from our constituents during this process that we should be producing fair maps.

Fundamentally, I would ask is do you think that these -- are we living up to the expectations of our constituents if we produce maps that are 11-3? Is that fundamentally fair and are we living up to what is being asked of the constituents -- of all of our constituents?

CHAIRMAN SAINE: Thank you,

Representative Brockman.
Representative Hall.

CHAIRMAN HALL: You know, what I would respond to that with is this, and I've said this many times, but it again bears repeating.

Never in the history of this state has this body chosen to not use election data. The law would allow this body to hire some outside consultant to use a computer algorithm to go in and try to maximize whatever advantage the body wanted to maximize, but we have voluntarily decided that we will not use election data, and we haven't done that. That wasn't done in the drawing of this map; it wasn't done in the drawing of any of the maps. And that's significant. It is a big deal to decide to hold back from doing that and say we're not going to use election data to draw these maps.

This committee adopted a set of criteria using traditional redistricting principles, and as a result of those principles, this is the map that you have before you. I have no idea what the outcome of this map will be because I'm not looking at election data, but I have looked at our criteria, and this map complies with our criteria.
And so to answer your question, yes, I am happy to present this to my constituents and the people of North Carolina.

CHAIRMAN SAINÉ: Thank you, Representative Hall.

Are there any other members seeking recognition?

Representative Richardson.

REPRESENTATIVE RICHARDSON:
Mr. Chairman, you're a wonderful lawyer, and you can say -- and I know you didn't look at election data per se, but when a map shows a favorable rating in 11 districts and a favorable rating for the other party in 3 districts, it's an awful big coincidence that that wasn't -- that that somehow wasn't intentional. And I don't mean it that way.

What I mean is is that it's impossible for your party or my party to draw fair maps, and that's why we need to go to an impartial redistricting commission. I don't impute any ill will in what you did whatsoever. You're the majority party. I really don't, and I know -- and I don't think you intentionally did it by numbers, but you're an astute, intelligent
man, and you can look at areas of populations
and know where the voter turnout is going to be
and what the voter turnout is going to be like.
And it's virtually impossible for either party,
it is, to produce a map that would be totally
fair to everybody.

So I don't want to call you on it, but
I feel like that we've got to be honest about
this to a degree, and these maps do favor your
party, and they should, you won, but we should
go to an impartial redistricting commission for
that very reason. Thank you.

CHAIRMAN SAINÉ: Any other comments,
any other questions before the committee?

Seeing none, Representative Torbett,
you are recognized for a motion.

REPRESENTATIVE TORBETT: Thank you,
Mr. Chairman. I move that the House Committee
on Redistricting report out as favorable to
Senate Bill 740.

CHAIRMAN SAINÉ: The committee has
heard the motion. As per the request, we are
going to go to a roll call vote, and the clerk
will call the roll.

THE CLERK: Adams.
REPRESENTATIVE ADAMS: Aye.

THE CLERK: Brockman.

REPRESENTATIVE BROCKMAN: No.

THE CLERK: Carney.

REPRESENTATIVE CARNEY: No.

THE CLERK: Cooper-Suggs.

REPRESENTATIVE COOPER-SUGGS: No.

THE CLERK: Dixon.

REPRESENTATIVE DIXON: Aye.

THE CLERK: Hardister.

REPRESENTATIVE HARDISTER: Aye.

THE CLERK: Harrison.

REPRESENTATIVE HARRISON: No.

THE CLERK: Hastings.

REPRESENTATIVE HASTINGS: Aye.

THE CLERK: Hawkins.

REPRESENTATIVE HAWKINS: No.

THE CLERK: Jones.

REPRESENTATIVE JONES: Aye.

THE CLERK: Mills.

REPRESENTATIVE MILLS: Aye.

THE CLERK: Reives.

REPRESENTATIVE REIVES: No.

THE CLERK: Rogers.

REPRESENTATIVE ROGERS: Aye.
THE CLERK: Szoka.
REPRESENTATIVE SZOKA: Aye.
THE CLERK: Warren.
REPRESENTATIVE WARREN: Aye.
THE CLERK: Zachary.
Richardson.
REPRESENTATIVE RICHARDSON: No.
THE CLERK: Saine.
CHAIRMAN SAINE: Aye.
THE CLERK: Torbett.
REPRESENTATIVE TORBETT: Aye.
THE CLERK: Bell.
REPRESENTATIVE BELL: Aye.
THE CLERK: Stevens.
Hall.
CHAIRMAN HALL: Aye.
THE CLERK: 13 yes; 7 no.
CHAIRMAN SAINE: And the motion does carry.

With no other business being before the committee, we stand adjourned.

(Transcription from YouTube ended at 1:17:21.)
STATE OF NORTH CAROLINA  
)  
)  CERTIFICATE  
COUNTY OF WAKE  
)  

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded House Redistricting Committee held on November 3, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 18th day of December 2021.

Denise Myers Byrd
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(Transcription from YouTube started at 32:16.)

CHAIRMAN DANIEL: Come to order. So welcome to the Senate Redistricting Committee, November 3, 2021.

I'd like to thank our sergeant-at-arms, Michael Cavness, Rod Fuller, Dwight Green, Chris Moore, and Hal Roach. Gentlemen, thank you for being here.

We have one bill on the calendar today. It's House Bill 976. All the members should have a copy of that. It's the -- it's the House of Representatives -- [audio stopped.]

Representative Hall, present the map.
So, Representative Hall, you have the floor.

REPRESENTATIVE HALL: Thank you, Mr. Chairman. Good to see all my friends in the Senate committee. I will not be real long unless the members of this committee want me to be long.

But I'll start by saying we conducted a process in the House committee, similar to your committee here, in my opinion that is the most transparent process in the history of this state regarding redistricting. We also took the
unprecedented step of choosing not to use election data at all in the drawing of our maps.

We've had a thorough debate on these maps, including proposed amendments in the House, both in committee and on the floor. I'm glad to go into those if the committee so wishes, but I'll say that we don't intend to likely amend the Senate map over in the House, and we hope that you won't amend this one either, and we hope that you will vote for this map.

CHAIRMAN DANIEL: Are there any questions from the committee?

Senator Hise.

SENATOR HISE: Move for favorable report.

SENATOR MARCUS: I'm sorry.

CHAIRMAN DANIEL: We have a motion for a favorable report.

SENATOR MARCUS: I did have a question. I'm sorry.

CHAIRMAN DANIEL: That's okay.

Senator Marcus, what's your question?

SENATOR MARCUS: Mr. Chair, just a couple questions, Representative Hall, about
Mecklenburg county.

I'm chair of that delegation, and so I just want to be sure here. It's very hard to see on this map which doesn't -- doesn't have a -- my version -- my printed version doesn't come out here.

But in Mecklenburg county, does your map pair any current members of the House in the same district?

REPRESENTATIVE HALL: No.

SENATOR MARCUS: No double bunks.

REPRESENTATIVE HALL: No.

SENATOR MARCUS: And then I believe there's one new district, then, that would be an open seat. Is that true?

REPRESENTATIVE HALL: That's right.

SENATOR MARCUS: And can you just clarify for me what you've numbered that on this map or where it is or what color it is just so I can find it on this map.

REPRESENTATIVE HALL: While we look through this map, I will say all of the districts have slightly shifted somewhat. And I'm told it's District 96 that is the, quote, unquote, new district.
SENATOR MARCUS: Thank you.

CHAIRMAN DANIEL: Any other questions, comments from the committee?

Seeing none, we have a motion from Senator Hise to give House Bill 976 a favorable report. All in favor of that motion please indicate by saying aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN DANIEL: All opposed, no.

COMMITTEE MEMBERS: No.

CHAIRMAN DANIEL: Ayes have it and the motion passes.

There being no further business to come before this committee, it is adjourned.

(Transcription from YouTube ended at 35:50.)
STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, DENISE MYERS BYRD, Stenographic Court Reporter, CSR 8340, do hereby certify that the transcription of the recorded Senate Redistricting Committee held on November 3, 2021, was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said recording.

Signed this the 18th day of December 2021.

Denise Myers Byrd

CSR 8240, RPR, CLR 102409-2
Senator Cavness moved the adjournment of the Senate Redistricting Committee. The motion was seconded by Senator Hise.

Chairman Dwight called the roll and the ayes and aye were 12, with 6 not voting and 4 present. Sens. Reynolds, Young, Joyce, Davis, Hise and Wray were present. Sen. Davis asked to be excused at 2:01 p.m.

Chairman Dwight called for the consent calendar. Senator Cavness moved the consensus. The motion was seconded by Senator Hise.

Chairman Dwight certified the vote.

Chairman Dwight reported that the Senate Redistricting Committee had voted in favor of the certified map for the 4th District. The certified map was passed without objection. The committee recommended the map be transmitted to the Senate

Chairman Dwight thanked the senators for their work and adjourned the meeting.

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Joint Public Hearing Schedule
September 13, 2021
House Committee on Redistricting
Senate Committee on Redistricting and Elections

Wednesday, September 8 – **Caldwell Community College and Technical Institute**, hearing starts at 6:00 pm

Tuesday, September 14 –
- **Forsyth Technical Community College**, hearing starts at 4:00 pm
  - 1615 Miller St, Winston Salem NC, 27103, Rhoades Center, Robert L. Strickland Center
- **Elizabeth City State University**, hearing starts at 5:00 pm
  - 1704 Weeksville Rd, Elizabeth City NC, 27909, NC, K.E. White Center

Wednesday, September 15 –
- **Durham Technical Community College**, hearing starts at 6:00 pm
  - 1613 Lawson St, Durham NC, 27703, Main Campus, Building 5
- **Nash Community College**, hearing starts at 5:00 pm
  - 522 N. Old Carriage Rd, Rocky Mount NC, 27804, Brown Auditorium

Thursday, September 16 –
- **Alamance Community College**, hearing starts at 5:00 pm
  - 1247 Jimmie Kerr Rd, Graham NC, 27253, Patterson Auditorium
- **Pitt Community College**, hearing starts at 3:00 pm
  - 169 Bulldog Run, Winterville NC, 28590, Craig F. Goess Student Center

Tuesday, September 21 – **Western Carolina University**, hearing starts at 5:00 pm
  - 3971 Little Savannah Rd, Cullowhee NC, 28723, Health & Human Sciences Building

Wednesday, September 22 – **Central Piedmont Community College**, hearing starts at 3:00 pm
  - 3216 CPCC Harris Campus Dr, Charlotte NC, 28208, Harris Conference Center

Thursday, September 23 – Mitchell Community College, **Iredell County Campus**, hearing starts at 3:00 pm
  - 500 W Broad St, Statesville NC, 28677, Shearer Hall

Tuesday, September 28 – **UNC-Pembroke**, hearing starts at 4:00 pm
  - 115 Livermore Drive, Pembroke NC, 28372, Office for Regional Initiatives

Wednesday, September 29 – **UNC-Wilmington**, hearing starts at 5:00 pm
  - 615 Hamilton Drive, Wilmington NC, 28403, Lumina Theater, Fisher Student Center

Thursday, September 30 – **Fayetteville Technical Community College**, hearing starts at 6:00 pm
  - 2220 Hull Road, Fayetteville NC, 28303, Tony Rand Student Center, Rooms 9.1 & 9.2
Dustin Hall (00:00):
(silence) Still on the honeymoon.

Speaker 2 (00:33):
All right. You'll be on the honeymoon for at least three years. (silence)

Dustin Hall (02:29):
Committee will come to order. The chair wishes to welcome everybody to one of the beautiful counties in this state, in fact, the most beautiful county in this state, Caldwell County, which, of course, is the home of the chair. Chair also wants to recognize our folks from the general assembly staff who are here today, our sergeant-at-arms, David Layton, Glen Wall, Chris Moore. Want to thank our general assembly police officers who are here with us today, including Sergeant Robert Barcoper. The chair also wants to recognize the members of the general assembly who are here tonight. They’re all to the left of the chair, Senator Warren Daniel, who is one of the chairs of the Senate Redistricting Committee. Again, I’m Dustin Hall. I chair the House Redistricting Committee. We have Senator Chuck Edwards, Senator Dean Proctor, Representative Jeffrey Elmore, Representative Ray Pickett, Representative Jay Adams, Representative John Torbett, Representative Jon Hardister and Representative Becky Carney. I think I got everyone.

Chair wants to thank everyone who is here tonight to come out to this first round of public comment for this cycle of redistricting. I think this chair can speak for all the members here and all the members of the general assembly in saying that we value your comments, and we’re excited to hear what members of the public have to say about the redistricting process in North Carolina. Chair’s got a number of folks who have signed up, both online and in-person here today. The committee is going to limit comment of each person up to two minutes per person. And the sergeant-at-arms will keep that time and will notify each speaker when they reach the two minute mark. With that said, we will begin with Sue Smith, who is an online [inaudible 00:04:34]. Is Sue Smith in the audience? If not, we’ll move on down the list. Dr. Sharon Brown? Is Dr. Sharon Brown here today? Dr. Sharon Brown. All right, we’ll move on. Zachary Brocas. Zachary Brocas? [inaudible 00:05:05]. Chair sees Senator Lowe coming in and wants to recognize him as well for being here. And we’ll get you a chair. Bob Phillips. Mr. Phillips. Good to see you. If you will, approach the microphone.

Bob Phillips (05:31):
Representative Hall and Senator Daniel, it’s great to be here in your home district. My name is Bob Phillips. I’m actually a Raleigh resident, but I’m representing Common Cause. We have several hundred members in this area. I actually have roots in Catawba County, so I know this area. Let me first say thank you for what you all are doing in terms of giving the public an opportunity to speak to you about their views of redistricting and how it should be done. Representative Hall, as you’ve mentioned, you want to see the finest and best redistricting process possible, and to that end, as Common Cause, we will try to hold you accountable. And I have just a few suggestions I’d like to make.

First and foremost, I would like to see, and I’m disappointed perhaps, that this is not a livestreamed event. We’re standing here in Caldwell County. And Representative Hall, you probably know this. Since early July, the COVID cases have climbed 4,000% since early July. Senator Daniel, Burke County has a positivity COVID rate of triple what it was in early July. I guess my point is is there’s a lot of people who would probably like to participate from the comfort of their home. All of us have done virtual meetings since March of 2020. You all have certainly conducted the people’s business that way. I
would love to see you all try to livestream these and offer an opportunity for folks to participate again virtually. So that's one suggestion.

The other is in October when you all start drawing the maps, it would be great if you could make it a little bit easier, better audio, more cameras. Again, if you're going to copy or mimic what you did in 2019, that would be great. Last thing, again, in the spirit of giving the public an opportunity to tell you what they think after those draft maps come out, it would be great for you to have a series of public hearings. In fact, Representative Hall, right here in the finest county in the state would be a perfect place to have them than the other sites that you have, just to give, again, an opportunity for folks to comment. Again, I want to thank you. I know this is not an easy ask. And thank you for your public service, and I look forward to the process continuing.

Dustin Hall (07:44):
Thank you. Thank you, Mr. Phillips. Kim Moss.

Kim Moss (07:55):
Good evening. My name is Reverend Kim Moss. I am here representing the Caldwell County NAACP. I am the president. On behalf of the Caldwell County NAACP, I would like to emphasize that in the past, North Carolina has recognized communities of interest as racially neutral redistricting criteria. Yet, communities of interest will be given little to no consideration in this year's redistricting criteria. I would also like to emphasize the importance of complying with the Voting Rights Act and other laws in the redistricting process, as well as the need for an open and transparent process that values community input. In particular, I would like to highlight the importance of considering the history of discrimination in voting and redistricting in North Carolina. Between 2010 and 2020, federal courts have found that North Carolina's redistricting plans have discriminated against black voters and voters of color by diluting minority votes. The general assembly failed to include the consideration of the history of discrimination. I strongly oppose the exclusion of the history of discrimination in criteria and urge the general assembly to expressly consider the history of the discrimination.

Finally, we ask that there be additional opportunities for public comment at all stages of the map drawing. We ask that for two weeks, notice to the public for all hearings, speakers should be able to sign up for virtual participation prior to all hearings as is allowed for in-person testimony. Thank you for the opportunity to provide this public comment.

Dustin Hall (07:55):
Thank you.

Kim Moss (07:55):
Thank you.

Dustin Hall (09:45):
Thank you, Ms. Moss. Jeffrey Ridge. Jeffrey Ridge. Phil Ingle. Mr. Ingle, if you will, approach the microphone.

Phil Ingle (10:07):
Thank you. Welcome to Caldwell County. I come before you as the party chairman for Caldwell County Republican Party. I’m here not so much to talk about the process, which I think is great, the
transparency that we’re seeing and being able to hold a forum such as this to discuss the redistricting. But what I would ask for Caldwell County, and this has answered some of the rumors that we’re hearing, leave Caldwell County alone. We like being a whole county. We like being ourselves in the fifth district. We’re very happy where we are. We’re very satisfied with our congressional delegation and really don’t see a need to change that. I equate it to you dating your wife and/or your husband or your significant other. You get to know them real well, and you know their inferences and what they want to do. And then all of a sudden, poof, they’re gone. And I really don’t want to see that here. And on behalf of the 25,000 registered Republicans here in Caldwell County, I would ask you to leave Caldwell County as it is, not split it, but leave it whole and leave it in the fifth district. And I thank you, and thank you, again, for the transparency.

Dustin Hall (11:34):

Deb McGivern (13:03):
Good evening. I’m Deb McGivern, President of the League of Women Voters of Catawba Valley and a resident of Catawba County. We believe we speak for many voters that partisan politics should not play a role in the drawing of our voting maps. We ask for a transparent process that includes meaningful input from the public. We want voting maps that do not consider incumbents, addresses or residents' voting histories or party affiliations. We ask for political neutral criteria. Polling shows that the majority of North Carolinians support a nonpartisan approach to redistricting. We want voters to pick their representatives, not politicians picking their voters. Transparency and public import are critical in having a fair district. We apply to having public hearings in 13 areas. That is not enough. During this past year, I echo what Common Cause adjusted. Virtual meetings are important. It is important for people to have their voices heard in a safe environment. We ask for the public hearings not only before maps are drawing, but after those draft maps have been drawn. So I hope that that first round meant that there was a second round after those draft maps. This is an exciting time for North Carolina. Our growth has given us another US representative. We ask our legislators to take that response responsibility to heart. The North Carolina constitution states all persons are created equal. We ask that all votes are created equal. Thank you.

Dustin Hall (14:50):

Rosanna McDonald (15:17):
Good evening, everyone. My name’s Rosanna McDonald. I am a Caldwell County resident for 20 years. I'm an RN. I'm a member of the NAACP and the League of Women Voters of Catawba Valley. I'm here to ask for better and more transparent process in redistricting hearings to come. We need more public education about redistricting and the impact on all North Carolinians, especially communities of interest, like black and Latino communities. We need more public hearings to be scheduled. They have been slashed from 62 to 13 since 2011, and they exclude major counties. We need more timely and crucial details posted, like the exact addresses of the hearings. People were showing up at Caldwell Community College instead of coming here because the original information was just Caldwell Community college.
We need more safety information posted. This is the middle of a pandemic, and people want to know that they're safe coming to a meeting. There's no sanitizer outside. We need more video conferencing, I totally agree with the other speakers, so people can see this from their home. We need to have access to comments posted on the North Carolina General Assembly redistricting website and access to comments at video conferencing. And we need more hearings scheduled after maps are drawn. Currently, there's only one scheduled in Raleigh, and that's really unacceptable. And in general, just when drawing the maps, race data really needs to be included because race neutrality in map drawing is detrimental to communities of color. And thank you for your time.

Dustin Hall (17:11):
Thank you. Melissa Patton.

Melissa Patton (17:12):
Thank you for coming to Caldwell County. All of you that are not local, welcome to our county. I'm representing my friends and family and myself tonight. We would like to thank the general assembly for coming out to our community and other communities across the state to discuss this very complex issue and for your efforts on openness and transparency for us as voters. We appreciate you doing this for us. We support the banning of racial and political data to help control against gerrymandering. Just want you to know that. We strongly support a whole county provision to ensure fair and legal districts are drawn. We also would like to ask that our counties not be divided in congressional districts. Splitting counties is very confusing to voters. And in recent years, Caldwell County in particular has been in three different congressional districts. And so we personally would like to see us stay in the fifth district, but we just would like for you to not split our county, both on the state level and on the federal level. Please keep us whole. We also support an open, fair and constitutional process and appreciate the general assembly's efforts and this committee's efforts in that. Thank you.

Dustin Hall (18:37):
Donnie Potter.

Donnie Potter (18:45):
Good evening. I want to take this opportunity to thank each of you for taking the time to come to our county and visit. I know it was a lot of traveling for quite a few of you. My name's Donnie Potter. I'm a Caldwell County Commissioner and a resident here for the last 21 years. I guess my biggest concern, they echoed some of this, but it's important to me and important to us as a citizen and as county commissioner that we leave our county whole, that we do not split the county. I think it's an issue. We understand that the census has changed, and we are close, right there at that cusp, a little bit short. But I'm asking you to keep us whole to keep Caldwell County together. It's very close. It just doesn't make sense to break us up. We've got a great working relationship with our House of Representatives and our other legislators across the state and the federal government. We communicate well. We know who to talk to when things happen in the county. I represent both parties in this county. I represent Republicans and Democrats. When I get a phone call, I don't and ask them what party they're with. I try to help them. And I can tell you that I've had a lot of success with my legislators. They work hard just like the rest of you do.

I urge the committee tonight to keep Caldwell County whole and do not combine it with another county, specifically primary reason in my opinion is combining a tier one county with potential tier three county. That's problematic. My fear is that the resulting shifting resources that are desperately here in
Caldwell County to Watauga, who does not need it as bad as we do here in Caldwell. Caldwell County, like many other counties in the Western, has struggled for decades to get funding that is needed. Tier one counties have specifically been forgotten and underfunded through the years. And I fear that it would be worse if we combined a tier one and tier three county. That's problematic for all of us, our education system. It's problematic for the whole system. For that reason tonight, I urge you to please keep Caldwell County whole. We trust that you'll make the right decisions. These folks have made some great comments, but I appreciate the fact that you've come to this county. You've stood on this stage. You've listened to us. That takes a lot. Thank you so much for your time and appreciate you being here. And welcome to Caldwell County.

Dustin Hall (21:17):
Thank you, sir. Cindy Sellers.

Cindy Sellers (21:34):
Good evening, everyone. Thank you so much for being here tonight and listening to our comments, and appreciate you coming. My name is Cindy Sellers, and I am the mother of two Afghanistan veterans. And that's first thing I've got to say because I'm so proud of them. I was raised to be a very patriotic person. Proud that I am a retired teacher. And I am from Alexander County with some folks from Alexander County, and we are Democrats. Many of us are passionate and proud of our roots in North Carolina. We love our country. We have shared that with students over many careers in our group in classrooms in North Carolina. But currently, we cannot stand behind what we held high in our classrooms in our careers. Everyone in North Carolina can vote. We told students that their votes do count, but even though this is a purple state, leaders have neutered the votes of rural North Carolina. When lines are drawn by politicians who brag that the reason the lines aren't more gerrymandered is because that's the best they could do and joke about it. And I don't know who said that, but I know someone said that. Our state is in trouble. When there's an R besides someone's name and that person will automatically be elected no matter their qualifications, our state is in trouble.

The proof is making the headlines with crazy North Carolina people like Madison Cawthorn charging up the crowds with threats of violence and bloodshed. Yes, words coming out of mouths are fueling hatred and nonsensical actions, which can lead to more radical elements such as what took place on January the sixth. And I'm scared for my grandchildren. Where are the common sense voices? Where the leaders who don't care if they are elected again, who will vote for the good of the people, not for the money they were received from voting for special interests? The minority voters deserve a voice instead of being thrown into a district where their vote means nothing. We all deserve a fair shot at picking-

Dustin Hall (23:49):
Sorry about. Yeah. And ma'am, if you will, wrap up your comments.

Cindy Sellers (23:59):
I will. I will. I'm a Rotarian. And I feel like some of you folks sitting up there right now are Rotarians too. And one of the things that we say at the end of our meeting is, is it fair to all concerned? And I want to leave that with you today. Thank you so much.
Thank you, ma'am. Barbara Kirby.

Barbara Kirby (24:31):
Thank you. I'm a fourth-generation Caldwell County citizen. I live in the Oak Hill community currently. I am a retired educator and currently work as a part-time librarian. On August 12th, the state legislator adopted district map-making rules for 2020. Following court losses in 2011, 2016 and 2019 because of racial and political gerrymandering, this time they say they will not use racial or political data to draw their maps. They will also attempt to follow county boundaries. This seems like a good start to draw drawing fair maps. However, there are details and vagaries in the rules that are troubling. The Raleigh News and Observer sites some examples. The rules state that the addresses of current lawmakers may be considered in drawing the maps, a measure that would protect incumbents. Other rules state that municipal boundaries may be considered, voting districts can be split only when necessary, lawmakers should make reasonable efforts to draw districts compactly and knowledge of communities may be considered.

I'm particularly concerned about the last one, that it will allow map makers to and work around their own rule of not using political data. I am worried that this fuzzy language will enable the majority party to continue with the districting shenanigans for which they are notorious and that our maps will not be much better than in the past. North Carolinians need to keep a very close eye on our legislators as they begin to redraw the district maps that we will live with for the next 10 years. Thank you so much.

Dustin Hall (26:25):
Thank you. Carlos Lopez.

Carlos Lopez (26:38):
Good evening, everyone. Hope you're all doing well. Though I do not live in the Caldwell County area, I am from a rural town known as McDowell. I will use this platform to be able to address the needs of the county. My name is Carlos Lopez, like I said. I'm representing Centro Unido Latino-Americano, also known as CULA, all inclusive organization, nonprofit that serving communities of color, underserved and marginalized communities in the McDowell County area, Marion, North Carolina, a place I've called home for 16 years. And I am here today to encourage further transparency and public disclosure for redistricting in North Carolina. I am a youth coordinator at my organization, teaching young people in my community social skills, education and the significance of being informed and engaged with the powers that be through collaborative activities and team building. McDowell's population currently sits at 46,427 people, and 22.3% of those people are under 19, the highest percentage and the second being 19.9 for folks over 65. Throughout life, I've created bonds with all sorts of people with different backgrounds, occupations and interest, and there's rarely been any division between my community. And I would like for that not to take place. My cultural knowledge helps me bring my community together. And we have Spanish-speaking students, students of color and aspiring white young students as well. And we are all unified by the common goal of having a better future for everybody.

But when young folks are asked why they're not engaged in civic engagement in McDowell, most common answer is that they feel undermined due to the age and "lack of experience". Now imagine how they will feel once they realize that the redistricting process where they live is not as transparent as they would expect it to be. I am their role model advocating for recognition involvement for younger audiences, so I ask that public disclosure for map redistricting be reconsidered with the future generation in mind. Ask yourself, what will I leave for them? I thank you. And thank you for your time. Thank you for the opportunity.
Dustin Hall (28:50):
Thank you, sir. Margarita Ramirez.

Margarita Ramirez (29:04):
Hello. Thank you. My name is Margarita Ramirez. I am the executive director of Centro Unido Latino-Americano, a nonprofit organization that serves the Latinx community and Marion, McDowell. In 2011, you held 60 hearings, 60 hearings. And I think that the [inaudible 00:29:22] needed to have a hearing. It makes it impossible for a lot of the community to drive and come to a hearing. Being part of the [inaudible 00:29:30] community for over 20 years, I have witnessed the systematic barriers, inequality that exists for the community I serve. In Centro Unido Latino-Americano, we serve between 800 to 1,200 people in a month. This numbers shows that the percentage of the Latinx community in McDowell is much larger than what we think. Living in McDowell and from my own lived experience, I realized from a very young age that I had to serve as an interpreter to my community because the service was not available. And it's not available in many places. That issue is one of the systematic barriers that I'm talking about.

I don't want to talk to you only about what we need but also about what my community contributes. My community not only [inaudible 00:30:13] in its culture and traditions, but above all, we stand out for our dedication and work ethic. An example is that the majority work in agriculture, greenhouses and factories and restaurant. They are essential workers, and they do the work that nobody else wants to do. This is not just the history of McDowell County but all western North Carolina. Western North Carolina is overlooked, and the contributions of my community gets the overlook. This is why I ask that we be fair in the division of district and that we focus on all communities receiving the necessary resources. For that to happen, my community needs to have a fair representation. A better and most transparent hearing with a virtual option is much needed, not only for English speaking, but for everyone. Thank you for your time and consideration.

Dustin Hall (31:05):
Thank you. Ed Blair.

Ed Blair (31:15):
I'm Ed Blair from Lenore. Gerrymandering has a long history. In the past legislators with majority control, both Democrats and Republicans, have used gerrymandering, not to design voting districts aimed at hearing the voice of our people, but instead, to keep themselves individually and as a political party in power, regardless of the will of the people. As it has been and continues to be used, gerrymandering violates the equal protection clause of our constitution, which mandates that all of our people enjoy equal protection of the law. The constitution requires that votes of any voter or group of voters not be degraded for the political gain of any political party or politician. The insidious threat and corruption presented by gerrymandering has increased in recent years. Modern partisan legislators now have sophisticated tools such as computer-generated mapping based on racial, ethnic, economic, age and other group characteristics to use crafting districts to their own political advantage.

They minimize the impact of appropriate criteria, such as county and municipal boundary lines, in order to achieve their purely partisan goals. Reliance on such inappropriate group information and designing voting districts to discriminate against groups of voters is not only unlawful and contrary to our constitutions and the principles of democracy; it is also a manifestation of the bad character of any legislator who acts or votes to support such shameful purposes. I urge my fellow North Carolina citizens
to pay attention to the way that members of our general assembly, particularly their own Representative or Senator, how they act as they design our new voting districts. Consider whether or not their actions are done to promote democracy, or are they engaged in unlawful gerrymandering in order to accomplish personal or partisan political gain? Thank you.

Dustin Hall (33:29):
Thank you, sir. T. Anthony Splorna. And I botched that last name and I apologize.

Anthony Spearman (33:44):
Thank you, sir. Spearman is the name. To the lady and gentlemen of the Redistricting Committee of the general assembly, I am the Reverend Dr. T. Anthony Spearman, President of the North Carolina NAACP. And I represent thousands of members across the length and breadth of the state. So I will more than likely be shadowing you to meetings of these redistricting hearings. Redistricting is essential to voting rights and electoral representation for historically underrepresented groups. Fair community-generated redistricting testimony and proposals positively impact policy outcomes for African Americans and provide an opportunity for underrepresented groups to fairly choose electoral representatives. As the Reverend Kim Moss has already said, the general assembly failed to include the consideration of the history of discrimination in North Carolina, which is necessary to ensure compliance with section two of the Voting Rights Act in its redistricting criteria. I strongly oppose the exclusion of the history of discrimination in the criteria and urge the general assembly to expressly consider the history of discrimination in voting and redistricting so it does not again violate section two of the Voting Rights Act further. The criteria provides minimal consideration of communities of interest. Communities of interest are communities that have a shared interest or passion and may benefit from cohesive representation in the legislature. Redistricting should focus on communities, not politicians and incumbents. Thank you.

Dustin Hall (35:55):
Thank you, sir. Chuck Gore.

Chuck Gore (36:03):
Thank you very much. Well, native North Carolinian, resident of Caldwell for 14 years, [inaudible 00:36:29]. I'm going to speak of my own experience in that of helplessness. A lot of times I don't feel that I have representation within my district. And without going into a lot of the reasons for it, where it really concerns me, if I feel that way, then there are many others. Whatever process you use to redistrict, make sure that all that are represented. Give someone a fair chance. Let a person win on their merits, not on the folks that, well, I just don't want to participate. North Carolina deserves an informed and an engaged electorate.

The number of people I run into who can't tell me who US Congressman is, who can't tell me who their state Representative or their state Senator is, that needs to change. It needs to change for the good of our state, not just so our needs can be met and our concerns have a voice, but also to hold those accountable. We've seen through the toxic political climate, the lady was speaking about Madison Cawthorn, if we don't have a way... And the vote is the way to do it. The vote is the proper way to do it, to hold people accountable. And there have been some, there have been seven, that have engaged in what I consider seditious activity. Voting is the democratic way of doing it. And it only works when everyone has that fair shot. So I implore you all to make it as fair as possible. And thank you. Thank you for your time.
Dustin Hall (38:19):

Thank you, sir. So we have reached the end of all those who have signed up. However, the chair does want to give an opportunity in case anyone came in who had signed up to be able to speak. So is there anyone in the audience who signed up, whether online or here in-person tonight, who did not hear their name called out? If you signed up and did not hear your name called out, please raise your hand or come towards the front. Seeing no one, was there anyone who showed up and was not able to find the sign-in sheet to be able to sign up who would like to sign up? If so, just simply raise your hand and we'll direct the sergeant-at-arms to you.

Seeing none, the chair, again, wants to thank all the members of the public who came out tonight. The members of the general assembly, again, speaking for the members who are here, we really value the time that you all have taken. We've got members here tonight, really, from all over the state who have taken their time to come right here to Caldwell County to be able to listen to what folks in this area, in this region have to say on this matter. And again, there will be additional public comment periods across the state. I would encourage you to go on the North Carolina General Assembly's website. There's a special page there for redistricting. You can get a lot of information on that page, including committee meeting notices, where you can listen or watch online to committee meetings. There are lists of the various areas where public hearings are to be held. There will be at some point in the future when the body does begin drawing those maps, which, of course, has not happened yet, all of that will be online for the public to go and for the public to view. So with that being said, we will now adjourn the meeting. (silence)
Good evening. Welcome to Elizabeth City State University. I'm Warren Davis. I'm the Co-Chair of the Senate Redistricting and Elections Committee. It's good to be with all of you at Elizabeth City. It's a beautiful city, and it's a special city to me and my family. My daughter Brenna graduated from Elizabeth City State University and is now employed by the university, so we're glad to be here with you tonight. I'd like to recognize our staff that has come with us from Raleigh, so we have our sergeant-at-arms and those are [Glen Wall] from the House and [White Green] from the Senate, and we have also with us General Assembly police officers, Sergeant Walters and Officer Torres, so we always thank our staff for their service to us. We also have a couple members of the General Assembly that come to be with us tonight. On my left is President Bobby Hanig and then [inaudible] is here. So we're thankful for every citizen who has come here tonight, and assure you the General Assembly values your comments and this meeting and your input to this process [inaudible].

This meeting is scheduled for three hours, so we can accommodate approximately 88 to 90 speakers. But if there's not that many, then we'll just adjourn if anybody [inaudible] include in their remarks. So a number of individuals have signed up both online and some out in the lobby, so we'll go through those lists. If you weren't able to sign up yet, then don't worry, we'll reserve time for you at the end. If you haven't been able to sign up, you could just notify Blake in the back and he could help you with that. So without further ado, we'll go ahead and get into the list and we'll just go. We're going to start with the list, who signed up online and we'll just go in order of the signup. Then when we're done with that list, we'll go to the list of those individuals who signed up this evening. So first on the list is Mrs. Sue Inglehart.

[inaudible] by the [inaudible] that Jessica [inaudible] microphone, each speaker's allotted two [inaudible] sergeant-at-arms will notify you have one minute remaining and then when your time has expired, and we'll of course be glad to allow you to [inaudible].

Speaker 2 (04:01):
[inaudible 00:04:01].

Celia (04:07):
Thank you for the opportunity to speak. [inaudible 00:04:07] from the [inaudible 00:04:08] nonpartisan organization that's voter registration and vote [inaudible 00:04:15].

Speaker 4 (04:16):
Right, [inaudible 00:04:16] really important [inaudible 00:04:17] for that. [inaudible 00:04:18].

Female (04:16):
No, we get more time.

Speaker 4 (04:22):
[inaudible 00:04:22]

Male (04:22):
Is there anybody that can turn up the volume a little bit?

Celia (04:43):
Ready? Okay, all right. [Celia Novares 00:04:45] from the League of Women Voters, Northeastern North Carolina. We're an organization's nonpartisan in voter education and voter rights are the most important causes for us. Thank you for the opportunity to speak. No matter what our color, background or [inaudible 00:05:01], voters should pick their leaders, not the other way around. [inaudible 00:05:06] a handful of politicians in our North Carolina General Assembly that have been allowed to draw their own district's lines to guarantee their reelection. Legislators drawing their own district boundaries is a major conflict of interest that contributes to partisan gridlock and prevents voters from holding lawmakers accountable. The process is called gerrymandering, [inaudible 00:05:29] that word, and is a threat to our democracy. Political history has shown that both parties have gerrymandered in North Carolina. It provides advantages to the party in power, the aggregated communities which they think are likely to vote for their respective party.

They can also gerrymander by splitting communities apart such as the voting [inaudible 00:05:51] areas unfairly diluted, making residents a less consequential group come voting time. Over time one party can become so entrenched that the winners are a sure thing and voters lose interest in elections, which is not good at all. Despite pandemic-related delays of the release of census data, it's imperative that the maps are drawn with full public participation. I know this is a first step of that. Due to [inaudible 00:06:16] increase in population, North Carolina has been allotted an additional US congressional district which adds to the challenge [inaudible 00:06:24]. NCGA, North Carolina General Assembly communities have decided to hold these public hearings in only 13 locations. We are lucky to have one here in Pasquotank County, but other districts are not so lucky to include the areas where North Carolina has the largest populations, Raleigh, Greensboro, and Asheville.

A new public hearing schedule should be released that includes public hearings in every congressional district of the state. Also public hearings have been scheduled prior to maps being drafted and no hearings scheduled after maps have been drawn, released to the public. Contrast this schedule to the one provided in 2011 where 62 hearings in 36 counties were convened before and after maps were drafted. With communications technology making the sharing of information easier, we should be increasing transparency, not moving backward. Nobody knows our communities [inaudible 00:07:15] the people who live in them. We need more public hearings.

Warren Davis (07:27):
Next on our list is Mr. [Charles Palling 00:07:27]. Charles Palling. We'll move on to the next speaker. Laura Overstreet.

Laura Overstreet (07:38):
Is it okay if I speak without the microphone? Can everybody hear me?

Warren Davis (07:51):
Ma'am, this is a public hearing. It has to be recorded.

Laura Overstreet (07:51):
It still has to be recorded, okay.
Warren Davis (07:56):
But let me say, before you start, I just want to acknowledge that my colleague, Senator Don Davis, has arrived, so I want to welcome Senator Davis to the meeting.

Laura Overstreet (07:58):
Okay, can you hear me?

Male (08:10):
Well, yes.

Laura Overstreet (08:12):
Okay. All right. My name is Laura Overstreet. I'm also with the League of Women Voters and I'd like to follow up a little bit on what Sue said, talking about gerrymandering, how we so desperately need to avoid it here in North Carolina, because when politicians draw their own districts, it's the voters who lose. But the voters are also the ones who can stop this from occurring, because it is our reality right now. The legislators draw their own districts and they also [inaudible 00:08:43] maps. So what we need to do in that case is get our voters involved in this process. It needs to be a fully transparent process, one that invites and encourages participation, extensive participation, from all of our citizens here in North Carolina. When we're looking at fair criteria for maps, I'm talking about keeping our districts compact and contiguous, keeping our communities together, making sure that we are complying fully with the Voting Rights Act and that there is no political data and no political aims in the drawing of these maps.

Gerrymandering undermines our guarantee of free elections. This is our right under the North Carolina Constitution. Gerrymandering of safe seats to incumbents from both parties. We the voters need real competition so that our votes matter and our voices are heard. Gerrymandering denies real choice, so legislators don't have to listen to voters. It leaves us with no way to hold them accountable. The 2019 court ordered redraw of the maps in North Carolina did not fix the problem. 93 out of 120 seats in the North Carolina House were still safe for likely wins for one party or the other, and that's exactly how the maps were formed. In 2020, every single safe, likely, and lean seat performed exactly as designed. Please adopt a fully transparent process that allows for extensive citizen participation. Thank you.

Warren Davis (10:32):
Thank you. Now I want to also recognize our colleague from the House, Representative [Hunter Hoogsraw 00:10:37] and he's seated beside Senator [Banks 00:10:40]. Next on the list is Ms. [Tara Fox 00:10:44]. Tara Fox.

Tara Fox (10:48):
I'm Tara Fox. I'm a resident of Pasquotank County and a director of the League of Women Voters of North Carolina, Northeastern North Carolina. We want the North Carolina General Assembly communities to know that we expect the same transparency and dedication to a fair redistricting process as has been promised by the Pasquotank County commissioners. The Pasquotank County commissioners draw their own maps just like the legislators do, but voters deserve a say in how the districts are drawn. The decisions the Pasquotank County commissioners make are very important to
our community. They approved budgets, controllers and school funding, approve development projects, oversee some local utilities, fund the sheriff and courts and of course levy taxes.

On June 21st they signed a resolution establishing an open, transparent, and nonpartisan procedure for the 2021 redistricting of the Pasquotank County Board of Commissioners. They have scheduled three public meetings, one of which was last night to show us the census data, and two more will be held on October 18th and November 15th. They have committed to a redistricting process that provides for firm timelines announced publicly in advance, prompt public communication of the draft plans, timely posting of the maps and other information via website and through publication in local news outlets, well-promoted open public meetings on maps and the ability for resident citizens to review proposed maps, submit comments, and propose improvements. The resolution also encourages the North Carolina General Assembly to adopt procedures for the 2021 legislative and congressional redistricting and embodies the same principles, processes and measures in order to secure our resident citizens' right to participate fully and effectively in the 2021 redistricting process and to strengthen representation in these elected bodies. Again, we expect the same from the NC General Assembly committees. Thank you.

Warren Davis (13:15):
Thank you. Also want to recognize another member who has arrived, Representative Linda Cooper-Suggs, seated to my left. Next on our list will be Ms. Michelle Lewis. Ms. Lewis.

Michelle Lewis (13:44):
Good evening. I'm Reverend Doctor Michelle Lewis, executive director of the Peace Garden Project in unaffiliated community [inaudible 00:13:51]. Thank you for holding this meeting today to give us the opportunity to discuss redistricting here in North Carolina. However, I'd be remiss if I didn't state that the number of meetings scheduled for the state are too few. Additionally, the schedule start time of the meetings makes it difficult for those in more rural communities and those working more traditional jobs and the working poor to attend. I hope it is the plan of those involved to put people before party as the legislature draws new electoral districts that will affect our state's political system for the next decade. Gerrymandering is all too real in the state of North Carolina, and North Carolina has repeatedly proven to be one of the worst offenders, drawing lines around race and political parties. I implore the legislature to create nonpartisan commission to assist with this work. Numerous people fought and died so that we would all have the right to vote, and to make sure that each vote gets counted equally. Thank you.

Warren Davis (15:07):
Thank you. Next we have Ms. [Catherine Pruitt 00:15:07].

Cathy Pruitt (15:28):
Good evening. My name is Cathy Pruitt. I live in Hertford in Perquimans County. I am not affiliated with any political action group, George Soros or the [inaudible 00:15:34] Communist party is not funding me to advocate on their behalf. I come here as a law abiding citizen, a more than average taxpayer, and I'm going to tell you that I'm very happy with my district, which is number one, the North Carolina Senate and House, and number three would be [inaudible 00:15:59]. I firmly believe that... what I could see looking at census data and the demographics for Perquimans County, there's absolutely no justifiable reason to move our district. I also think that the only way we can hold our representatives accountable...
is through our votes, and you gerrymand districts and move people around, you're putting us in a totally different area, and to my mind that's taxation without representation.

I also think that there are many, many, many other issues far more important than this, that our representatives should be concentrating on. I also think it's a colossal waste of money to keep going through this process and then going through the inevitable losses time, time and time again. So please keep Perquimans County where it is. Thank you for allowing me to speak in front of this [inaudible 00:17:09].

Warren Davis (17:12):

Thank you. Next is Ms. [Diane Laden 00:17:16]. Diane Laden? Going to move on to the next speaker. [Shelly Jackson 00:17:28].

Shelly Jackson (17:27):

Hi. My name is Shelly Jackson and I reside in Hertford of Perquimans County, and I also [inaudible 00:17:45] average person, not a hate activist. I'm concerned that our rural district could be gerrymandered to the benefit of more urban areas at the detriment of the rural counties. A change to our district would disrupt the cohesiveness of services and support our communities share from funding to healthcare to schools. The courts gave guidelines to ensure legislative districts comply, and it is in our state constitution. I'm also concerned about court gerrymandering as well. We must protect the rural vote from the larger urban areas who want to slice up rural areas and overpower the rural vote. There would be no rural voice, so essentially no vote. Kind of what Cathy said, taxation without representation.

The urban areas are being supported by special interest groups, like Common Cause and the Women's League of Voters, groups supported and funded from sources outside of North Carolina, emphasis on outside North Carolina. Please help stop the politics and protect the rural vote. Farmers, like my grandfather and North Carolina country living, by keeping our counties whole, thus protecting our social services and county integrity and local representation. And thank you for the opportunity to voice my opinion.

Warren Davis (19:16):

Thank you. Next, Alex [Irvin 00:19:20].

Alex Irvin (19:19):

Thank you. Good evening, y'all. My name's Alex Irvin and I am a [inaudible 00:19:41] support unit for the Association of Mexicans in North Carolina. I'm here today to represent the LatinX community in [inaudible 00:19:49] of North Carolina. That's our mission statement of our organization, that's what we do. With only 13 public forums, it makes it impossible for me in the Latino community to reach these events and to hear about them. [inaudible 00:20:03] of our organization, and we have served in the community for 20 years, and we know that the systemic failures in equality that face the LatinX community are too numerous to list here. But in the 28 county area that we serve, it's clear that the LatinX population is much larger than it may seem, and it's continuing to grow. I have worked in the community for one year, professionally at least, and the glaring truth that I've discovered is that based on outreach events and opportunities such as this redistricting [inaudible 00:20:35], presented primarily in English creates an additional hurdle for the LatinX community and the organizations it serves.
For example, because informative community requires translating and disseminating information about these meetings, it takes time and effort on behalf of community organizations such as ours and [inaudible 00:20:55] of this leads to a large subsection of North Carolina's population ignorant of the rights and opportunities available to them. The information about these meetings should be available in Spanish and promoted in Spanish to the general public, and should not be so rushed as to take away the ability of community organizers such as myself and community new members to prepare themselves and inform. The Latino community in this state is proud, its culture and traditions cherish dedication and work ethics. Seen by the community's involvement in agriculture, manufacturing and the service industry. They are essential workers and life without them would be unimaginable, yet they are overlooked.

That is why I ask that we be fair to division of districts and that we focus on all communities receiving the necessary [inaudible 00:21:41]. For this to happen, and it is... my counterparts here mentioned, we have to have representation. A better and more transparent hearing with a virtual option is much needed, not only for English-speaking participants but very important. Thank you for your time consideration.

Warren Davis (19:19):
Thank you. Next, Mary Cassidy.

Mary Cassidy (22:19):
Hello, my name's Mary Cassidy and I'm a resident of Perquimans County. I'm here to represent myself. As a North Carolinian and US citizen, I'm happy to have my voice heard. I've lived in Perquimans County now for a little over 10 years, moving from a very crowded and very expensive part of Virginia, which also had been gerrymandered. My husband and I chose to move to rural North Carolina for the cost of living and the lack of crowds, among other things. Having grown up in smaller communities, we identified with [inaudible 00:22:49] and the Northeast North Carolina communities. This is where I've spent my time and resources being a part of the community. I'm concerned that our rural district would be gerrymandered to the benefit of more urban areas and to the detriment of our rural counties. Should change to our district occur, it disrupts the cohesion of services and support our communities share for funding, healthcare, to other services for [inaudible 00:23:18] always last mile.

Our issues are different than the urban areas, from fishing to farming to firehouses. It's not the same transportation issues that you see in places like Durham or Charlotte. Our North Carolina House and Senate leaders from district 1, Ed Goodwin, Bob Steinburg, our Congressman Murphy for District 3, come to our homes, they come to our social events. They are part of us and they are here and local, and understand our issues. If we are redistricted, we stand to lose that understanding, that their concern and attention now will be focused in places like the more urban centers. We don't want to be redistricted with strange configurations where there's a portion of Durham and a little sliver that takes us all the way out to Perquimans County or someplace else. Please do not split apart our communities into two or more parts. I urge you to keep our district as currently designed. Thank you so much for coming out. We know it's a long trip. Take care.

Warren Davis (24:23):
Thank you. Next, [Isha Dobi 00:24:23], or Dobbi.

Isha Dobi (24:23):
Dobi.

Warren Davis (24:23):
It's Dobi?

Isha Dobi (24:23):
Good afternoon. Thank you for this opportunity to speak on behalf of my community. I'm a lifelong member of the Elizabeth City community. I'm an educator and a parent. But more than that, I care and love my community and that's the northeastern part of North Carolina. The census data from this year reflects changes in the demography of this area. We saw a decrease in our population and that decrease is concerning, because as we see that decrease, that means that our little section of the Earth over here in Northeast North Carolina can easily be eliminated as a community of interest, and we are a collective community of interest as a group of counties. I ask that you consider maintaining the Northeast as a community of interest, and when I say that I look at the issues that pertain to this community. We've seen a decrease in broadband access and with that we saw record numbers of our children not being proficient during the school year as they were sent home to have home instruction. Some did not have broadband access, some did not have devices to even access technology that the schools were mandating that they have.

So broadband access is one concern in this area. Also the mental health needs of this community are of great concern. When you have to travel so far outside of your regions to have your social, emotional needs met, that is concerning to a parent and to a community. So that's why the Northeast needs to stay intact because the resources need to be filtered throughout the Northeast community. I ask that you continue to have a transparent process, that you allow openness for opinions, that we are allowed to see maps before they're voted upon, and that you keep in mind that the Northeast is a community of interest. Thank you.

Warren Davis (24:23):
Thank you. Claude Dorsey Harris.

Claude Dorsey Harris (27:02):
Hi. I'm Claude Dorsey Harris and I am a founding board member of the League of Women Voters of the Northeastern North Carolina, and also the chairperson of the [inaudible 00:27:13] County Democratic Party. This is the first and only public hearing in Pasquotank County. We call on the joint redistricting committee to offer a robust public hearing schedule, after the maps are released to the public. North Carolinians know their communities best and can provide the most useful and important feedback to legislators after viewing the maps. We also ask that the committee immediately establish a website for redistricting information. The site needs to be easily found and easy to navigate, and should include meeting notices and livestream linked draft maps and related information and public comments.

Other states including Texas, Virginia and California have set up model websites for redistricting. Public hearings should be widely advertised and give the public enough time to prepare and should be safe and accessible to all. Videos and notes of public hearings need to be available online for public viewing. Legislators must disclose all criteria, systems and data used in drawing the maps and that information should be disclosed online to the public in advance of its use, so that the public has an opportunity to review it. Perform all map drawing and revising in public view, to include all discussions
and meetings about the maps. Final maps should be accompanied by written justification for the districts chosen. This includes all... and finally disclose all third parties engaged in redistricting.

The shape of our district matters greatly since decisions they will control they way we citizens vote for the 14 congressional delegates from North Carolina as well as legislators in the state senate and house. Thank you.

Warren Davis (29:21):
Thank you. Tim Brinn.

Tim Brinn (29:32):
Thank you. I'm Tim Brinn. I am the chairman of the Perquimans County GOP. I'm here on behalf of 3,228 Republicans, of which about 3,220 are not here, for a 5:00 pm meeting. They are on the road back from the shipyards, in the fields, on the job, and elsewhere. But we appreciate the fact that if you're going to have three hours worth of comments, you need to start early. So, thank you for being here to take the input. I will tell you that those 3,228 people, one of the things they're probably not worried about on their drive home is redistricting. They're aware of the fact that it's been a 10 year process, millions of dollars spent, with multiple [inaudible 00:30:22] and decisions and a very fair and informed process of redefine, going into the current round of redistricting, and that seems to be pretty much universal. So the fact of the matter is they're not really worried about redistricting this afternoon.

The key items, equal population, continuity, county groupings, and traversals, all of those things make perfect sense to anybody from the [Albamonte 00:31:07]. When you look at Chowan County, 14,000 people, Perquimans County, 13,000 people, Elizabeth City 29,000 people, all are unique, but all are quite alike. They're the historic part of the [Albamonte 00:31:07]. Redistricting is not going to change who they are. They're bound to the [inaudible 00:31:13]. It takes three hours to get to Raleigh from here. Try finding an up-to-date News & Observer. You want a Virginia pilot? You can be in [inaudible 00:31:22] within an hour. We're different here. It's not true that the world stops at [inaudible 00:31:27] 95. So we are definitely a community of interest, we are acutely aware of not being heard historically over the years, and we currently have a good power base that represents Northeastern North Carolina as unique [inaudible 00:31:43]. And I've been told to stop, so again, thank you very much. Keep it as it is. Thank you.

Warren Davis (31:58):
Thank you. [Phyllis Nalvano 00:31:58]. Phyllis Nalvano. [Carol Terryberry 00:32:10].

Carol Terryberry (32:19):
Thank you so much. I'm Carol Terryberry, I'm the vice chair of the [inaudible 00:32:22] GOP and I just want to say thank you to the General Assembly for banning the use of racial [inaudible 00:32:27]. This will help prevent the gerrymandering [inaudible 00:32:29] the Equal Protection Clause.

Male (32:32):
[inaudible 00:32:32].

Carol Terryberry (32:34):
What's that?
Male (32:35):
[inaudible 00:32:35].

Carol Terryberry (32:37):
Okay. The strict adherence to the Stephenson criteria and their script.

Male (32:45):
Stop her time on [inaudible 00:32:46].

Carol Terryberry (32:49):
I'll start over. I just wanted to thank you guys for banning the use of racial and political data, which will help prevent the gerrymandering that violates the Equal Protection Clause. This strict adherence that you guys are abiding by to the Stephenson criteria and the respect for the North Carolina Constitution's full county provision is another strong step to create fair and legal districts. It is also a strong step to improving the process by not dividing counties into congressional districts. It helps keep our basic political units together for representation. It encourages candidates to win based on their merits, [inaudible 00:33:29] informed electorate and it prevents these districts from taking the odd shapes that they have in the past. Communities of interest do not dominate this process. Since there's no common understanding of what the community of interest is, it's in the eye of the beholder. It is appropriate that the claims of these communities of interest are considered only after the redistricting criteria's been satisfied.

So this whole county provision leading to an uneven distribution of partisan voters across the state will always result in districts and outcomes that some people don't like and that's inevitable, but an open, fair and constitutional process does guarantee that everyone can be heard and can work to influence the process. I thank you again.

Warren Davis (34:19):
Thank you. [Phil Kratzler 00:34:22].

Phil Kratzler (34:40):
Hello. I could pretty much incentivize those, so my point is I don't trust either political party in the legislature to draw fair and just maps. I want an independent, free counsel to do that. I have 21 other states doing it now. Thank you.

Warren Davis (35:00):
Thank you. If I could remind the speakers, if you'll just identify your name and what county you're from, or if you feel like identifying an organization, then please do that and [inaudible 00:35:09]. [Fred Gates 00:35:11].

Fred Gates (35:00):
Good evening.

Female (35:00):
Good evening.
Fred Gates (35:10):
I'm good to be here. I can say from [inaudible 00:35:35] off limits. But like Dr. [inaudible 00:35:39] says here, [inaudible 00:35:42] perfect month to month, that's called windfall, and the reason it's called windfall because the House blew it over. The House blew it over. But anyway, why are we here today? We're here to draw a map, to give each person an opportunity, an opportunity to exercise the American right, and that is voting. You have a right to vote. If you stack the districts and you stack them to the point of where all of them are best treated, then I'm sorry, but I be watching. Thank you.

Warren Davis (37:00):
Thank you. Rebecca Ward.

Rebecca Ward (37:12):
Hey all. [inaudible 00:37:15] today at 12:00 and then I found out what gerrymandering was at 12:30, so I'm really unprepared. But I'm not [inaudible 00:37:22] or [inaudible 00:37:22] paying attention. Thank y'all for coming out here. [inaudible 00:37:30] all over North Carolina, Raleigh, Charlotte [inaudible 00:37:33] when I was 18 I couldn't wait to get out of here. I did not want to be here. I moved back home when I was ready to settle down. Living in Raleigh and Charlotte, this is nothing like living in any of these bigger areas, or even in Greenville. I'm from [inaudible 00:37:51] County. It's super slow, traffic jamming behind tractors, you have 30 minutes to get to Walmart [inaudible 00:37:58]. But when I called, and [inaudible 00:38:03] my profession, because I'm just learning how to do this. I can call my representative and I just know that [inaudible 00:38:10]. They called me back. He explained everything. They're super nice. And I don't remember ever gotten that in Raleigh or in Charlotte, and [inaudible 00:38:23] national really.

So I mean, I just wanted to [inaudible 00:38:27] that hearing and just kind of remember that when you make your minds when you're drawing your map, that the small towns are whole lot different than living in the [inaudible 00:38:55].

Warren Davis (38:54):
Thank you. [Abby Walsh 00:38:55].

Abby Walsh (38:54):
Yes, I'm Abby Walsh and I live in Perquimans County and I have for over 18 years. I am not affiliated with any organization, just a concerned citizen. I'm delighted I live in a place where I actually get to meet my representative, and I have several times. This wasn't always the case when I came here 18 years ago, and I like just the way it is now. I'm concerned about the impact of redistricting on the vote. I realize that certain districts have to be redrawn based on the 2020 Census population changes, but I don't think that applies to Perquimans County. We should keep the North Carolina Senate and House district intact, we should keep everything as much as possible intact, so bound together with neighboring counties by a rotation of community businesses and our farms. We have very different needs than the big cities and we just can't be compared to them and we don't want to be part of them. We are rural counties, and the redistrict we could lose our political power, and impact the culture of our rural environment.

We have elected representatives that know what our counties require in order to thrive and they're able to represent our positions effectively and are accountable to us, and that [inaudible 00:40:19].
Warren Davis (40:19):
Thank you. Keith Rivers.

Keith Rivers (40:40):
Good evening. Thank you for being here. Again, I am Keith Rivers, president of Pasquotank County [inaudible 00:40:43] NAACP, as well as the third vice president of the North Carolina State [inaudible 00:40:50]. We feel the-

Male (40:52):
[inaudible 00:40:52]. Can't hear you.

Keith Rivers (40:52):
Hear me now?

Male (40:52):
Yes.

Keith Rivers (40:52):
We know and we understand that redistricting is about more than just drawing lines and putting people in to districts. Redistricting is about funding for education, redistricting is about access to healthcare, redistricting is about law enforcement accountability, redistricting is about voting rights, redistricting is about political representation. Redistricting is about ensuring all counties of shared interest remain intact. For example, in Pasquotank and surrounding counties, if you have satellite you get no North Carolina news. If you have cable, your news comes out of Wilmington which is about 4-1/2 hours away and this is exemplified, this is pushed even harder with the lack of broadband in our communities. So we are asking that our communities remain intact, that these things are taken into accountability and our districts do not stretch from here to Raleigh, North Carolina because we can see that the issues that are pressing in Raleigh are not the issues that are pressing in Pasquotank County. Redistricting is about ensuring that economic progress and wellbeing of North Carolinians, and we want maps that are compact and ensure continuity, ensure that the districts remain together. Thank you.

Warren Davis (42:32):
Thank you. James Sears.

James Sears (43:09):
Good evening. My name is James Sears, I live in the great county of Gates. Gates is just west of the Great Dismal Swamp. Glad to be here today, and I need to say to you that I'm here under the assumption that you just recently got the data from the Census Bureau, [crosstalk 00:43:19] recently got the information from the Census Bureau, and that you are not drawing the plans yet, and that you are seeking input... and you're currently seeking input from citizens with regard to what we'd like to have for redistricting. 20 years ago when we did redistricting, little Gates County got split in half and we thought that that was the most ridiculous thing we'd ever seen. We certainly hope that you would not do anything like that this time. We wish that you would search the information that you have and make a plan that many people here who already noted that you have communities of interest. But that would be what it is that
we would [inaudible 00:44:27] that you would keep our county together if you possibly could. Thank you very much.

Warren Davis (44:36):
Thank you. Wesley Stokes.

Wesley Stokes (44:36):
Good evening. I want to thank the committee for coming out to this area, but I hope that it's not [inaudible 00:45:00]. I hope that you've not come just to get this information and then the legislatures in Raleigh just do what they want to do. My name is Wesley Stokes, I'm from Washington County, I'm the chair of the Washington County Democratic Party. What we're hoping is that when you do this redistricting that you would not do the packing, just packing communities of race together. Our hope is that you will just take the numbers of the people, not [inaudible 00:45:34] affiliation, not with their race, and just group by communities together. The last time redistricting was done, the time before this one, Washington County's a very small county, population of 11,000 people, the eastern tip of the county and the western tip of the county was in one congressional district, and the middle of the county was in another, and it was only done because of race. We are asking that when you do this redistricting that it is not done on that. Thank you.

Warren Davis (44:36):
Thank you. Holly Audet.

Holly Audet (46:34):
Good evening, everyone. I want to thank you all for giving the public the opportunity to give you our input in redistricting. You have a decision that you have to take a number, equal, and divide districts based on a number that's equal, and we're asking you to give consideration to nothing other than that, and here's why. Most people don't understand that the last group that was prohibited by federal law from voting in this country was women. In fact, males got the right to vote 50 years before women by federal law. All women were prohibited from voting for 50 more years past that point. What you're hearing from this community I think the consensus is we don't care what people look like. We don't care their gender, we don't care their race. We live together as a community. Look around, see our diversity. We're telling you that we share things in common. The rest of the world may be obsessed with what people look like, we're not. We care about what we share in common, not what divides us.

And if you take people into our district and take people out of our district, and what you end up with is a conglomeration of people that share nothing in common, you will not give us good representation, because the best possibility of good representation is to take people that share lifetime things in common and give them a representative that they elect who understands what those things are that we share in common. Then they will represent our interests well. So hear us, please. Divide these districts based on population and what communities share in common. That's it. We don't want you monkeying around with the process and tinkering on the edges for any of your other politically motivate purposes. We're in communities together that share common interests. I thank you for the time.

Warren Davis (48:43):
Thank you. Quentin Jackson? While we're waiting for Mr. Jackson, is there anybody in the room who did not get an opportunity to speak or sign up, that would like to do so?

Male (49:02):
Mr. Chairman, if I could, I'd like recognize somebody again. Mayor Yates back there, the old gentleman with USMC [inaudible 00:49:16], that's the oldest serving man [inaudible 00:49:16] at Little Bighorn [inaudible 00:49:16].

Warren Davis (49:17):
Mr. Yates, [inaudible 00:49:17].

Male (49:25):
Sir, [inaudible 00:49:25].

Warren Davis (49:27):
So Mr. Jackson has declined to speak?

Male (49:30):
No, sir. I can't find him but if he comes back I'll let you know.

Warren Davis (49:30):
Okay, well, Mr. Jackson was the last member of folks who had signed up to speak, so if he's not here, then I want to thank everybody again for coming out to this meeting. I want to remind you that this is being videotaped and it will be placed on YouTube [inaudible 00:49:51]. You can find this meeting and would like to watch it or any other of the public meetings is to go to the ncleg.net website, go look under the redistricting tab, there's a link that says video, if you look at video, it will then show the date and the place of the public meeting and you can watch that if you would like. So without any further ado, I do want to thank my colleagues in the House and Senate who came here to be with us tonight, and if there's no further speakers who would like to speak, then this meeting is adjourned. Thank you.
Senator Joyce Krawiec (00:00:00):
... everybody.

Speaker 1 (00:00:03):
I'm so vulnerable. I'm so compromised. [crosstalk 00:00:04].

Senator Joyce Krawiec (00:00:04):
Can you hear me now?

Speaker 1 (00:00:05):
Mm-hmm (affirmative).

Senator Joyce Krawiec (00:00:06):
Okay. Welcome to the Joint Committee on Redistricting and Elections at Forsyth Tech. We are so glad to see all of you here. Thank you for being here. And we are here to hear from each of you. And we're going to start by recognizing our sergeant-at-arms, and thank you all for being here. These guys drove in from Raleigh today. John Enlow, he's from the Senate, and then the house sergeant-at-arms are David Layton, thank you. And the general assembly police officers are Officer Hailey Rola-Grande and Officer Thomas Rockford. Thank you all. Thank you all for being here and taking care of us today.

And I'm going to introduce our panel of legislators that are here to hear all of your or comments. My co-chair is Representative Sarah Stevens, and I'm Senator Joyce Krawiec by the way, I need to tell you that. I forgot. Representative Sarah Stevens, Senator Gladys Robinson, Representative Harry Warren, Representative Ashton Clemmons, Senator Natasha Marcus.

Senator Natasha Marcus (00:01:29):
Hi, everybody.

Senator Joyce Krawiec (00:01:31):
Senator Michael Garrett, Representative Pricey Harrington.

Speaker 2 (00:01:37):
Harrison.

Speaker 1 (00:01:38):
Harris.

Senator Joyce Krawiec (00:01:39):
Harrison. What did I say?

Speaker 2 (00:01:41):
[crosstalk 00:01:41].

Senator Joyce Krawiec (00:01:42):
Kathy. Pricey Harrison. Representative Evelyn Terry. Thank you all for joining me here tonight. We appreciate it. We have a lot of speakers lined up, and each speaker will be allowed two minutes. The sergeant-at-arms will keep the time and they will let you know when your time is winding down and then when your time is up. And we have a lot of speakers and we're looking forward to hearing from all of you. And we will probably have some more maybe sign up tonight, but we're going to start with our list. And our first speaker ... These are folks who signed up previously to tonight, and we're going to go through them first. We have Martha Shafer. Martha Shafer. There she is.

Speaker 1 (00:02:32):
[inaudible 00:02:32].

Senator Joyce Krawiec (00:02:33):
And if each speaker will introduce themselves, and if they represent an organization, just let us know what organization it might be.

Martha Shafer (00:02:42):
Good afternoon. I'm Martha Shafer, a North Carolina native and long-time resident of Guilford County. Can you hear me?

Senator Joyce Krawiec (00:02:48):
Mm-hmm (affirmative).

Speaker 1 (00:02:49):
[crosstalk 00:02:49].

Speaker 3 (00:02:52):
Can they turn it up a little bit? [crosstalk 00:02:57].

Senator Joyce Krawiec (00:02:57):
Turn it up.

Martha Shafer (00:02:58):
I'm a member of League of Women Voters and a volunteer with High Point Electoral Reform. I ran for the North Carolina House in 2018, and although I live in Summerfield, I got to know many High Point residents because a section of the city was in the House District I ran in, even though I live far away at the other end of the county. Through these new High Point friends, I came to learn about problems they saw with the way the High Point legislative maps are drawn. Both the Senate and House maps got the influence of Black voters in High Point. I bring today data and maps developed by Black and White citizens of High Point that delineate important communities of concern in High Point whose voting power should be better preserved so its residents can achieve effective and fair representation.

One way to preserve their voting power is to keep High Point whole in the larger Congressional and Senate maps. That has not been the case in the past. For the smaller North Carolina House Districts, each of these communities of concern shouldn't be split nor should they be packed together. Approximately 70% of Black High Point residents, High Point registered voters are in one house district,
House District 60. To me, that raises questions. High Point friends tell me that they think there should be two High Point-centric districts, which would offer them better, more focused representation. The current map only has one High Point-focused district. So please don't slice and dice High Point. It has a history of being treated that way. I know my High Point friends would be here today expressing these concerns if their work schedules permitted it. Thank you very much.

Senator Joyce Krawiec (00:04:53):

Thank you, Ms. Shafer. Ms. Shafer, the sergeant-at-arms will be glad to take your exhibits if you’d like to.

Martha Shafer (00:05:05):
[crosstalk 00:05:05].

Senator Joyce Krawiec (00:05:04):

And we will certainly look at them and take them into consideration. Our next speaker is Demitria Carter.

Demitria Carter (00:05:11):

Can I take my mask off? Good afternoon. Can everybody hear me? Great. My name is Demitria Carter, I live in High Point. I am a two-year North Carolinian. I moved here in 2019 from the State of Maryland. So I am one of the thousands of reasons for redistricting. I thank and commend all of you for taking on this monumental endeavor. It is a thankless job at the end of which you will either be heroes or villains. I read that you won't be using race in the construction of districts. I applaud that decision, but I am not so naive as to think that in trying to preserve communities, you won't also be preserving racial voting blocks.

I am the great granddaughter of a slave, but I am not a slave. I was born into a segregated society, I no longer live in a segregated society. I have witnessed many changes on racial attitudes and behaviors over a lot of years, I'm 70 years old, and some of it has been downright ugly and nasty. But a lot of what I have seen restores my faith in the ideals of this country, men and women are created equal under God. I also believe in the ideal of one citizen, one vote, not in the fraudulent ideal of one non-citizen, many fraudulent votes. I pray that you do your job fairly, objectively and well. Thank you.

Martha Shafer (00:07:42):

Thank you, Ms. Carter. Next we have Anne Morris. And after Ms. Morris is Joshua Fox Brown, so if you would be getting ready.

Anne Morris (00:08:03):

Good afternoon. My name is Anne Morris, and I'm a resident of Greensboro, having lived there a total of 28 years. I'm here as a private citizen, not representing any group. I'm a retired journalist and I now stay busy volunteering in my community. I remember well when Greensboro was split into two congressional districts and how confusing it was. For example, I volunteer through my church with church World Service resettling refugees. On several occasions, the volunteers wanted to meet with our congressional representative to express our views on policies that were affecting refugees. We had to reach out to both representatives because our group, all of whom were from Greensboro, had different representatives. This was very cumbersome and confusing. At my church in Greensboro, I helped to organize an offering of letters on hunger issues. And even within the same church, we had different
representatives in Congress. People needed help knowing who their representative even was so they knew how to address their letter. It's essential to keep Greensboro together in one district.

Also, I ask that you please keep Greensboro in the same district with High Point and Winston-Salem. We're urban areas that share much in common as part of the Piedmont Triad. All three cities are home to diverse populations, including large and growing refugee communities. All three cities face challenges with poverty and hunger insecurity. In fact, in 2020, the Greensboro, High Point area was ranked 14th worst in the country in terms of food insecurity. Our economic futures are bound together as most large employers draw from all three workforces. Our airport serves as an important employment hub. Having one congressional representative gives the Piedmont Triad effective representation, so please keep us together in one district. Thank you very much for taking my comment.

Senator Joyce Krawiec (00:10:09):
Thank you, Ms. Morris. And after Joshua is Claire Stone, if she would be getting prepared.

Joshua Fox Brown (00:10:25):
Good afternoon, everyone. My name is Joshua Brown. Some of you all up there actually know me as Fox as well. And for those who don't recognize me, I was part of a case on this very subject a few years ago, as one of two voter plaintiffs in who testified in front of a three-judge panel talking about this. So there's a much longer version of my thoughts on the court record. But I want to speak today as now the leader of the Progressive Democrats of Guilford County and in many other roles. And as someone who has lived for over a decade now in my house on East Lexington Avenue, located in precinct H12 of High Point, North Carolina in Guilford County.

During the time I've lived in my neighborhood, I've noticed that sometimes we are divided from our neighbors in the different districts in ways that don't always make sense. For example, some neighbors just down on the street for me in either direction are drawn into different State Senate districts than mine. I don't think that makes sense if you understand what defines our neighborhood culturally and geographically. When you look beyond precinct lines, I believe our neighborhood includes a lot of the area east of Main Street, west of the Five Points area around the interchange with Interstate 74, south of East Chester Drive and generally surrounding High Point University.

And I say that because East Lexington Avenue is more a point of connection through this area of High Point, rather than a line of division between us. So I ask that we look for ways to use a county border, city limit, a river, a major highway, or any other significant and recognizable natural or manmade lines or borders to define our districts whenever possible. And although we are happy that being a resident of any part of Guilford County now means we have the same congressional representative, some previous maps had divided parts of Guilford County, such as where I live, into combinations with our counties that don't always share the same concerns as people in my city, especially when placed in the districts that are made up of mostly rural counties. So what I'm here to ask for are lines that keep neighbors together instead of dividing us unnecessarily. My hope is that one day... I'm out of time apparently. I'll offer my comments in writing. Thank you.

Senator Joyce Krawiec (00:12:38):

Kathy Wheeler (00:13:11):
My name is Kathy Wheeler and I live in Guilford County in Summerfield. I moved to Guilford County in 1995, working downtown in Greensboro and retiring in 2010. While I reside in Summerfield, I engage in activities and interest in communities across my county, including Greensboro, Winston-Salem and High Point. So I have a few concerns on them as several others have already expressed. I believe that High Point, Greensboro and Winston-Salem should be kept together in the current congressional district. They share common problems and common characteristics so much so that our area is known by one name, the Piedmont Triad. Our city share many of the same problems, housing, food insecurity, transportation issues, to name a few, so it makes sense that the best way to address problems is collectively with one representative who can focus on these issues for all of us. This has worked well and should continue.

High Point residents shouldn't be split across NC Senate districts. When they are, the voices are overshadowed by those of the larger district they're put in. Again, keeping the communities together so a state senator can focus on solving the problems of that community for all its residents and not just some of them. It also makes sense to me that all of Summerfield should be put together in an NC House District with areas close to it that share the same issues related to schools, transportation, recreation, businesses. That way, all residents can have their concerns, again, addressed by a representative who can focus on those concerns and not have to pick and choose which part of the district he/she should focus on. Now, part of Summerfield is split off in a district with part of High Point which has very different needs and concerns. Thank you for receiving my comments.

Senator Joyce Krawiec (00:15:11):
Thank you, Ms. Wheeler. And after Mr. Schollander is Harold Eustache.

Wendell Schollander (00:15:22):
Good evening. My name is Wes Schollander. I thank the panel for taking time to be here tonight. I, myself came out because it's my understanding that there's some talk of the legislature delegating their authority and responsibility for drawing these districts to a committee. And I came out because I wanted to address that. We're talking about changing a major overhaul of our system, a system that's been in place for hundreds of years. I think we should be circumspect before we make such changes. Our current system has one benefit that no alternative has, the legislature is directly answerable to the people. If you assign this to a committee, there's just going to be one more layer between the decision-makers and the people. I don't think there will be any direct accountability to the people.

I also have concerns about the nature of the committee. Any statewide committee tends to become a creature of Raleigh. Right now, all parts of the state have representation in drawing these districts, the west, Clay County, Graham, Cherokee, down east, the towns of Edgecombe, Tarboro and Martin, they'll all be heard. I myself got redistricted just this last time, this last redistricting, at least I had a local representative who could communicate with me about it. I don't think members of the committee are going to communicate with the public as well as your staffs do. Right now, Western Forsyth County, Davie, Stokes, all over the state, Cherokee, they all have representation. I hope that you keep the system as it is and don't delegate or issue your authority to a committee.

Senator Joyce Krawiec (00:17:36):
Thank you, Mr. Schollander. Mr. Eustache, and Charles Tally will be next.

Harold Eustache (00:17:48):
Good afternoon, panel. My name's Harold Eustache. I am the Vice Chairman of the Forsyth County Republican Party, and I'm the President of the Forsyth County Criminal Trial Lawyers Association. First, I think it's important to talk about how we got here. We got here where there was 100 years of Democrat rule between 1910 and 2010. 100. Now, that's the same state in which between 1980 and 2020, a Republican has won every single presidential election except for 2008, in which a Democrat won by 14,000 votes. And we got there because those districts were gerrymandered. So in 2010, Republicans won on districts that were written by Democrats. And now we've had millions and millions of dollars in lawsuits. But in the last year, I am asking, in the last year we've had the courts rule and give us guidance on how to proceed. And I think what we're asking for is for this panel and the state legislature to proceed on what the court has asked. That would be not taking into account race, not taking into account a person's partisanship and drawing these districts.

An independent commission. An "independent commission" won't be so independent. The North Carolina Constitution mandates that the state legislature, and the state legislature alone, the general assembly is responsible for drawing these districts, not an independent commission. This general assembly is made by the voters. The voters vote for them to represent us and draw these districts. So we are asking that race not be taken into account, partisanship not be taken into account, that communities remain whole and counties remain whole as can be done, and we don't have an independent commission because we don't need one. Thank you.

Senator Joyce Krawiec (00:19:59):

Kevin Spate (00:20:19):
Thank you, members of the panel and assembled guests here today. Redistricting has become an expensive, disruptive pass time in North Carolina, frequently fueled by lawsuits. This has disenfranchised and confused voters who frequently don't even know who represents them because of how many times they've been redistricted. That's what we should do, and we should quit suing each other about it.

Senator Joyce Krawiec (00:21:28):
Thank you, Mr. Spate. Also, I want to introduce my colleague, Senator Paul Lowe has joined us late. So welcome Senator Lowe, we're glad you're here.

Senator Paul Lowe (00:21:40):
Thank you for being here. My wife is recovering from a knee operation, so I'm so thankful for the many of you that offered your prayers and thoughts. Thank you so much.

Senator Joyce Krawiec (00:21:52):
Ms. Garrou, you're recognized.
Linda Garrou (00:21:53):
Thank you. We're glad to be here in Forsyth County, Senator Krawiec and Senator Paul Lowe's district, and we wish Evelyn a happy birthday today. What a way to celebrate your birthday? We're so glad that you're having a birthday. It's a great day. Certainly the man before me mentioned the issue of spending money on court cases. And I believe in this year, particularly now that we've learned and we've realized how important it is that the legislature uses the congressional and legislative district, excuse me, based on computer layout, this is something that hadn't happened until the last few years.

I would urge you to think carefully as you begin and you work on drawing your districts. Also, keep in mind that we in the public are very well aware of the voter issues that are suppressing voters. It's not a really good sign. We read the paper every day how people don't have faith in their government, and we want to have faith in you as our North Carolina delegation. We want to know that we can depend on you to do the right thing. And I hope that you will and thank you for the opportunity to speak today.

Senator Joyce Krawiec (00:23:15):
Thank you, Ms. Garrou. Craig Schaub is next. And after Mr. Schaub is Willard Bass.

Rev. Craig Schaub (00:23:26):
Thank you for being here this afternoon to listen to our concerns. My name is Reverend Craig Schaub, I serve a church that hosts precinct 704, just across the road from here. I live here in Winston-Salem in precinct 705. I took a quick look at the data of my precinct, I came to find out that 34% of registered voters are unaffiliated. That means that more than a third of my neighbors care more about issues than about party. I've spent the last decade in our community working on nonpartisan issue campaigns, talking with my neighbors who hold a variety of perspectives, who are interested in facts, in solid arguments, and I dare say interested in the common good.

Unfortunately, in some of the recent elections and maybe some legislative work, the common good feels like it gets overshadowed by appeals to this or that voter base. That's the climate we live in. But I believe some of it is also fueled by past redistricting, stacking and packing districts that guarantee election outcomes, regardless effects and good arguments. So I appeal to your sense of common good for the sake of democracy in this state. That goes for this process as well, provide virtual opportunities other than a comment forum so people can be a part of this process right now. Give us opportunity to comment on the draft maps later this fall. Take communities of concern and contiguity as very high guides for districting. Put healthy public dialogue on the issues first before numbers of registered Democrats and Republicans. Hold fast to the vision of a common good. Thank you.

Senator Joyce Krawiec (00:25:28):
Thank you, Mr. Schaub. Willard Bass is next, and after Mr. Bass is Tara Blomquist.

Willard Bass (00:25:41):
Good afternoon. My name is Willard Bass, I am the Director of the Institute for Dismounting Racism, a member of the Ministers Conference in Winston-Salem vicinity, and also the co-founder of the Justice Collective in Winston-Salem. I grew up in this states. I remember my first involvement with politics as a college student, I was appointed the job of going out to one of the local voting sites and inspecting the ballot box. And I remember I was going out into the county and I walked up in there and there's a lot of folks that didn't look like me, and I just had to have the courage to go up there and say, "I'm here as a
representative of this democracy, and I want to see the ballot box," and they allowed me to see the ballot box. And so I remember that as a way our democracy works.

And I come here today to say to you that we must have a transparent and a fair redistricting. Our nation is in a state now where it could go either way, if you will, but we have to be certain that we do the right thing. And so I am asking you all as the leaders, if you will, of this government to work hard, to represent your districts, but also to make sure we, as citizens, as people of North Carolina, have the opportunity to vote for people that we want to vote for and have the opportunity to put people in office that would work on the issues that are important to us. Our nation is in a turmoil right now, you can make the difference. You and your decisions can make a difference. Our nation needs you, our state needs you and our cities need you. Thank you and do the right thing.

Senator Joyce Krawiec (00:27:14):
Thank you, Mr. Bass. Tara Blomquist. And Ron Moxley will follow Ms. Blomquist.

Tara Blomquist (00:27:27):
Good afternoon. My name is Tara Blomquist. I've been a resident of High Point for many years and have been shuffled around in voting districts until I'm hardly sure who represents me. I've worked in High Point at the showrooms, painting murals as a freelancer, and it's been hard to see the city struggling since the outsourcing of furniture manufacturers to cheap overseas sources. Jobs are not as plentiful nor lucrative as they once were and an increase in the minimum wage-

PART 1 OF 4 ENDS [00:28:04]

Ms. Blomquist (00:28:00):
Lucrative as they once were and an increase in the minimum wage would go a long way in easing some of that pain because high point voters have been grouped together with Randolph county voters. The people of this city have had their voices diluted. We need to keep this city whole as the Senate district. So we can elect some who will have consideration for those whose voices have been ignored for too long. This is an opportunity to write a wrong and thank you for taking my comment.

Senator Joyce Krawiec (00:28:32):
Thank you, Ms. Blomquist, Ron Moxley, And after Mr. Moxley will be Judy Derr.

Ron Moxley (00:28:44):
Thank you for holding these hearings. I hope that you'll hold more. After we hear the figures that come out, I want to concur with a lot of what's been said earlier. I should say I'm from High Point, have lived there for half my life now. I can hardly believe it, but it's true. So a lot of the things that focused on the joint problems of all of these three towns, High Point Winston-Salem and Greensboro and I concur with that, whether it's hunger, law enforcement issues, crime, social issues, we all share them. And one thing it's mostly possible even for the congressional seat to occupy or to take into account all of these three cities, the majority of the population. In other words, things are better when urban areas can be all kept together.

Otherwise, I want to say that I'm really a supportive of nonpartisan commission. The reason for that is that way, in the end, voters choose representatives and not representatives choosing voters. We all know what gerrymandering is. I didn't look it up this time around, but I'm sure some guy named -- Ex. 1670 --
Gerry was involved and that it has to do with the shape of things, right? So at this time we really... I lived through an era when there was one party government, and there was corruption. I've been alive long enough to know that. In the past 10 years, it's been another party, and not that there's been corruption as much as there's just been the abuse of power that comes when you're in charge. So I have to say, I don't think that legislators can do this in the fairest way, but give it a shot because your job is to help all of us to have democracy better. That's all we can ask. Thank you.

Senator Joyce Krawiec (00:30:49):
Thank you, Mr. Boxley. Judy Derr and following Ms. Derr is Sandra Robinson.

Judy Derr (00:31:03):
Hello. My name is Judy Derr. I live in Knoxville in Davy county. I'm here today to ask the redistricting committee to consider three items. Number one, when the congressional and legislative districts are redrawn, please don't split up communities. That is to say as much as is possible. Don't split cities into two separate districts or smaller counties into two districts. People that have chosen to live together in one place should be able to vote together for the same representative. Number two, I'd like to see proportional representation in North Carolina. We are a purple state, therefore, our representative representation should be roughly 50/50 between the two major parties. New redistricting should reflect this. Number three, please consider the need for one more meeting. After you tentatively redraw the new districts. Currently, there's only one meeting scheduled in Raleigh for this discussion. More are needed throughout the state so that you can better understand the thoughts and needs of your constituents. Thank you. Thank you very much for your time.

Linda Dark (00:32:17):
Thank you, Ms. Derr. Sandra Robinson, and after Ms. Robinson is Steven Boyd.

Sandra Robinson (00:32:31):
First of all, thank you for being here and doing the redistricting work for all of North Carolina citizens. I'm Sandra Robinson here with all on the line, and I live in King, North Carolina. I'm concerned about the redistricting of our state to unfairly advantage one political party. One of the founding principles of our country was Liberty. Favoring one party over another in a district ensures one party's candidate always wins in those districts. On the other side of that coin, the freedom of the other party's voters to know that their vote counts is stripped away. Statistically speaking, the party gerrymandered out of that district's voting population will not win. This is disenfranchisement of all the voters whose party was gerrymandered out of that district. Their votes essentially do not count. Fairness is what compelled me to speak here today. If we look at the 2020 election in North Carolina, the two races at the entire state voted in the presidential race and the race for governor. We basically see a purple state. Donald Trump received 74,000 more votes than Joe Biden, or 1.4% of the total votes cast. Roy Cooper received approximately 248,000 more votes in his competitor or less than 5% more than Dan Forrest. If I were an outside observer with no other data than the above about the state, I would come to the conclusion North Carolina it's fairly equally split between democratic and Republican parties. However, when drilling down a bit further to the US house, NC Senate, North Carolina house, and come up maps, they're pretty much red. Redistricting with each census offers us the opportunity every 10 years to draw district lines based on population changes. When either party tries to take advantage of this to ensure their can will win, we all lose. The best, most recent evidence of this was in 2010 when
the Republican party via red map or redistricting majority project worked to solicit donations to help ensure North Carolina, Florida, and other legislatures were controlled by Republicans.

This allowed Republicans to redistrict those states so that even though the Democrats won the White House and the Senate in 2012 and had a 1.4 million vote majority for house candidates that walked away from the election as a minority party in the house with 33 seats less than the Republicans. We have amended the constitution to protect the rights of minorities and women, and to ensure their right to vote. Yet, we have not turned into a socialist state, the rallying cry of those who are afraid of each and every vote county. We are a pluralistic diverse society, and it’s high time we act like it and redistrict fairly to ensure that every vote counts.

Senator Joyce Krawiec (00:34:50):
Thank you, Ms. Robinson and Steven Boyd and our representative Amber Baker from here in Winston Salem has joined us, so welcome Representative Baker. We’re glad you’re here. Mr. Boyd and following Mr. Boyd will be Bronnie Vanderwerker.

Steven Boyd (00:35:10):
My name is Steven Boyd. I’m here on behalf of the justice team of the Parkway United Church of Christ, which is across the street. We’re a faith community of people who live around all around foresight county. We’re active in community, volunteering in various not-for-profits throughout the county. We're intentional about reflecting what our faith has to do with the issues of the day. Currently, our membership is divided between two US house of representative districts. So it's difficult for us to work together in speaking to our congressional representation. We urge you to keep Forsyth county together when it comes to dividing up our state into now 14 congressional districts.

We are very disappointed in some of the criteria the general assembly so quickly voted on in August. We feel the addresses of current legislators should not be taken into consideration. Data on race should be used as we continue to live under provisions of the voting rights act. Finally, the voices of people in the community and their concerns should also take precedence. We expect to have more opportunity for public discussion after the draft maps are released. Please give enough time in the process for broad participation by the people of North Carolina in this decision, including language options and virtual participation options. We urge fairness, openness and timeliness in this redistricting process. Thank you for your attention.

Senator Joyce Krawiec (00:36:35):
Thank you, Mr. Boyd. Bronnie Vanderwerker and follow Ms. Vanderworker is Tina Forsberg.

Bronnie Vanderwerker (00:36:44):
I’m here today from Summerfield, and I could just say 'ditto' to a lot of what I've just heard and save you a lot of time, but in keeping with repetition that I'm sure you were expecting today, I'll go ahead and tell you my opinion. I'm here today as a private citizen and a taxpayer. I did a little bit of research on redistricting, and I've learned that's been a point of contention for many years. A lot of fighting resulting in partisan name calling and legal challenges that has cost taxpayers millions of dollars. As a taxpayer, that makes me mad. Our legislators have been transparent in the process as I have read it, and it appears to me that the criteria that they're going to use for the 2021 redistrict team will be fair and balanced with only minor exceptions. I hope that is the case. I would like for the name calling to stop and the fighting, and get on with the redistricting. I have full confidence in our legislators to carry out
this job fairly, and it is my hope that they will be able to do so without further costly challenges to the taxpayers.

Senator Joyce Krawiec (00:37:54):
Thank you, Ms. Vanderwerker. Tina Forsberg and following Ms. Forsberg will be Anne Schlomer.

Tina Forsberg (00:38:02):
Thank you so much for coming out to listen to us. I too echo, and for people who don't know me, my name's Tina Forsberg. I live in Greensboro and 15 years ago, a small infant boy was dropped into hands, my first grandson. That was my political awakening, and when I started my volunteer career as a Republican volunteer, and I stand here today as the chairwoman of the sixth district. We are standing here in a district that is Democrat plus 18 points, and yet I'm still here. I'm still working on it, and I appreciate everyone coming out to talk to us. I do think that our process is just fine right now. I think that you guys have the ability to look at the computer and know where people live.

Somebody who said they think it needs to be a nonpartisan board, there really aren't any nonpartisans as other people have said, because we're all working around issues that are important to us. So if you look at the Democrat platform and the Republican platform, you'll see issues and people tend to go one way or the other. So I do hope you'll look at those statistics. I know you're going to come up with a fair process. It's apparent you all have good working relationship, and I appreciate that. I will make one last pitch since I got the one minute mark for my own personal Don Quixote cause, and that is I don't think there should be any such thing as a D plus 18 or in R plus 20. I think we need to have competitive districts. I think competitive districts will result in responsive elected officials, responsive staff of those elected officials. I also believe it'll result in better voter turnout and people really thinking that their vote can make a difference. So thank you very much.

Senator Joyce Krawiec (00:39:51):
Thank you, Ms. Forsberg. Erin Schlomer and following Erin will be Al Jabar.

Erin Schlomer (00:40:03):
Hi. I am from High Point and I have a very simple message. All elected officials from president to local office should take an afternoon to read and highlight their individual roles defined in the US constitution and the North Carolina constitution. America is unique because we are a country ruled by laws, not men. The citizens across the political spectrum, right to left, are all becoming well versed in their rights. We know when the constitution is being followed and we will not accept it when it is not. North Carolina general assembly was elected to redistrict. Stop wasting time and our tax dollars stewing over this decision. Let's move forward. Thank you.

Senator Joyce Krawiec (00:40:54):
Thank you, Al Jabar and following Mr. Jabar will be Robert Frederick.

Al Jabar (00:41:00):
Good afternoon. My name is Al [inaudible 00:41:04] Jabar. I am the president of Forsyth county NAACP. There are a couple of things I would like to share with you today. One: districts must be drawn that are compact. The current mapping for Forsyth and Gifford are not. Noncompact districts confuse voters, split communities of interests, and are often drawn to benefit certain voters or certain political parties.
Districts must be drawn that do not split precincts. Split precincts confuse voters, make it harder to administer elections, and often used to benefit certain incompetence or certain political parties. Cities and towns should not be divided unnecessarily to protect incompetence or a particular political party. Legislators should consider communities of interest and not divide them to protect incompetence or political groups. African American voters shall not be packed into a few districts through racial gerrymandering to diminish their voices. Democratic voters should not be packed into a few districts through the partisan gerrymandering to diminish their votes. When we fight, we win.

Senator Joyce Krawiec (00:42:37):
Thank you, Mr. Jabar. Robert Frederick is next and following Mr. Frederick is Beverly McFadden.

Robert Frederick (00:42:49):
Thank you, and good afternoon. My name is Robert Frederick and I live in Jamestown, North Carolina, named after a Quaker, not a king. That's the one in Virginia. Our community of 4,000 people is nestled between High Point and Greensboro. It shares borders with both. Until Jamestown's mill shut down just over a decade ago, it was the oldest continually operating cotton mill in the United States. The shutdown of the mill was pretty tough on our community. Jamestown still has some empty storefronts on main street, but there aren't any empty houses. That's because a lot of people who work in high in Greensboro now live in Jamestown. That includes our family. We moved from to Jamestown from High Point. We work, play, and pray in Jamestown, High Point, and Greensboro.

Over the past decade, however, political maps have split our communities up. For example, right now, Jamestown, and a part of South High Point, is in a North Carolina Senate District, District 26 with all of Randolph county. We don't work, play or pray in Randolph county. We live in Gilford county. We're not even close to the border and because of gerrymandering of over the past decade, both racial and partisan gerrymandering that was ruled to be illegal, our maps, and therefore our representation, kept changing. That makes it difficult to advocate for our community's needs. Jamestown should be kept whole and together with the communities we work, pla,y and pray in, Greensboro and High Point. And maps need to be fair so they don't keep getting repeatedly thrown out and redrawn for being illegal. Thank you for your attention and for your consideration.

Senator Joyce Krawiec (00:44:54):
Thank you. Mr. Frederick. Beverly McFadden, and following Ms. McFadden is Frederick Terry.

Beverly McFadden (00:45:05):
My name is Beverly Bernice McFadden from precinct 403. It is time to take political fear off the table. My question to all of you: why are some politicians afraid to position themselves within the arms of rightness? I am standing here making this simple request. Trickery and deception should not come into play, but fairness and equity should be in place. Place the power of the people squarely on their shoulders by allowing the maps to be drawn without smokes and mirrors. It is time to do what is right for all. Allow me to quote Webster's dictionary concerning equity. It states, "Justice, according to the natural law of right, specifically freedom from bias and favoritism." Don't allow this process to have the appearance of rightness. When our political system operates within clarity and honesty, we all are winners.

Senator Joyce Krawiec (00:46:20):
Thank you, Ms. McFadden. Frederick Terry and following Mr. Terry is Pat Blackburn.

Frederick Terry (00:46:37):
Good afternoon. Again, my name is Fred Terry, live here in for side county representing precinct 501. And I would be remiss if I didn't publicly wish my bride, “happy birthday.” Redistricting. I stand before you today, having come to North Carolina from a small town in New York, back in the 60's, I began work in politics, working for Representative Fry when he was first elected back in 1968. I've seen gerrymandering and all these other formations of Forsyth county and Winston-Salem over the years. Some good, some not so good. This is the second time that Winston-Salem was in one district. First time we've never had Forsyth county in one district by itself. Redistricting is important. Gerrymandering for power is not a good thing for democracy. I asked you to consider fairness and equity in redistricting. Thank you.

Senator Joyce Krawiec (00:48:19):
Thank you, Mr. Terry. Pat Blackburn, and following Pat Blackburn will be Chanel James.

Pat Blackburn (00:48:37):
Hello, my name's Pat Blackburn. Thank you for the opportunity to address you today. I am a constituent here in Forsyth County. I pay my taxes and it really bothers me when we sue each other and the only people who really win are the lawyers. Sorry, Harold. So, partisans and special interest groups were still fighting, and I've been watching your committee hearings and it seems like a precursor for more litigation and that bothers me. We found a litmus for criteria for making maps. That was when the court ruled in 2019. The rules should be don't use past election results, don't use party registration, don't use data on race. Then it also seems that the voters would like us to keep the counties as whole as possible. Sounds simple. But then we have this new wrinkle thrown into the matrix and that's the wrinkle of communities of concern or communities of interest. I got a problem with that. You see interest concentrated in one area. Why should that interest have more political clout than interest of the entire state? And then another question, is it the state's job to protect interest?

You know, communities of interest. That criteria is a little fuzzy to me. Which communities are you going to protect? We as voters are individuals and we all have different interests and not all of us vote one party or the other, and not all of us are single interest voters. We have many interests. So this idea of community interest seems like something that you were trying to avoid and all that litigation about gerrymandering. So if you want to draw a fair map, use the rules that you have that worked in 2019 and stop wasting our taxpayer dollars. Stop the lawsuits. Thank you.

Senator Joyce Krawiec (00:50:40):
Thank you, Ms. Blackburn. Chanel James is next, and following Ms. James will be Linda Dark.

Chanel James (00:51:00):
Good evening. I am happy to be here to speak for my community. I am from Gilford County, North Carolina. I rolled out of the Hills of Western North Carolina 25 years ago, and I have not left. I want to speak to two important issues. If you don't want lawsuits about districts in North Carolina, then you should include people in the conversation about districts in North Carolina, because when people consider their districts, they are fighting for their lives. When I was a part of a lawsuit in the state of
North Carolina, I was fighting for my life. I was fighting for justice. I was fighting against food deserts and what we could do about that. I was fighting for living wages in North Carolina.

So I'm going to use everything I can to make sure my districts reflect what people need, because let me get it straight for you. Everybody votes and chooses based on their interest. So I ask that you look at your criteria, look at community of interest, and please understand that a consideration for race is not the same thing as racism. We've got to get that clear. I am as asking you to look at two things. One, how can we get more people to participate in these hearings? I can't talk to you really about these maps because we haven't seen them yet. So I'm asking how can you start to hear more of the voices of people who you say you represent? Where are these additional meetings going to be? How are we going to get to you so we can talk to you and tell you what's in our best interest? And then the next thing I'm going to say is thank you.

Senator Joyce Krawiec (00:53:01):
Thank you, Ms. James. Linda Dark is next and following Ms. Dark is Lee Sudbrink.

Linda Dark (00:53:18):
My name is Linda Dark. I'm a native of Forsyth County. I have voted in every election since I became eligible, up ballot, down ballot, and I'll continue. My area, my neighborhood is close to Forsyth Medical Center, the Haynes Mall area and the Sams and Costco retail warehouses. We also do not want our community split or connected with a total different district. Before the last election, Forsyth County was linked with Watauga county, which is 84 miles from me. Thankfully, we then got linked with Gilford 23 miles away where I attended UNCG. And that makes much more sense. Allow us pleased to stay in our own district. So I request no more gerrymandering from Republican or Democrats. No gerrymandering and no more voter restrictions. Don't we have enough already? I request more public education about redistricting. How did we have over 60 hearings the last time and today I think it's about 14? That doesn't make any sense to me.

I do not want packing, as other people have said, of districts, or protecting the addresses of current elected officials. We should have opportunity for competition. We should elect our representatives. There should not be favoritism. Finally, hearings and education should take place after the maps are drawn as well. In closing, I don't know whether you have children, but we always tell our kids 'just play fair.' You can do this process impartially if you'll just do it. Just play fair.

Senator Joyce Krawiec (00:55:17):
Thank you, ma'am. Lee Sudbrink, and following Ms. Sudbrink is Maria Mallorca.

Lee Sudbrink (00:55:29):
Hello, my name is Lee Sudbrink, and I'm here representing myself. I have lived in Gilford County for 31 years, and I think you've heard a repetitive theme, fairness not slanted to one party or the other, a fair fight. My congressional district is an 18 plus Democrat district. Of course, the candidate put forth by the 18 plus won. Never has the opposing party won against an 18 plus district.

PART 2 OF 4 ENDS [00:56:04]
One against an 18+ district, a candidate in such an imbalanced district has no motivation to reach out to the disadvantaged party citizens. The seat is simply and basically handed over to the favored candidate. That's not representative of the citizens, and this is not democracy at work. This is not looking out for all the views of all of the citizens in the district. And this is not a legitimate win for the 18+ favored candidate. Plus all this redistricting confuses the voters. I've been in district 6, 13, now I'm back in 6 again. Do right by the voters and make these districts competitive for all candidates, not just one party. Thank you.

Senator Joyce Krawiec (00:57:01):
Thank you, Miss [inaudible 00:57:04]. Maria Mallora and following Ms. Mallorca is Ken Raymond.

Maria Mallorca (00:57:17):
Hello, my name is Maria Mallorca and I am here as a resident of Jamestown, North Carolina, that city that is packed in between Guilford county so we get to claim Guilford county, right? So I am here to highlight just what everyone has said, right? Fair and transparency, which is something we haven't seen of this committee of the NC general assembly for the past year. As a Latina, right? Like one of three in this room, right? I'm here to tell you that we want to see the stop the segregation that happens in our neighborhoods, communities. We can see this in our bus stops, in the schools, right? We want this to stop, in order to stop fulfilling your political agenda. According to the North Carolina census in 2020, North Carolina saw an increase of that Latino community, community that looks like me, by 40%. In this same manner, all minorities increased.

I have a chart here, which I can share later on. And communities of color... It's on my phone, yeah, raised an increase by 20%, 11%, 3% and 6%. So we are tired of our community and our elected officials not being represented by people that look like us. We are tired of having individuals in power who don't look like us or have our interest at heart. So yes, we are those communities of interest that need to be represented. That need to be heard because you are talking that in your criteria you do not include race, well that hasn't been the example for North Carolina, because we know gerrymandering is about to happen again. So I ask that you allow the public to help you draw these maps have a before and after meeting for us to review and edit these maps. And again for Guilford county community to stay united and stop dividing the rural areas as our black and brown communities who need more resources and access to funding are limited because of the unjust lines that currently exist. Thank you.

Senator Joyce Krawiec (00:59:09):
Thank you, Ms. Mallorca. Next is Ken Raymond, and then following Mr. Raymond is Jim Saintsing.

Ken Raymond (00:59:25):
My name is Ken Raymond. I've lived in Winston-Salem for over 30 years and I'm chairman of Forsyth County Republican Party. Would like to thank the members of redistricting committee for holding the statewide public hearing. It definitely helps with transparency and considering all the questions regarding elections this year, transparency is certainly what we need. I'd also like to say regarding the final decision about North Carolina's congressional state house and district lines that they should be based on guidelines, standards and ideals that bind us together and unite us as citizens and not things that divide us such as race or party affiliation. These things divide people in our state. And when decisions are made based on race or party affiliations, it does nothing but generate strife and bitterness among us. The last time the general assembly went through the redistricting process the following 10 years were marred with lawsuit, after lawsuit, after lawsuit.
And all of these things were because the lawsuits were based on divisive issues. One of the most important things that binds us and unites us as citizens of North Carolina is our state constitution and our state laws. As free citizens, black, white, Hispanic, Republican, or Democrat, the people of North Carolina approved of a state constitution as free citizens, black, white, Hispanic, or Republican or Democrat. The people of North Carolina elected a legislative body, which passed the laws that we as citizens must follow. So therefore the decision regarding our district lines should be based on the state constitution and our state laws. These things bind us, not race, party affiliations or things like that. These things generate strife. Thank you very much.

Senator Joyce Krawiec (01:01:22):
Thank you Mr. Raymond, Jim Saintsing and following Mr. Saintsing is Tyler Beal.

Jim Saintsing (01:01:33):
My name's Jim Saintsing. My wife and I have lived in Greensboro since 1985 and raised our family there. We've lived through many efforts to bind the cities of the Piedmont triad more closely to each other. And it hasn't always felt natural for them to be together, their natural and historic rivalries and differences, but it is inevitable that they will grow more and more together as a natural cohesive unit, a community if you will. Among other many interests, they have common interests in replacing old industries with new ones and in educating their citizens to lead and work in the new and developing economy. We need a common voice in the U.S. House. And for that reason, I urge you to substantially retain the present map of the sixth district in the U.S. house. Thank you.

Senator Joyce Krawiec (01:02:27):
Thank you, Mr. Saintsing. Tyler Beal. And following Mr. Bill is Steve Bird.

Tyler Beal (01:02:40):
My name is Tyler Beal. I have a friend who struggled to get on Medicaid because she fell into what is politically known as the Medicaid gap. The same gap that my sister's mother and other family and friends still find themselves in today. Fortunately, my friend Canada Moyer passed away in 2019 because the NCGA still has not resolved this gap. To the current NCGA redistricting committee and larger NCGA body, you have already been called out for your shenanigans as it relates to gerrymandering and common cause would be Lewis. Surgical precision. That was their exact words. If you were able to find and be that particular last time, then please do not waste the time, money and productivity of the 10.5 million people living in this great state. If you can't win a competitive nonpartisan campaign on your own merits, then pull yourself up, work harder and triumph.

If not today, maybe tomorrow, our communities are filled with pride and integrity and robbing or limiting our right to vote for the sake of a political party is my definition of a politician. Stop being a politician and start being a public servant. A public servant looks after their community, pursues public, not personal or partisan interests. And a public servant doesn't let citizens across the state go without clean food, clean water, shelter, education, or healthcare. Being a politician means intrinsically holding onto power for the sake of holding power while a public servant lifts others up in the communities so that in the end we all succeed. Every day is election day for you elected officials. And I hope that you'll vote to be a public servant so as a community we can start voting politicians out. I urge you to avoid partisan gerrymandering that we can fund our schools and implement statewide broadband, progressively fight climate change through an innovative overhaul of our economy. And finally close the Medicaid gap.
Senator Joyce Krawiec (01:04:46):
Thank you, Mr. Beal. Next is Steve Bird and following Mr. Bird is Christopher [inaudible 01:04:56].

Steve Bird (01:04:59):
Hello, everybody. Can you hear me? Okay. I'm Steve Bird. And I live in the south side neighborhood in the southeast corner of downtown Greensboro. It's traditional neighborhood layout, which allows the kids in the neighborhood to play outside in groups like decades past. We are diverse in both race and income in my neighborhood. When my daughter, now 15, was younger, we would joke that she was growing up on Sesame street since all the neighbors and shop owners knew her and the rest of the kids. My home is currently in the sixth congressional district represented by Kathy Manning. I was previously in the 13th congressional district represented by Ted Bud. As gerrymandered maps are continually struck down by state courts as illegal we keep being re-sorted into different gerrymanders. Voters should be choosing our political representation. That's the whole point of self-governance. Instead our political representatives are choosing their voters. In any given election cycle, no matter if I support or oppose my representative and believe me, I've done both. The gerrymandered map means that I feel powerless as a voter. I've already been sorted into a district that has been calculated to vote in the aggregate in a certain way in order to maintain maximum partisan advantage by the map makers. Please restore some integrity to our elections. We demand compact districts, which maintain the integrity of communities and do not provide for incumbent protection. Thank you.

Senator Joyce Krawiec (01:06:25):
Thank you, Mr. Bird. Christopher [inaudible 01:06:29] and following Mr. [inaudible 01:06:30] will be Kathy Kirkpatrick.

Chris (01:06:36):
Good afternoon. My name is Chris [inaudible 01:06:38]. I currently reside in Iredell county, that's Mooresville Southwest corner. Full disclosure, I am the third vice chair of the Iredell County Democratic Party, but I am not here on their behalf or nor by their request, only as a concerned citizen of North Carolina. So today I would like to stress to the North Carolina General Assembly the importance of keeping regional interests, municipalities and communities together when drawing the district maps for the next 10 years. Despite what our politically polarized climate may lead so many to believe the interests of the community generally transcend far beyond the interest of the democratic and Republican parties. That is to say, members of both parties will within a community share so many mutual concerns. Government at all levels would serve the people of North Carolina better if the representatives prioritize the issues of their communities over the issues of their political party.

For this reason, I implore the General Assembly to leave partisanship out of the redistrict process, and instead consider drawing districts that keeps counties together, that keeps townships together, that keep rural communities together and that keep geographical regions together. North Carolina is a richly diverse state with regions and communities that have equally diverse needs. For example, communities in mountains need representatives that will protect the incredible natural resources of Western North Carolina, WNC Republicans and Democrats will both agree on that. Central North Carolina needs a variety of representatives that will advocate for the needs of very urban, suburban, and rural communities. Please avoid slicing and dicing in these communities up for political gain and instead focus on community gain. Finally, I'd like to add one natural consequence of creating regional and community oriented districts, and that is shape compactness. This means that the shape of the district will be fairly simple or that well, to get technical most straight lines drawn between two
random points in district will not cross the through another district. So we can, we've seen this before with our county maps and that'll be it. Thank you.

Senator Joyce Krawiec (01:08:42):
Thank you, Mr. [inaudible 01:08:42]. Kathy Kirkpatrick is next and following Ms. Kirkpatrick is Rhonda Maze.

Kathy Kirkpatrick (01:08:51):
Good afternoon. Thank you for listening to us, and I hope you're actually hearing us. I'm Kathy Kirkpatrick, Chairman of the Democratic Party in Gilford County. I was a little perplexed that we don't have one of these hearings in Gilford county. First of all, we are one of the larger counties, little under 550,000 people. But more than that, we were also part of the court ruling in prior lawsuits. I think this frankly has a lack of respect for voters in Gilford County to be honest with you on that one. I'm also a little dismayed that the only hearing scheduled are those that are prior to the maps we have yet to see what you guys are going to do with it. I encourage you to have a second round of hearings, one of which should be in Gilford County.

After we see what you've done with the maps, I am not enamored with the process that we've had before. And a little confused about why people are confused about the lawsuits because you guys aren't being fair. So we need to make sure that that's happening. Additionally, want to make sure that when you're doing this, you're not packing or stacking black voters and brown voters, this dilutes their voices in other districts, and it has been ruled unconstitutional by the Robert Supreme Court. So I have two questions for your consideration. One, what steps are you taking to ensure that you're not packing more black and brown voters than necessary into districts to elect candidates of their choice? And number two, how does the committee leadership intend to ensure compliance with the voting rights act if you are not going to look at race at any point in the process? You're doing this under the guise of fairness and equity, but really, you know where black and brown voters live. This is a bit disingenuous. So you want the lawsuits to stop, then let's draw fair, equitable, and sensible districts and maps. Thank you.

Senator Joyce Krawiec (01:10:46):
Thank you, Ms. Kirkpatrick. Rhonda Maze and following Ms. Maze is Chelsea Griffith.

Rhonda Maze (01:10:55):
Good evening. I'm Rhonda Maze and I'm standing as an individual. Thank you for this opportunity and thank you for being here this evening. I want to make certain that when you're looking at the districts you're looking to make sure that the representatives are A, representing the people first and foremost. B, making certain that when you're drawing these lines that you're looking at a number of things. I know you say you're not going to look at race. You say you're not going to look at political party, but we need to look at what resources are in the various districts, the schools that are in those districts. So therefore we're not continuing to pack a bunch of schools in communities who do not have resources all in one area. And the representatives are working like heck to try to get resources in those communities, but they don't have an opportunity to get anything in that in those communities because they don't have bargaining chips as those who have other resources in their districts. So please look at what is available in the various communities and don't put all the resources in just particular districts. We need equality. Thank you.
Senator Joyce Krawiec (01:12:27):
Thank you, Ms. Griffith. Ms. Maze, I'm sorry. Next is Chelsea Griffith.

Chelsea Griffith (01:12:38):
Hi, my name is Chelsea Griffith and I'm not representing any group. I'm representing myself as a concerned citizen. In looking at the information that was presented, I had a concern concerning the use of the census data because considering that we have had this pandemic in existence and in some of the neighborhoods, there was no census person that was actually going out to talk to people to get their information. So some of these areas are underrepresented, in particular elderly people that may not be or didn't understand or was not able to actually compete complete the census. Also, my other concern is that you will not be packing and cracking the districts and neighborhoods. That is my hope and my concern that you do not do that so that we, as it was stated that we will not be back again with lawsuits. I'd like to state that as an African American or black person, that we are not a monolith. We are informed voters. We do pay attention and we will be paying attention to what will be done and said, and we will come back and vote. And if you do not represent us, as we send you to represent us, then the option is to vote you out.

Senator Joyce Krawiec (01:14:00):
Thank you, Ms. Griffith. Constance Calwell is next and following Ms. Calwell is Michael Sullivan.

Constance Calwell (01:14:14):
Good afternoon everybody and panels. I know you have heard a lot about [inaudible 01:14:20] and gerrymanders but stand here as an educator, as a teacher. I'm picking back on what one person just said about schooling. I do too wanted to say, "what were y'all going to do when impacting schools?" So as an example, Carver versus Walkertown, what are you going to do? Are you sending less kids to one side, more kids to the other side? So how are you going to fix that? Because that's the same thing that's going on with transportation. Buses are not working. So I need to know, are you going to overcrowd the school? How are you going to fix it? How are you going to make it better at zoning? We talking about the zon. Why is one side of the zone of the school, there is more funding for one side than it is on the other side. I think fairness should be when it comes to our schooling. Our kids are so important. It's not about race. It's all about fairness. So we look at our kids, all kids who be equal and be treated as fair and they all want to learn, no matter what side of the road they on, what side of the track they on. Thank you.

Senator Joyce Krawiec (01:15:30):
Thank you, miss Calwell. Michael Sullivan. Michael Sullivan? Anthony Spearman is next. And following Mr. Spearman is [inaudible 01:15:48].

Chris (01:15:47):
Or Gardner. I'm not sure. Is that a K?

Anthony Spearman (01:15:58):
Thank you, Madam Chair. I am T. Anthony Spearman, resident of Greensboro, North Carolina, president of the North Carolina NAACP. I have attended two meetings at the legislative office building in Raleigh and I'm extremely concerned with how the devil keeps showing up in the details. His first showing is in the composition of the committee itself. On the house side, twelve Republicans and seven Democrats.
And on the Senate side, ten Republicans and six Democrats, a total of 22 Republicans and 13 Democrats. With that alone, the gerrymandering has already begun. Can someone tell me why? If indeed, as the chair representative Destin Hall stated on August 12th, 2021 that, and I quote, today's committee meeting is notable and historic because for the first time ever without a court order, but with doing it voluntarily, the chairs have put forth a set of criteria before you voluntarily not using election data and partisanship.

And as far as the chair can tell that is the first time that that has happened in the history of this state and perhaps the first time that has happened in this country. To all that I can say, I hope so. But deem it prudent to remind you that the Roberts Supreme Court ruled almost unanimously that it is unconstitutional to pack black voters into a smaller number of districts in order to dilute their influence in other districts, when a smaller percentage of that minority is capable of electing a candidate of their choice. How does committee leadership intend to ensure compliance with the Voting Rights Act? If they're not going to look at race at any point in the process. In U.S. Congressional district six, there's been an increase among black voting age population of 25,609 voters. It's real simple. Draw maps that allow voters to choose who their representatives will be and not maps that will allow legislators to pick who they want to represent them in election.

Senator Joyce Krawiec (01:18:11):
Time is up, Mr. Spearmen. Thank you very much. Dr. Kiani Gardner and Fleming El Amin.

Kiana Gardener (01:18:34):
Good afternoon. Thank you all for this opportunity. My name is Dr. Kiani Gardner. I am here to speak on behalf, particularly of colleges and universities in North Carolina. My love and passion for higher education in this state runs deep. I did my PhD in cell biology from Duke, became a research fellow at Duke, I am a former professor at three different institutions of higher learning here in North Carolina, including Gilford Technical Community College, right up the road. And I'm here actually on behalf of Campus Vote Project where I am the statewide coordinator in this national nonprofit, nonpartisan project that aims to increase student engagement and access to the ballot and lifelong civic engagement as part members of our community. I'm here very specifically to ask you to consider all of our colleges and universities in this state, as communities of interest, we all know and have seen in the past that North Carolina has a history of dividing up our college campuses from UNC Asheville to NCA&T.

And I'm here to make the argument that students are not temporary residents of their colleges as has been made before. The decision of a student to join an institution of higher education is based on economics, opportunity, environment. It's as holistic a decision as where any adult chooses to live their life. We can all agree that one of the great strengths of our state is our ability to produce and attract highly educated, highly competent members of the workforce. And we see that now, as we bring in top level employers. When we dilute out the power of our students by gerrymandering their campuses, we dilute their ability to impact policies that will ultimately retain highly educated individuals in our community and will ultimately decrease the economic viability of our state as a whole. When considering communities of interest, I implore you, treat our colleges and universities as important hubs of innovation and economic development, because that's exactly what they are. Thank you.

Senator Joyce Krawiec (01:20:35):
Thank you, Ms. Gardner. Fleming El Amin, and then he will be followed by James Douglas.

Fleming El Amin (01:20:46):

Good afternoon. I'm speaking as Fleming El Amin, citizen, not county commissioner, but welcome to Forsyth County. I'm going to say two things that I'm requesting of you. First, a chairman is my Senator, [inaudible 01:20:59] in the General Assembly. So welcome, Senator [inaudible 01:21:04] . It's good to say things three times. I'm asking for transparency. I'm asking for transparency. I'm asking for transparency. And I'll tell you very simply why. If you are born in democracy, your birthright is transparency in any government process, that's a birthright. If it's not done, you have lawsuits, you have discontent, you have protests. So transparency and government decisions is your birthright and a democracy. Number two, let's be fair. Now I hope that you would lean more on the common sense book written by Thomas Payne than The Prince written by Machiavelli. And those are just involving politics, know the difference between the two. And finally, I've been around long enough to know from [inaudible 01:21:55], our Congressman and I worked for his campaign, Virginia Fox, congress lady. I've seen [inaudible 01:22:04] as my Senator, [inaudible 01:22:05] as my Senator, and I thought Senator Paul would be my Senator, but that didn't work out because of redistricting. And I've seen my county divided up substantially with a little hole in the center. I'm in the 10th district.

Let me say that again. I was born and raised here, but I'm in the 10th district. So we have the 10th district and 6th district and it is a little confusing for a lot of citizens. So let's [inaudible 01:22:32] the county, let's have one voice of reason and common sense and let's be fair. And by all means, let's be transparent. Thank you for your time. And thank you for being in the best county in North Carolina.

Senator Joyce Krawiec (01:22:43):

Thank you Mr. El Amin. James Douglas, and he will be followed by Don Chiarello.


Hello, welcome to Gilford. And a lot of you here. It's awesome. I'm here as a constituent and a longtime resident of this area. I know who's ultimately in charge of this committee and I'll try not to pretend to know what the outcome's going to be. Personally. I'd like this process to be nonpartisan, chosen by an unbiased party. But as Senator [inaudible 01:23:27] said earlier, that is now legally possible. So I'd like to appeal to the better nature's, better angels of your nature's. I know this country is divided today. Primary reason you are here is to represent the populace and not your party. I know that's hard. I know that some of you have no interest in that still I'm asking you to do what's right. Shape districts into areas not bound by race tax value, and instead focus on a diverse group of people who all work, live and vote in the same reasonably divided area.

PART 3 OF 4 ENDS [01:24:04]

James Douglas (01:24:00):

Will work, live and vote in the same reasonably divided area. Show us that you are for the people you were elected to represent, not yourselves, not because your dreams of reelection might be at risk, you're here for us. You need to be reminded of that. Thank you.

Senator Joyce Krawiec (01:24:21):

Thank you, Mr. Douglas. Don Chiarello. And he will be followed by Kevin Farmer.

Don Chiarello (01:24:29):
Thank you. My name's Don Chiarello. I'm from High Point. I'm speaking on behalf of the High Point NAACP.

In a democracy, the voters select their representatives, but that's not what we have in North Carolina, at least that's not what we've had in the past. What we have had is the elected officials picking which voters they want to support them. It's not democracy. It's a shame. Now, the North Carolina General Assembly has proven that it is incapable of fairly, honestly and transparently redistricting. So my request to you is to consider strongly having an independent group do the redistricting. And by that I mean, maybe the League of Women Voters, democracy North Carolina, or some other nonpartisan group. Democracy North Carolina is a nonpartisan group. It's a small D not a capital D. If we don't do that, the citizens of this state will never have confidence in what you're doing, because you've screwed it up every time the last 100 years. Thank you.

Senator Joyce Krawiec (01:26:15):
Thank you, Mr. Chiarello. Kevin Farmer, and he will be followed by Twana Roebuck.

Kevin Farmer (01:26:28):
Members of the committee and fellow citizens, my name is Kevin Farmer. I am here representing the Forsyth County Democratic Party. I am the chairman of the Forsyth County Democratic Party, and I am a citizen of Clemmons, North Carolina. I read in some of our talking points that we're supposed to be polite and thank the General Assembly for its work, so my remarks will be brief. Since we don't have any maps on which to comment, which seems strange for a hearing on redistricting, I can only speculate as to future intent. I imagine whatever maps you do concoct will be carefully crafted to convey an air of impartiality while retaining an advantage for the Republican Party, kind of like this hearing, which has been carefully crafted to convey the sense that public participation is welcome, but which was cobbled together at the last minute and convened without a virtual option. So to the General Assembly, I say thank you, but no thank you. You go on and do what you're going to do, because I'm sure that is the plan regardless of whatever comments we make here today.

Just be assured of the following: we're organizing, we're gaining traction in areas that have always been considered safe Republican districts. We're more than ready for whatever shenanigans the General Assembly concocts during this process. See you in 2022.

Senator Joyce Krawiec (01:27:40):
Thank you, Mr. Farmer. Next is Twana Roebuck, and she will be followed by Darrell Kicker.

Twana Roebuck (01:27:51):
Good afternoon. I am Twana Wellman Roebuck. I'm the director of an agency called ESR. Many of the people to know us as Experiment in Self-Reliance. Today, I'm here speaking on behalf of our organization, but I also want to draw to your attention something called the Community Action Agency. ESR is a Community Action Agency here in Forsyth County. And why is that important? That is important because we bring together a variety of people for services. The average age client that we serve is 26. As I looked in this audience today, there are very few people that are 26 years old or younger. So therein lies my comments. I'm a former elementary school teacher, and so one of the points I want you to remember is education. Our 26 year olds are our future voters. They're our new leaders.

I want to engage you and ask you, all of you represent counties where there is a Community Action Agency, if you think about diversity, equity and inclusion, you would think about a variety of...
people, as well as a variety of ages, as well as a variety of race. I invite you to check out your Community Action Agency in your community. If you're unaware of your community action agency in your community, give me a call. Most people know ESR. I invite you to have additional meetings. You might think, "Where should we have those meetings?" I'm so glad you asked. I want to invite you to have those meetings at a Community Action Agency. Here in Winston-Salem, we are located in a low wealth neighborhood, right off of Akron drive. So there are many Community Action Agencies across our state that you can invite residents to come and be a part of your conversation, where we have education, we have informed voters as well as we have informed residents. Thank you.

Senator Joyce Krawiec (01:30:00):
Thank you, Miss Roebuck. Darrell Kicker, and Mr. Kicker will be followed by Elder Tembila Covington.

Darrell Kicker (01:30:09):
Thank you. My name is Darrell Kicker and I'm from Greensboro. Gerrymandering is just so wrong. It's wrong when Democrats do it. It's wrong when Republicans do it. When our districts are gerrymandered, this whole argument that you're held accountable by the people becomes a sham, because we are not picking you, you're picking us. North Carolina's a very evenly divided state, we all know, but I don't think that's represented in the way that our districts are drawn right now. So my question to you is, if North Carolina, being the way that it is right now, had eight congressional representatives and just five Republicans in Washington, and if our State Senate was made up of 28 Democrats and 22 Republicans, and if the house had 69 Democrats and 51 Republicans, would you all agree that's representative of North Carolina? If the answer is no, and I think that's what all of your answer would be, then you know that we've got a problem. Something's wrong. So please do the right thing. Please be fair. Thank you.

Senator Joyce Krawiec (01:31:15):
Thank you, Mr. Kicker. Elder Tembila Covington will be followed by Cathlyn Ruin Williams.

Elder Tembila Covington (01:31:29):
Good afternoon. My name is Tembila Covington, and I am the president of the Minister's Conference of Winston-Salem & Vicinity, and a Forsyth County resident. The Minister's Conference is an ecumenical group of faith leaders, and we are deeply concerned of all of the issues our communities face. We work together in trying to address as many of these issues as being a voice to the voiceless, a hub for information dissemination, and a voice in addressing the issues of our communities. But we cannot be a voice to all for all of the issues and concerns. So for this, we demand of you, our elected officials, full transparency, fairness in public input including virtual input. Basically, we need additional rounds of public hearings and these hearings should be held throughout the entire state after the maps are drafted, to give citizens a chance to give informed input of those maps.

We call on you not to split precincts, municipalities and districts. Most of all, we do not want you to delude the vote of African American voters by packing voters and our representatives of choice in all one district. If you don't know, we know this well and understand this to be gerrymandering. Thank you.

Senator Joyce Krawiec (01:33:00):
Thank you. Sathya Williams? I'm not sure if I'm pronouncing that anywhere close. Is there Sathya Ruin Williams with Carolina? I'm not sure. Do we have a Williams here that signed up to speak? Okay. Melinda Hash is next, and Melinda will be followed by Maya McCoy.
Melinda Hash (01:33:52):
Good afternoon or evening. And you won't have to use those cards on me. I'm going to be very short. Thank you so much for allowing me the opportunity to speak. But one of the things I want to say, something that I heard, and that was, "He who controls the conversation and the language controls the community." And I just want to just say to you all, to allow all of the voices to be able to be heard, allow all of the voices to be able to come to the table so that as you bring the conversations, that you bring the conversations of all. Increase your number of meetings so that all of the voices can be heard. I live in this community in Winston-Salem Forsyth County. I am a mother. I am a worker at a Community Action Agency. I'm also a member of the Minister's Conference of Winston-Salem & Vicinity. And I just ask, again, and I implore you to allow all of the voices to be heard because he who controls the conversation and the language controls the community. Thank you.

Senator Joyce Krawiec (01:34:59):
Thank you, Ms. Hash. Maya McCoy is next, and following Ms. McCoy is Jake Gillergood 01:35:07 .

Maya McCoy (01:35:07):
Good evening. My name is Minister Maya McCoy. I am a native daughter of Winston-Salem. I am here standing in the shoes of my ancestors and the ones that have come before me. 100 years ago, I would not have had the opportunity to be in this very room or even had the right to vote. I stand at the intersections of being black, a woman, and differently able. Many of those before me were beaten, jailed, killed for the right to vote, and we are living the regression here in 2021. So often those that are marginalized are voiceless and are so often pushed farther to the margin. Two years ago, district lines were drawn, again. The blatant gerrymandering, inequalities were so segregated the Supreme Court itself defied that it was unconstitutional. Race has everything to do while we are having this issue today. We cannot ignore the politics of race, socioeconomics, as well as privilege. This is the very foundation of America. The infant mortality rate in a predominantly black and brown community here in Winston-Salem is the highest in North Carolina.

    Food and justice, education and equities, health disparities, and the income wage gap has all continued to exacerbate the very communities that are our neighbors. Who are your neighbors? Those who come into contact with you each and every day. Social justice is God's justice. When one hurt, we all hurt. Thank you.

Senator Joyce Krawiec (01:36:54):
Thank you. Jake Gillergood, and following Mr. Gillergood will be Darlene Garrett.

Jake (01:37:03):
Thank you. My name is Jake Gillergood, and I'm from here in Winston-Salem. And let me say first off, I've learned my lesson. There are so many great speakers. Next time I want to sign up... 10 years now, sign up online first, so I don't have to go this late and follow so many great speakers, but I am glad to get a chance to talk to you all today. The reason that compels me to be here, I don't have any great written testimony to read to you, I just wanted to say that I spent a number of years working at a university here in the triad. I worked with first generation college students as a staffer, and I've seen some of the barriers that get put in front of students, especially around voting. And my question is why put one more barrier in front of students in voting. Let's help our new voters vote.
Let's make it accessible as possible. Let's make sure we don't split college campuses. Don't split N.C. A&T. It's been done before. It shouldn't be done again. And please think of all of the college campuses across the state, and please don't split those campuses either. I know it's hard to tell sometimes what is a community. It's an ambiguous question. It's hard to know exactly what a community is, but when I look at a college campus, I recognize community when I see it. That is a community. Please don't split these campuses. Let's make voting accessible for everyone, especially our newest voters. Thank you.

Senator Joyce Krawiec (01:38:21):
Thank you. Darlene Garrett, and she will be followed by Lee Haywood.

Darlene Garrett (01:38:29):
Good evening. Thanks for being here and allowing us this opportunity to address you. I am a resident of Guilford County over half of my life, and I'm a retired 20 year veteran of the school board, and the proud mother of Senator Garrett. I agree with so many people here about gerrymandering. It was wrong when the Democrats did it and it's wrong now. So I urge you please to be fair in drawing maps. Everyone's been talking about how important fairness and I think it really is. Also, please this isn't about the maps, but it's very important that we not pass laws trying to suppress the vote. We want everyone to be able to vote, all colors. So please don't do that like other states have. And then the young man from Guilford County, Tyler Bill said, please pass Medicaid expansion. We have so many people who need it desperately. And it'll actually bring money into our state, which is a great thing.
And hopefully you can spend it on schools. And then finally, just please have more forums after you complete the maps. And again, I know it's a difficult job, but as my parents taught me to do the golden rule as I was growing up, please, those of you that are in power, remember what you do unto others as you would have others do unto you. Thank you.

Senator Joyce Krawiec (01:40:21):
Thank you, Ms. Garrett. Lee Haywood will be followed by Kara Hammond Laraby.

Lee Haywood (01:40:29):
Good evening, everyone. I want to thank y'all up there on the dais for what you do each and every day, and I want to thank you for allowing me to stand before you and speak. I want to address a couple of the comments before I get started about gerrymandering. I'm a long time resident of Guilford County, and I remember a time when the other side of the aisle, I'm a Republican, drew the districts and Guilford county was split between three different districts. One of which ran right up I-85. Another one, which ran from the Eastern side of Guilford County all the way to Raleigh. Was that fair? I would pose it to you that when the Republicans took over back in 2010, the process of the redistricting process was more transparent than the Democrats ever gave it. So I want you to consider that. It's true.

I just want to express concern about the way the sixth district was drawn. Forsyth deserves to be in its own entity. I love my peeps in Forsyth, but I know that they want to be by themselves and they don't want to... they've never been split up before. There's a way to draw a district which includes Guilford and some of the surrounding counties without dividing Forsyth in half. I think it's the wrong thing that y'all did, and I hope that y'all will fix that mistake. Any nonpartisan commission is going to be partisan, we know this, it all depends on what kind of data is used and what kind of criteria is used. Whoever controls the legislature, controls the process. I'm much more comfortable with the
Republicans doing the process than the Democrats ever gave it time, for over 140 years. It's crazy to have the sixth district, which is a D18, and having the district 13 surrounding it and are 1000. So please change the mistake. Thank y'all very much.

Senator Joyce Krawiec (01:42:35):
Thank you, sir. Kara Hammond Laraby.

Kara Hammond (01:42:55):
Good evening. My name is Kara Hammond Laraby. I reside in Porth town, North Carolina, which is pretty rural, but I grew up in Winston-Salem. And I'd like to say as a tax payer, after a lot of the comments that I've heard this evening, I feel a need to say that if we want to avoid costly litigation in the future, let's take the time to do the right thing. Naturally, when all people have left is the court system. Instead of a responsive representation, you get lawsuits. In an increasingly worrisome world it becomes increasingly important to work for the common good, not payback for perceived wrongs. Draw districts that make sense to constituents by keeping communities together. Constituents should choose their reps, not the other way around. And it is critical to make sure the process is transparent with ample time for public response. Show us all the maps before enacting them. Thank you.

Senator Joyce Krawiec (01:44:18):
Those are all of the folks on our list who signed up. Is there anyone else that we missed or anyone else that would... James Knox? It was not on our list, but we welcome to hear your comments.

James Knox (01:44:44):
James Knox. I live up in Rural Hall, Winston-Salem. But anyway, what I'd like to say is a lot of people have been talking about the way the states is. When you don't include the unaffiliated, there are 53 counties in North Carolina with more Republicans than Democrats. I follow that, so I know. And you can go to the state website and look, Saturday Morning, they have the list. But I think Forsyth County deserves to have its own representation. We haven't had representation in Winston-Salem, Forsyth county since Richard Burr. And I think we should have our own thing. Also, when you want to put everything together, they only have a certain number they have to divide by. So everybody's not going to get put in the same area at the same time. Guilford County is too big to have one State Senate district or one State House.

It's not going to happen. Forsyth County is too big. So there are going to be some splits. You got to split it somewhere. I don't mind sharing with Surry County. I live on the Northern end of Forsyth. I don't mind sharing with Surry and Stokes County. I have no problem with that. But I'll say this, those that think compact means you get compact, everybody can't be compact. Somebody's got to give up something. The Western part of North Carolina, the area, the beach part of North Carolina is heavily Republican. And other than Buncombe County, you got to go to Mecklenburg before you hit a Democrat majority county. So you can't draw eight districts without gerrymandering, that would be Democrats, State House or State Senate. Thank y'all.

Senator Joyce Krawiec (01:46:48):
Thank you, sir. Is there anyone else who would like to speak that we missed? Joan Fleming, you are recognized.
Joan Fleming (01:47:00):
Hi. My name is Joan Fleming and I'm from Davie County. Let's talk about nonpartisan. What is nonpartisan? No one is nonpartisan. An unaffiliated voter registers nonpartisan so we don't call him on the telephone and bug him. Check his voting record. He is not nonpartisan. The districts should be drawn by the NCGA. They were elected for a reason. For 140 years, they drew the districts. It was fine when the Democrats drew it. You've heard that. It was fine. Everything was fair and balanced then, why is it not fair and balanced now? They are drawn by the census every 10 years. Why are we doing them every two years? And we're having lawsuits after lawsuits. It cost us $7 million. Today I've heard millions, no it's $7 million. I read it this morning before I came here. So not everybody in this room is going to be happy. Someone's going to have to give up something. And I think we elected the General Assembly, let them do it. If it was good enough for the goose, it's good enough for the gander.

Senator Joyce Krawiec (01:48:12):
Thank you. Anyone else that would like to speak? Having exhausted our agenda, we want to thank you all so much for coming. We appreciate your input. And please check with the website regularly to keep updates on what's happening. And we appreciate all of you being here. I knew this county would turn out. I think there were only a few at the last meeting, 15, and now we had all of you. So thank you so much for coming out and giving us your input. We appreciate it very much. Meeting is adjourned.

PART 4 OF 4 ENDS [01:48:56]
John Torbett (00:00:00):
We’re going to start right on time, two minutes late. First and foremost, I want to thank each and every one of you all for taking up your time to being with us this evening. It makes us feel warm to see that many people coming out to speak for themselves in their government. I want to thank you first for being here. I’m Representative John Torbett. I represent the county of Gaston, which is the House District 108, which is next to Charlotte-Mecklenburg area. And I’ll go ahead and go through the other members while I’m here for, before I forget someone. We have quite an array of representatives here. We have on the Senate side we have, of course, my co-chair Senator Paul Newton who’s sitting to my left. And if you want to raise your hand guys as I call your name, Senator Natalie Murdock from here in Durham.

Speaker 1 (00:00:47):
Can't hear you.

Speaker 2 (00:00:47):
John, can you put the mic...

John Torbett (00:00:49):
Senator Natalie Murdock from here from Durham, Senator Wiley Nickel from Wake, Senator Norman Sanderson from Pamlico. I think he wins the furthest away this evening. Senator Mike Woodard from where are you from, Mike?

Mike Woodard (00:01:05):
County Durham.

John Torbett (00:01:05):
Durham. Thank you. Representative Vernetta Alston, Durham. Representative Rosa Gill, Wake. Representative Terry Garrison from Vance County. Representative Cynthia Ball from Wake. Representative Allison Dahle from Wake. Representative Zach Hawkins from Durham. Representative Pricey Harrison from Guilford. Representative Marcia Morey, Durham. Representative Robert Rave, and I’m kidding, Robert Reives from Chatham, teasing I’m sorry. Yeah, that’s right. And also I’d like to extend a warm and welcome hand, I haven’t seen you service in the Senate, Floyd McKissick. Floyd, it’s wonderful to see you joining us this evening. Thank you for being here. Okay, couple, yes... You are attending the joint committee on redistricting and elections here at the Durham Technical Community College.

We want to thank Durham Technical Community College for making the facility available. A few housekeeping managers if you don’t mind, if you didn’t notice coming in, when you entered the doors to your right was a men’s room to your left or I hope that’s right. To you left was a lady’s room or vice versa. So restrooms are out there. We have exits well marked in the case of needing those exits. We’d also like to thank the folks that are here with us from our general assembly staff. We have house Sergeant in Arms who kind of helps us keep the trains on the track. And that is from the house, your friend and mine, Jonas Cherry, Jonas. He must be in the back somewhere and then from the Senate Sergeant at Arms, we have Jim Hamilton down here in front. Jim, thank you, both and Jonas, thank you for the service you provide. Not only this committee for the people in North Carolina.

In the general assembly police front we have Sergeant Paul Waters and Officer Tom Rochford. Thank you all for being here with us tonight as well. And thank you for the service you’ve provided not
only for us, but for the people in North Carolina. Ladies and gentlemen, couple of things that we've been informed of is that this room currently will only allow 77 people in at a time. So if you’re speaking, do whatever you’d like to do, but when you get through finished speaking, if you choose to leave to allow someone else come in, should we get to full capacity, I will leave that totally up to you. We have a 9:00 leave the facility time so we’re going to get right to the speakers and try to done just in here just as many as we possibly can. We have speakers that have signed in online as well as being here.

But before we start, I want you to understand this. It’s come to our attention and the chairs individuals will like to celebrate Yom Kippur. And with respect to that, we’d like to begin by allowing anyone who is participating in Yom Kippur this evening that’s signed up to speak, to go first. So at this time, if you wish to do that and you had signed up to speak, would you please raise your hand? Seeing none? We will go right to the speakers. And I'm going to tell you right now with cursive and some of you all's penmanship, we're going to have a challenge of some of the names. I'll do my very, very best.

The first person we have signed up to speak is Angela Sims MacMillan. Angela, if you'll come to the microphone right here. We will have a Sergeant in Arms help you with any needs you may have once you get to the microphone. You will have two minutes. They will show you on a placard when you are nearing your time. So it won't be just like cutoff. So they'll kind of give you an idea and this goes for everyone's here speaking night, we're all North Carolinians. We're all friends. We're all working to the same common good. This is North Carolina. We're your friends. Free to speak open. No need to be nervous. We're here to listen to you.

Angela Sims MacMillan (00:05:05):
Keep it on. Okay.

John Torbett (00:05:07):
And thank you for being here.

Angela Sims MacMillan (00:05:09):
Sure. Thank you. I'm here to speak for those who cannot speak. At 71 years young, I just got my first grandchild so I'm here to speak for him and others. Thank you. I'm talking from personal opinion and personal opinion only. And I just want to say that redistricting is a legislative matter that concerns me very much. I believe that districts should be drawn in a compact format. Non-compact districts confuse voters. They split communities of interest and they're often drawn to benefit certain incumbents or certain political parties. African American voters should not, must not, be packed into few districts through racial gerrymandering to diminish our votes and our voices. And finally, I just want to say thank you that democratic voters should not be packed into few districts. Stop. Thank you so much for your time.

John Torbett (00:07:24):
Thank you, Miss MacMillan. Next individual I have is has Veronica G. Robinson. Veronica, if you would approach microphone. Thank you for being with us this evening.

Veronica G. Robinson (00:07:45):
I actually do not have... My name is Veronica Godfrey Robinson, and I actually don't have any real comments. I mostly have questions. And one of my questions is where are the maps? I was, I would've thought that at this meeting, this town hall meeting, even though we would discuss these various issues, I mean various things about the redistricting, that there would be some maps where we can see what the districts kind of are looking like right now. And my next question is if the maps are not ready, when will they be ready? And will they be ready in time for any kind of feedback from the community or will we have that option to do that? Those are my questions.

John Torbett (00:08:40):
Thank you. I'm been reminded that if, when you come to speak either, if you're representing yourself or an organization for our records, if you would please mention organization, you may be representing if not, you're representing yourself, that's fine as well. Our third speaker, excuse me.

Veronica G. Robinson (00:09:01):
I am a member of the Durham Committee on the Affairs department.

John Torbett (00:09:03):
Oh, okay. Thank you so very much. Good thing I had that note after you got through speaking. Yeah. Thank you. Annette Rice, Annette Rice. Annette. Thank you so much for being with us this evening.

Annette Rice (00:09:26):
Thank you for allowing me to come. I too am a member of the Durham Committee. I do live in Hope Valley, like the young lady before me, I’m here because I have five grandchildren and I don't want to see districts drawn to actually benefit one party or the other. I think each party should have the opportunity to allow their voters to pick them and not the district. And on that behalf, like my colleague before me, I would like to see the maps and know what we can do to help the districting when it comes time. That's all I have. Thank you.

John Torbett (00:10:07):
Thank you. The next speaker, Tom, here with my first mess up here, Rukowski. Did I do okay?

Tom Rukowski (00:10:07):
You did.

John Torbett (00:10:15):
Thank you. Tom, thank you also for being with us this evening.

Tom Rukowski (00:10:19):
You're welcome.
My name is Tom Rukowski and I'm an Orange County voter. First of all, I would hope that the redistricting would reflect the number of voters in each party. That's one of the issues I have. Also, I would like to suggest that you have transparency in the entire redistricting process. Therefore, after the committee has finished its work there's should it be another public session for voters to be informed and evaluate its findings. Thank you very much.

John Torbett (00:11:05):
Thank you. Thank you for being with us this evening. Here I have is Lara Inane. Thank you and ladies and gentlemen, we're I guess grateful to have people here and we also going to have an interpreter to help with her comments.

Laura Hermaine (00:11:32):
Yeah, sorry.

John Torbett (00:11:34):
Thank you very much.

Laura Hermaine (00:11:36):
My name is Lara Inane. I've been a community leader for 20 years. I had worked at the Duke University with the Department of Sociology doing research interviews. I work in neighborhoods with low income families. I always support low income families. So in my area of complex apartment, I will say they're like in deplorable conditions. The conditions are not good. Many of them they don't receive appropriate maintenance. I will also you to consider to have better resources for parks and interpretation services for our community.

John Torbett (00:12:52):
Thank you. You did great. Thank you for coming out here this evening.

Laura Hermaine (00:12:56):
Thank you.

John Torbett (00:13:00):
I've exhausted the names on the first signup sheet. There may be another one outside. If not, we'll go to the ones that may have signed up online. I have Gino Nuzolilo.

Gino Nuzolilo (00:13:10):
Close, it's a tough one.

John Torbett (00:13:11):
Thank you. Gino, thanks for being here tonight.

Gino Nuzolilo (00:13:18):
Yeah, thank you sir. Good evening members of the joint redistricting committee. My name is Gino Nuzolilo. I've been a resident of Durham for the last five years during which I've seen increasing demand...
for representation that can help address resource inequities and meet head on the housing, healthcare and infrastructure challenges my growing region faces. I'm here today to demand a fair, timely, inclusive, and transparent redistricting process. A process we have not yet received to get us the very representation we deserve.

I work every day with dedicated North Carolinians who want a better future for their communities and votes that matter. They've done the work, the NCGA would not to educate their neighbors about the importance of this year's redistricting cycle. And I understand their anger at what's already becoming a sham process designed to make it as difficult as possible for North Carolinians to take part. So far, we've witnessed your committee decide redistricting criteria in less than 72 hours, with little notice, for only one early morning public hearing in Raleigh. Your committee then slashed a number of public hearings this year to 13, a marked decrease since 2011 with no hearings in the state's two most populous counties.

Thus far, we have provided no livestream or video conferencing from hearings, an option even the state of Texas has provided to their residents nor language and interpretation options offered by the committee themselves and not normal citizens. Add to that. We have even refused to guarantee hearings so far after maps are revealed. North Carolina deserves better.

The data to draw maps been available for more than a month. Under the current timeline, draft maps could easily be available in the coming weeks. The committee should release member maps and hold more hearings across the state in September and October. These hearings should be accessible to every North Carolinian, which means language access, the ability to livestream testimony, and the ability to provide testimony via video conference. For in-person hearings, a joint committee ought to provide PPE at all hearings, not normal citizens like us who have to bring our own, and hold them at times all hearings that are convenient for working people. We know there have been some at 3:00 PM. All aspects of the public hearing, including recordings, and testimony given should be made publicly available. This is the floor, the bare minimum that North Carolinians deserve and I urge you to do better. Thank you for time.

John Torbett (00:15:31):
Thank you, Gino. Vicky Parker. Vicky Parker. Is there a Vicky Parker in the room?

Vicky Parker (00:15:45):
I'm coming.

John Torbett (00:15:45):
Oh, okay. Take your time. Thank you for being with us this night.

Vicky Parker (00:15:51):
Thank you for having me. Good evening everyone. My name is Vicky Lee Parker. Hi, I am... I get to serve as the Executive Director of the North Carolina Business Council, and we represent hundreds of businesses, small and large all across this great state. As you all know, small businesses make up more than 90% of the businesses in this state. And they employ almost half or sometimes more than half of our employees. And they create jobs at a rapid pace and they're sprinkled throughout North Carolina. And they are also impacted by a gerrymandered scenario or gerrymandered communities. These businesses are impacted by the same things that all the residents are impacted by when they have issues that need to be resolved. They may live five minutes from their business, but they have one
representative for their home and one representative for their business. And when they have a issue, they don't know where to go to get the issues resolved, or they have to go to two or three different people to try to get the issues resolved.

That is not a good thriving environment for our businesses. They need a government that they can trust. They need to be able to know who to go to, to get answers for their problems.

And what's happening is that they feel well, no one's going to hear them so they kind of check out, but that's not how our economy is going to grow and thrive. We need a government. We need to have fair representation. They need to feel that they can be heard that their issues will be heard by the people they elect. So we come here to urge you to do exactly what you've heard today from other people to have fair election. I mean, to have fair representation and to be transparent in your dealings in drawing these lines. We need to feel that we can trust what you're doing and right now that trust isn't there and we need to gain that back. So I thank you.

John Torbett (00:17:50):
Thank you. Elizabeth Sabrocco. Elizabeth, thank you for being with us this evening.

Elizabeth Spracco (00:18:09):
Thank you. Hi, I'm Elizabeth Spracco. I am a resident of Durham County. I live in precinct 50 and I've lived at my current address for nine years, but I've been in three different congressional districts because of all the redistricting over the last decade. I'm really involved in voter registration and voter education in my precinct. And people have called me and said things like, "I think I got the wrong ballot at the polls because I've always been in David Price's district and now I'm not. What's going on?" And they're confused.

These are educated people. These are people with Master's degrees, these are people with Medical degrees, with PhDs, who can't figure out what district they're in because they keep changing and they keep changing because they keep being drawn. Excuse me, I'm out of breath, unfairly. So here are my suggestions to draw fair maps so that we can just have them for to 10 years.

One, keep counties whole especially for congressional districts. Keep precincts whole. My precinct was split into two different state Senate districts in 2010, and it was deemed racial gerrymander, but there's no reason to split up districts or BTDs in legislative maps because there's a 5% variance that's allowed. Make districts compact. Do these three things for the voters and don't sacrifice those three things for incumbents. Figure out how to protect incumbents some other way. Finally, if there are multiple county groupings for the legislative districts, I just ask that you choose the ones that best equalize the populations between counting groups, and also give us a chance to make comments once these maps, once you have a proposed map or two or three, give us a chance to give you some feedback so that we can have fair maps for all. Thank you.

John Torbett (00:20:08):
Thank you. Jennifer Bremer, Jennifer Bremer. Thank you for being with us this evening, Jennifer.

Jennifer Bremer (00:20:27):
Yeah. Thank you very much. Good afternoon. My name is Jennifer Bremer and I'm an Orange County voter as well. Thank you for holding this hearing in Durham and for committing to an open and transparent redistricting process. North Carolina voters must be able to observe the map making and to have our say. Having spent many hours in NCGA meeting rooms, not as many as you, but observing the
2017, 2018, and 2019 redrawings, I would like to focus my remarks on how we can achieve a truly transparent process.

The 2019 process was undoubtedly the most transparent process ever carried out in North Carolina, but we still can and should do better. Here are three specific recommendations that I hope you will take into consideration. First, management of work at the redistricting terminals. Something you do it the same way. Even observers in the room found it very difficult to see what districts were being worked on and who was at the terminal. I can't imagine how people at home could follow this. There are easy fixes for this. The legislative services staff could maintain a public Google spreadsheet that shows which legislators and staff are working at each terminal, with starting end times, and what counties and districts are being redrawn. Maps should not be permitted to leave the room in any form.

Second, there should be a distribution of the draft maps. Please make every map filed or drawn on the terminals available to the public in electronic form that. Sharing all of the data that Maptitude generates. In this day and age we don't really need paper copies. We need them in computer readable form, specifically the shape files. It should be provided on block assignment files for each map. And they should be released along with the statistics that map the two turns out, who drew the map, and the image itself.

Finally, public comments. We'd like to see what our fellow voters are saying too. Please make the public comments available at the end of each business day, ideally by posting them to a Google spreadsheet so they can be shared. Georgia's legislature is doing this and even including the names and county of each person who comments. We should do it too. These improvements would help us live up to our state motto, Esse Quam Videri, to be rather than to seem. And thank you again for this opportunity.

John Torbett (00:22:38):
Thank you. Susan B McClanahan, Susan B McClanahan. Susan, thank you for being with us as well.

Susan B McClanahan (00:23:00):
I'm Susan B McClanahan from Orange County. During 2011 redistricting, you held 62 public hearings. 26 of those occurred after draft maps had been released in. 2021 you offer 13 public hearings across our state before the maps are released and one public hearing in Raleigh after they're release. Your plan is in adequate. There should be 26 additional public hearings across our state after this year's drafts have been shared so that citizens can respond to your proposals. 26 hearings would provide two public hearings in each of our 13 congressional districts.

Public hearings could occur again in the 13 counties you've already planned for, plus in Buncombe, Cabarrus, Dare, Davidson, Gaston, Guilford, Johnston, Stokes, Union, and Wake as some of the most populated counties in our state, Buncombe, Guilford, and Wake must be included in hearings after the draft maps, because these are the places that can most easily be gerrymandered. When you release the draft maps to the public, you should simultaneously share the complete data that was used to produce the maps and simultaneously, the map shape file should be shared so that the drafts can be analyzed by those outside of the legislature. As you know, it is hard to tell how gerrymandered a draft may be without data. This will be a test as to whether you actually mean what you say when you claim to be committed to a transparent process. Your actions will speak much louder than your words. Thank you.

John Torbett (00:24:52):

William Lucas (00:25:04):
Thank you. And I'm a little bit taller.

John Torbett (00:25:08):
I understand. You take your time. We'll get it fixed for you.

William Lucas (00:25:10):
That's okay. Thanks. Thanks commissioners for this opportunity. I know I only have two minutes. I'm a preacher of 22 years so you know that's difficult to do. However, I understand your plight. Dr. King said voting is the process by which we decide in a democracy who gets how much money, healthcare, education, jobs, et cetera. If that is the case, letting individuals vote, who have been incarcerated by your policies, who have been killed by your policies, is difficult for them to vote for you. However, there are a lot of people out here that are very close to the Republican party. If the racism dissipates, I think you would have a larger group of people following you. Tonight in the few minutes that I have left, few seconds, not minutes, I would like to leave you with this. One minute.

Lines have consequences. I'm going to tell you a story. I used to work for the district attorney in 6B and I was a little boy then, 23 years old. I would see African Americans getting arrested every single day. I asked my boss, David Beard, a question. I said, "Why are so many black folks being arrested?" And then I talked with an FBI agent. He said, "Mr. Lucas, I want to go higher but my boss tells me no."

Policies make a difference. Line make a difference. Have you been to a Hardees lately? They can't find employees. Your lines are not only affecting minorities. It's affecting all of us. We all rise together or we all fall together. I pray you make the right decisions tonight. God bless you. Thank you.

John Torbett (00:27:30):
And John Ahmad. John Ahmad. And John Ahmad. Ryan Jenkins.

Ryan Jenkins (00:27:55):
You all would make me go after the best speaker of the night.

John Torbett (00:27:58):
Ryan, thank you for being with us tonight.

Ryan Jenkins (00:27:59):
Thank you all for having me. My name's Ryan Jenkins. I am President of the Progressive Caucus of Durham County. Look as much as this is an exercise in screaming into the void. It is incumbent upon every citizen to speak truth to power. That truth is twofold. First, these maps need to be drawn by independent nonpartisan civilian agencies or computer programs. We've all seen this before, haven't we? Corruption, bias, goes into these maps openly. They get overturned for the same reason, and then it comes back in a more purified and acceptable form and that can't be allowed in the future. We need a safe election for the people. Second point, multiple listening sessions. You got to have them after this. Once we've seen the maps, the people need to be able to comment. Thank you and carthago delenda est.
John Torbett (00:28:47):
Thank you. I'm going back to the second sheet of people that attended night signed up tonight. And the first name on that list is Angel Valdez. Angel Valdez. Thank you also for being with us this evening.

Angel Jimenez (00:29:14):
I thank you for your time. So my name is Angel Jimenez I don't know if my name got messed up, but I represent the Latino community. And my question is what we are doing is right. Who we benefiting? Is the question is we should have a lot of diversity into these communities so that we can know what's right. I just hope that what you're doing is for the best for the people. I thank you for your time.

John Torbett (00:29:42):
Thank you for being out with us this evening. Gary Foreman, Gary Foreman. Thank you, Gary. And thank for speaking to us this evening.

Gary Foreman (00:30:03):
I have some prepared comments here. I'm a little bit short. My name's Gary Foreman. I live in Durham now and have since the early seventies. I'm here as a private citizen. Although I wish to acknowledge being the beneficiary of All On The Line, AOTL, in their efforts to make the voting public aware of the seeming obsession of the NC General Assembly and of the North Carolina Republican Party to degrade our state from being even classified as a democracy, efforts that include the biased and gerrymandered drawing of voting maps. Because of groups like AOTL. I have been made aware of how unfair and unrepresented matters have been made so far by the Republican control of the mapping process. Despite North Carolina having democratic voters and the majority over Republicans, 36 to 30%, the congressional house representation is over 60%.

PART 1 OF 4 ENDS [00:31:04]

Gary Foreman (00:31:00):
The congressional House representation is over 60% Republican, 8 of 13 seats. And there are super majorities of Republicans in the North Carolina House and Senate. And the committee needs to know that it's just not noisy, grumpy citizens like myself or idealistic organizations like AO2L, that are complaining about unfairness. It's the Supreme Court itself that recognized it and struck down your racially biased efforts back in 2017. And I pined that the racially biased, cited by that court, was far from a coincidence, being that the public can voter makeup is 91% white and 2% black. So I am a citizen, extremely distrustful of this committee of adopting maps that are at all fair to the voters in this state, and even in communities of interest in our county. But know that many of us US citizens are now aware of this unfavorable track record, are aware of the very strategies applied against communities of interest in cracking and packing. And we're watching, watching for you to pursue the process in a fair and representative manner.

John Torbett (00:32:16):
Thank you very much. Jill Mertens, I apologize if I got the last name, right? M-E-R-T-E-N-S.

Jill (00:32:29):
That's perfect.
John Torbett (00:32:29):  
Oh, thank you, Jill. Thank you for speaking with us this evening.

Jill (00:32:32):  
That's okay. I'm used to lifting my head up to talk to people. I wasn't born in North Carolina, but I got here as fast as I could. My name is Jill Mertens, and a Wake County resident, who perhaps represents the flood of Yankees moving into this state. My husband and I moved here in 1999. I love this state, and I thank each and every one of you up on the stage for serving. Personally, I'm an ex-Republican who is now registered as independent. And I made this change because of things just like the redistricting debacle after the last census. It was a national embarrassment, and I'm sure we can all agree, that's not how we want our state to make the national news.

I'm here today asking for transparency of number one, the process that you're using, number two, the people or the consultants that you engage, and number three, the criteria. Somebody said the criteria was posted. Forgive me, I have not yet seen that. But I would hope that it would and factor in that we want to keep communities of common interest bundled together. We want compactness so we don't have those crazy snake or dragon-shaped districts, and apply the one person, one vote principle.

I don't know if anybody saw it. I brought reprints if you're interested. An August 20th article in the news, an observer actually had a map from a Map Nerd based here in North Carolina. He said that these maps slightly favor the Republicans, not because of any political bias, but just because of the way the population is distributed across our state. I can buy that. That's competitive and still allows the people to speak on any particular matter. North Carolina is a purple state. I hope you will employ a fair process to allow the people to make their will known. First and foremost, you serve the people of this state, not a political party. Thank you.

John Torbett (00:34:43):  
Thank you. David. I apologize, professor David Florine, is that right?

David (00:34:52):  
Florence.

John Torbett (00:34:59):  
Florence, thank you. Thank you for being with us this evening.

David (00:34:59):  
Good evening. I apologize in advance. I just found out about this meeting today. I've recently moved here from New York. So I am a Yankee, moved down here. I moved down here because a, it's an intellectual paradise with all the academic prowess, as a professor and educator. And also, the people are just spectacular. And I live here in Durham. I moved here three months ago.

The reason I decided to speak is I run several businesses, including a nonprofit education company, a for-profit education company. And also I run a political think tank called Consensus. We work with Republicans, Democrats, liberals, conservatives, libertarians, and socialists with the ideas building the best policies possible and building consensus between different of groups. And so I'm offering my services. My company, we have over 200 educators working for my company, and offer you...
the panel, opportunities to work with us, to help in a nonpartisan way, as well as help both sides in a political spectrum to get their ideas across.

    I teach strategy innovation, research and alike, and I'd love to offer our company's capabilities to you. So that's basically it. I wanted to introduce myself to the community. It's a fantastic place to live already, other than the heat in the summer, which I cannot stand. But other than that, it's fantastic, and green, lush and fantastic people. So that's why I'm here. I figured I'd voice my desires to help.

John Torbett (00:36:19):
Thank You, David. Welcome to North Carolina. It gets better. Take just a minute, we had a young man walk in, to be with us this night, Representative Abe Jones from wake county. Abe, thank you for being with us. Nicholas, tell me your last name,

Nicholas (00:36:44):
Nicholas. Graber-Grace.

John Torbett (00:36:47):
Thank you. Thank you for speaking with us.

Nicholas (00:36:51):
Yes, thank you. And I'm here with the North Carolina Association of Educators.

John Torbett (00:36:55):
Thank you so much.

Nicholas (00:36:57):
So as a longtime civics teacher, 'I can say firsthand how confusing this process is to students and community members. Students quickly grasp the basic idea that districts should have similar population sizes to ensure fair representation. But when I show them the actual maps and students study the correlation between voter turnout and actual election results, they become frustrated. My mission as a civics teacher was always to help students first understand how our system works, and then help them buy into the idea that our democracy works better when they participate as actively engaged citizens.

That job is made harder when students in particular, black and Latino and working class students, look at district maps and draw the perfectly reasonable conclusion that the system is designed to sideline them and minimize their influence. Please draw maps that are compact, that maintain communities of interest. For example, here in Durham, elementary schools like and RN Harris and Fayetteville elementary are in the same attendance zones as certain middle schools and Hill High School, where I taught for 11 years. Those school and parent communities are important, and maps should maintain that cohesion by placing the schools that share overlapping attendance zones in the same political districts. Thank you.

John Torbett (00:38:17):

Nimasheena (00:38:35):
Yep.

John Torbett (00:38:36):  
All right. Thank you. Thank you for being with us as evening.

Nimasheena (00:38:39):  
Thank you. I'm not that short. Okay. My name is Nimasheena Burns and while I'm not representing anyone in particular, in full transparency, I am a county commissioner here in Durham.

John Torbett (00:38:55):  
Thank you for your service.

Nimasheena (00:38:56):  
Thank you. 58 years ago today, Addie May Collins, Denise McNair, Carol Robinson, and Cynthia Wesley walked into the 16th Baptist church, and it was blown up. And their lives were cut short that day, because somebody thought it was important to send a message that voting was not in the best interest of black people. So while we have decided that cutting people's lives too short is no longer the process, cutting people out of process is the new practice.

I am here today to ask for three things, support transparency measures. I am hopeful that we will be allowed to witness the map drawing and I'm thankful that we had this opportunity to give our input today. But we need additional public hearings. I'm happy that you have given us the opportunity to give feedback after this is over, but we need another opportunity. I would also like for you to allow more people to be in the room when these maps are drawn. And I would also like to ask for independent, nonpartisan map drawers.

When partisan gerrymandering occurs, it is always at the expense of the political voices of communities of color. When legislators feel secure in gerrymandering, they are less likely to listen to voters and are harder to hold accountable. This contributes to voter frustration and voter apathy. District lines should not be manipulated in the name of competitiveness. We should not rely on metrics that ignore the will people and allow our diverse communities to be broken apart in the name of competition. As an elected official, I shouldn't say this, but voters should be put choosing their politicians, not the other way around. States across the country are pushing for meaningful redistricting measures that protect their residents from partisan gerrymandering. North Carolina can do the same. Thank you.

John Torbett (00:40:42):  
Thank you. Going back to those that signed up online, John Hollingsworth, John Hollingsworth. John, you for being with us this evening.

John (00:40:59):  
Certainly. I am going to raise this in an equitable manner for those who come after me. Good evening, my name is John Hollingsworth. I'm an engaged citizen from Durham, North Carolina. Let me first say that I am under no illusion that our comments tonight will affect the outcome of the current redistricting efforts. Our GOP-controlled legislature has shown no interest in these proceedings or our desires throughout the last 10 years. So I direct my comments to the elected Democrats assembled and indeed, all north Carolinians interested in good governance. I come tonight with a bold proposal. I want
to make it impossible to gerrymand our districts. The only way I see to do that is to remove all human interference with the outcome. My perspective is that any time you have a human touching the borders of our political districts, that you invite bias, either based in corruption or just in the difficulty inherent in representing the needs of all constituents. The technical specifics are too complex to adequately discuss here, but there exist open source software at autoredistrict.org, that can create districts that are compact in form, equal in population, and minimize splitting of cities and counties.

Furthermore, this software also ensures that neither political party is disadvantaged due to the types of unintentional gerrymandering that have been identified by political scientists when purely geometric methods are used. I am sensitive to the fact that many here tonight have come to argue that their class, community, or clause must be protected. But I say to you that that advocacy is simply gerrymandering by another name. Those advocates might say that the computer-drawn districts, as I propose, would not sufficiently protect their specific interest to which I say exactly.

I envision a state in which the districts reflect the political will of the voters they contain from both major political parties. Of course, there are inherent problems with the two-party system, but it is the one we have today and is the one that must be addressed, not wished away. Lastly, I believe that this method could bring about a new politics in our state. If a politician had to appeal to multiple constituencies and the citizen had to engage a less interested politician, I believe that could be a path to a less divided and more functional society. Thank you.

John Torbett (00:43:10):
Thank you, John. Senator Murdock, I called your name, but you may not have been in a room earlier. It's your area. So we're going to give you hometown privilege here. And with us tonight also, is your Senator Natalie Murdock. Nancy McClain, Nancy McClain, Nancy, thank you for being with us this evening.

Nancy (00:43:41):
Good evening and thank you. My name is Nancy McClain. I'm a historian of the United States and a faculty member in history and public policy at Duke and a Durham voter. I'm here tonight because I'm deeply concerned about the state of our state and our country. As a historian who studies the political process, I know that self interested gerrymandering by any party undermines the principle of one person, one equal vote. In recent years, however, we have been subject to a particularly extreme form of partisan gerrymandering, using data of the art mapping software and micro-targeting data to divide natural communities and dilute the just weight of their votes.

This unnatural division of the electorate has produced the arch polarization that now threatens our public health in the pandemic. Because when districts are drawn to guarantee one party an absolute monopoly, the only competition will come from members of the monopoly party who are more zealous than those they seek to replace, in what the warped lines turn into the only elections that count in cartel politics, primaries. This kind of line drawing is killing us, literally now, particularly supporters of the party that has drawn the current lines that reward extremism. Surely no parties should draw lines that result in the death of so many of its own voters and the overwhelming of our hospitals, particularly in rural areas.

But here we are. This is not just a North Carolina problem. I know our country is in fact, the only one in the world that lets elected officials choose their voters. But here's the good news. All American voters just about, hate gerrymandering. And in fact, herpes polls better than gerrymandering. Majorities of voters in both parties and among independents, believe it is wrong for politicians to be choosing their
voters rather than the other way around. All of us want honest districts that are also competitive
districts.

Oh shoot, I timed it, and it worked. Okay, well, the fact is when redistricting reform has been on
the ballot, it has won by overwhelming majorities among Republican voters, Democratic voters, and
independent voters in red states, blue states, and purple states. One last thing, these all right,
nevermind. Okay. The only one thing, it's our choice and we would like to see you make the ethical and
fair choice. Thank you.

John Torbett (00:46:23):
Were you Diane, or were you Nancy? I apologize.

Nancy (00:46:25):
Nancy.

John Torbett (00:46:25):
Thank you. Diane Horrigan. Thank you for being with us this evening, Diane.

Diane (00:46:32):
Thank you. I'm Diane Horrigan, and I live in downtown Durham. Durham is experiencing massive growth
and is the largest community in district four. A fair amount of the district is rural, and Durham's needs
are totally different with regards to affordable housing, gentrification, parking, traffic, infrastructure,
and climate. As an example, because of the construction of high end condos and apartments, 94.7% of
my track lacks tree canopy. Within the next 25 years, there will be an increase from 21 to 39 days of
temperatures higher than 95 degrees. That's an increase of 18 days.

Without modern infrastructure, our community of concrete, wind and windows is hotter and
does not have the same needs as a rural community. The elderly, the very young, the sick, and the poor
will be unduly affected. So number one, Durham needs to be in a district with communities that have
similar needs and growing pains. Number two, North Carolina is one of the most gerrymandered states
in the country, and I find that personally embarrassing. We have a reputation for picking voters for our
representatives with surgical precision, instead of voters picking their leaders.

Duke professor Jonathan Mattingly has testified how districts can be drawn fairly. Therefore, it's
simple. Cut out the politics and follow his advice. I invite you to take us from one of the most
gerrymandered states to the least and improve the state's reputation. Number three, if you are not
going to follow professor Mattingly's program to fairly draw maps, then you should hold hearings again
after you draw the maps, so we can give better input before the maps are finalized. Thank you.

John Torbett (00:48:11):
Thank you, Diane. Gary Whitford, Gary. Hey Gary, thanks for being with us tonight.

Gary (00:48:22):
Thank you. Thanks for being here and holding this referendum for us. We basically want to say, I'm from
North Carolina. My lifetime, I've lived in Durham for 36 years. And I know that gerrymandering is
something that we're not all proud of. And so I do want to applaud the general assembly for the
openness and transparency that it seems that you're after and also like to commend them for not
including the racial and political concerns that are going to be something that's going to impact the drawing of the lines if you let it.

I think the lines should be following county lines. And worst case scenario, no matter what you do, somebody's not going to like it. And so there's going to be glee, there's going to be sorry, there's going to be disapproval, there's going to be approval. But what anybody that's involved in the process needs to know is fairness, bipartisanship is really what needs to happen. But we know that that's going to be challenged by somebody.

So I'd like to appeal to the people of the state to realize that the bipartisanship is going to be perceived by someone as being the cause for how the lines are drawn. And so we need to realize that without having some type of unity in our state, in our country, then we're going to continually be fighting this. So I just wanted to applaud the general assembly for doing what you need to do and what you will do, we think.

John Torbett (00:49:59):
Thank you, Gary, James Ramsay? James Ramsay. James, thanks for spending some of your time with us.

James (00:50:10):
All right, thank you. I'm Jim Ramsey from here in Durham in Mr. Hawkins' district. Thank you for this opportunity. My hope is that this redistricting process will result in districts that pass the political and legal sniff test on the first try, because they are fair from the start and not after years of lawsuits and unfair elections. To accomplish this, my greatest wish is for an independent commission. I recognize that won't happen this cycle, but want to explicitly support this approach.

My further comments today, are predicated on the purple nature of North Carolina, recognizing the virtual 50-50 split between the major parties' vote totals in recent years. So what constitutes fair? That means districts should be constructed such that the voters, not the makeup of the district, will truly have the opportunity to determine election winners. More specifically, this means that minorities' voices are heard across the state and are not packed into minority or black or Hispanic districts, where their voices are watered down. Also, this means that we won't pack one party's voters into fewer districts to minimize their voices either, thereby recognizing and honoring historical election results when creating these districts.

In terms of the mechanics of constructing fair districts, what should we consider? Compactness, which a lot of people have talked about, should not be the highest priority. It should be a factor, but should not be the highest priority. This would assuredly create numerous, non-competitive districts and undermine North Carolina's purple nature. Snake-like districts like the old congressional 12th, are not the objective either. Voting tendencies of the parties across each region county city, et cetera, must be recognized so that no party's voice is minimized. Given the geography and voting patterns in this state, however, it is almost inevitable that some districts will end up strongly favoring one party or the other. The number of these districts must be minimized. So in closing, respect each party's voices, respect the voices of all races and ethnicities, honor our purple nature, and create where the voters determine the outcomes. Thank you.

John Torbett (00:52:29):
Thank you, James. Jen Alexander, Jen Alexander? Jen, thank you for speaking to as this evening.

Jen (00:52:51):
Good evening. My name is Jen Alexander, and I'll start by saying thank you for holding these town halls and for not proposing rules that roll back too many of the gains from the last round of redistricting. However, and I know you know that was coming, the bare minimum that you should be doing is to approve an independent redistricting commission. Multiple studies, including one by Best et al, published in 2019, show that redistricting commissions create maps that are more compact and competitive, than ones created by legislatures. Commissions whose recommendations are not overridden by their legislatures and which require inclusive voting such as the one proposed in House bill 437, are even capable of generating maps with minimal partisan bias.

Even if you believe you can create maps as good as an independent commission, I would like to point out that one, House district 43 looks like a sea horse, and two, your constituents no longer trust you to create maps. That trust is not easily regained. And our own election system is in desperate need of public trust, as is the legitimacy of your own authority. Again, an independent redistricting commission is the least you can do. Ideally, I want to see North Carolina progress to policies that enable proportional representation, where our conservatives and cities and liberals and conservative [inaudible 00:54:10] still have a voice in our legislature.

That would mean shifting to multi-member districts with ranked-choice voting. The 1986 case, Thornberg versus Gingles does not prevent multi-member districts. North Carolina simply opted for single winner districts that could be gerrymandered to reduce minority representation, rather than include ranked-choice voting or other methods that would lead to minorities gaining the full power of their vote. These larger districts make it harder to gerrymander since they would need to loop around whole towns instead of just certain neighborhoods.

Since it costs more to campaign in multi-member and at-large districts, I would see that the general assembly approve funding for candidates that prove their viability. We can finance it with the money we'll save from not having to redraw the general assembly's hubris. I would also ask that you set a good example and put your masks back on, because my children are not old enough to be vaccinated.

John Torbett (00:55:05):
Thank you. Nathan Click, Nathan Click. Nathan, thank you for being here with us this evening.

Nathan (00:55:23):
Thank you for having me. I am a business owner, a veteran, and a father of four. I have a sister who does not vote. Now that breaks my heart as a descendant of those who attended North Carolina A&T as I did, Aggie pride, and participated in the civil rights demonstrations in the 60s. It breaks my heart that I have a sister that does not vote. But she does not vote, because she doesn't think it counts. She doesn't think it's worth it.

This general assembly, through its act of gerrymandering, has stolen the voice of the people. This is an attack of democracy, plain and simple. There's no other way to describe it. This general assembly needs to earn back the trust of the people. That's what everyone here has been saying tonight, unless I'm wrong about that. Did I hear everybody right? This general assembly needs to regain the trust of the people. Protecting incumbents and advancing your own political agenda or own political careers cannot be your purpose. And here's an idea, if you want to protect incumbents, serve the public. We will reelect you. If you do that. Again, my name is Nathan Click. I'm a business owner, a veteran, and a father of four. Democracy is under attack. We need to put people before partisan interests. Thank you.

John Torbett (00:57:19):
Going back to what I believe is the last people present sign-in sheet here. Allen, Nita, flip a coin. I got it wrong. No, you're fine. Thank you for being here.

Speaker 3 (00:57:33):
I’m not Nita, but I'm here on behalf of Nita. She had to go to a county commission meeting.

John Torbett (00:57:37):
Okay, you got two minutes.

Speaker 3 (00:57:40):
So Nita says, my name is Nita Alam, and I’m a constituent, as well as a commissioner of Durham county. Thank you to our legislators for their service to this state. I come before you to ask you to keep Durham county whole. I urge you to honor the Voting Rights Act so that minority voices are not prevented from having representation, and insist you host another round of public hearings after the maps are drawn, to truly hear from your constituents and have a representative government. Thanks.

John Torbett (00:58:13):
David Dixon, David Dixon, David, thanks for being with us tonight.

David D. (00:58:28):
Thank y'all for being here. My name is David Dixon. I'm a resident of precinct 31 here in Durham. Been a resident here in Durham for the past six years, come from one of the redder counties here in North Carolina, Rowan county. Thankfully have had the privilege of serving the democratic party during my time here in Durham. One of the things that we have consistently, consistently worked against, whether here in North Carolina, other states across the south, is racist gerrymandering. One of the things I think a number of us are working and advocating against is the illusion of bipartisanship. We know that a lot of folks on the other side of the aisle do not have the people of North Carolina's best interest at heart. We know that a lot of folks on the other side of the aisle continue to paint this picture that they want to work with our democratic colleague, but with their democratic co colleagues in office.

We've seen how that has been a lie in a number of a number of bills that have been put forth with this redistricting process, just kind of being a continuation of that lie. The Raleigh, Durham area recently by Forbes, has been ranked as one of the top five places to live in the country, I believe with proper assessment. But North Carolina has been ranked as the worst place to work in the entire country. So ultimately, that's as a result of preemption laws that you all have put in place with the bogus HB2 bill that blocked local municipalities, from raising the minimum wage. We have no worker protections here.

Again, this is a continuation of an illusion of bipartisanship. Ultimately, we just need to have an independent committee. However you all do it, whether it's through computers, whether it's through somebody that is not in office, that puts forth a... Gosh, I'm going to say a gerrymandering committee, because ultimately, that's what you all are, a gerrymandering committee. We need to have a nonpartisan committee put forth together. You all decide however to do it, let the community decide however to do it, but we need to put people over profit, people over politicians, people over partisanship. Work for us, as we put you all in office. So you should be working for us, not the other way around.

John Torbett (01:00:54):
Thank you. Aylette Colston? Aylette, thank you for being with this evening.

Aylette (01:01:10):

Hi, there, I'm Aylette Colston, North Carolina born and raised. I live in Wake county. I think since 2016, I've been in think maybe, three North Carolina Senate districts, two House districts, and two or three congressional districts. So I'm beginning to take it a bit personal. Maybe y'all don't like me too much, but Wake county now has well over a million people. So by necessity, Wake county will be divided into more than one voting district for Congress and state legislature. Because of the history of racially discriminatory electoral practices in North Carolina, the general assembly should consider racially-polarized voting data and racial data in an open and transparent way to ensure.

PART 2 OF 4 ENDS [01:02:04]

Aylette (01:02:00):

In an open and transparent way to ensure that minority voters in Wake County are not deprived as the opportunity to elect the representative of their choice. Federal courts have told the North Carolina General Assembly that when it comes to ensuring that members of a minority group that has subject to past discrimination are treated fairly, the General Assembly must consider racial data.

The court told the General Assembly in the Covington case, that's the one that was unanimously upheld by the United States Supreme Court, that legislators should, and I quote, consider the impact of a districting plan on minority groups, including groups of voters previously subject to race-based discrimination. Covington is one of three cases where a federal court has found the General Assembly engaged in racially discriminatory electoral practices since 2013. Black voters should not be unnecessarily packed into minority districts, thus diluting their overall electoral power, nor should communities with a large number of black voters be cracked into several districts unnecessarily and in ways that do not reflect other natural boundaries and communities of interest. And when the maps are drawn, North Carolinians should have the opportunity to comment on those maps because we're the experts on our own communities. Thank you.

John Torbett (01:03:33):

Thank you. Gerald Givens. Gerald Givens. Gerald, thank you for being here this evening.

Gerald Givens (01:03:39):

Thank you. Thank you. I'm Gerald Givens. And I'm the President of the Raleigh-Apex NAACP which covers Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Morrisville, and Raleigh. The census tells us who we are and where we’re going as a nation. And helps us determine where to build everything from schools to supermarkets, from homes to hospitals, it helps the government decide how to distribute funds and assist states and localities. Gerrymandering allows politicians to get re-elected, even if they fail to address the problems that the majority of the public want them to solve. Racial gerrymandering not only limits representation, it also limits the influence of people of color, where they work, live and play.

The most vivid example in America is what happened to North Carolina A&T in the last decade, nine out of 10 years in the unconstitutional circumstance. In America, we have a freedom equation. Voting plus representation, times taxes, equal democracy. There is no division in that equation. We want you all to see us all for who we are. We're asking you not to discriminate against any of us for who
we are. Draw districts for candidates to earn our vote, to earn our representation, and to do what we want with our tax dollars. That's democracy. That's true integration. Sharing power, resources, and responsibilities together. The NAACP is prepared and on guard to challenge any redistricting that is unconstitutional. Thank you.

John Torbett (01:05:28):
Thank you, Gerald. Gregory Herschlag.

Barry, thanks for speaking to us this evening.

Gregory Herschlag (01:05:51):
Thanks for having me. So my name is Greg Herschlag. Together with Jonathan Mattingly, I run the Quantifying Gerrymandering Research Center at Duke University. We want to applaud the General Assembly for its decision to exclude partisan considerations from this redistricting cycle. From our previous analysis of North Carolina and other states, redistricting maps drawn without partisan considerations are responsive to voters. Responsive district maps are maps with election outcomes that change with voters preferences. Stated simply, as voters shift party preference, their preferred party wins more seats. Many of the districting maps in North Carolina that North Carolina has used in the past decades have not been responsive, as they have largely locked in the political outcome before the votes are cast. Responsive election maps are a minimal requirement for honest and functioning democracy. Citizens of the great state of North Carolina deserve elections that have consequences. Where the citizens cast their votes and those votes have real implications.

Our studies show that when elected officials use only non-partisan data, this typically produces district maps that are responsive to the voters. Our research group at Duke will be publicly providing such analysis, and we welcome you, and anyone else, to use it as a guide for the redistricting process and as a tool to critique any maps produced. We will be the first to congratulate you should you follow through on the promise of producing maps that have a typical level of responsiveness and which have not used partisan and political data considerations. Although there are many qualities to discuss when drawing maps, we've chosen to highlight responsiveness here, as it is critical to the health of our democracy and critical to ensuring that the will of the people, whatever it might be, is reflected by our representatives. Thanks.

John Torbett (01:07:29):

Claudia Koonz (01:07:38):
Thank you for inviting us. My name is Claudia Koonz. I'm an all Orange County voter and I'm a member of the History Department at Duke University. I am so embarrassed, because whenever you read an analysis of gerrymandering, where is North Carolina? It's right at the bottom, sharing the bottom place with Ohio. Most of the time. This is an embarrassment. Registered Democrats actually outlawed, outnumber registered Republicans in 57 of North Carolina’s 100 counties. And yet Republicans continue to dominate both houses in the State Legislature. How can we have faith in our democracy when legislators choose their voters? My field is German history. Actually, specifically, Nazism, genocide and the Holocaust. My research examined what happened to Germans, ordinary citizens, when they lost faith in their democracy. When the Nazi party won about a third of the vote and use that plurality to manipulate the constitution and seize power.
Yeah, we all know what happened, of course. It was tragic. Germans lost basic rights. The rule of law didn’t apply. A dictator took them to war. But something else happened too. Something else happens under single-party dominance. Cynicism spread through the land. So did corruption. Germans came to be ruled by incompetence appointed on the basis of party loyalty. We need two parties in this state to keep our government representative, but also capable. Think of the alternative. Imagine the head of the DMV, the Department of Revenue, the Health and Human Services. Imagine that that person who was put in charge of these committees had about the same kind of qualifications as our postmaster of the United States. With Mr. Click, I think we want to regain the trust of the people. We need to have a hearing after the maps and we need a professional Redistricting Commission. Thank you.

John Torbett (01:09:48):
Thank you, Claudia. Leona Richard. Leona. And thank you for speaking to us this evening.

Leona Richard (01:10:05):
Yes. Thank you. It’s my pleasure to be here this evening. I am Leona Richard. And North Carolina is my home. I vote in Durham County, the town, that little corner of Durham that’s in Chapel Hill. So it’s been interesting. I’m also a member of the League of Women Voters and participate in the Orange, Durham and Chatham County’s chapter. So after the 2010 Census, the League of Women Voters recognized that voting districts drawn in 2011 were unfair and probably unlawful. And the districts were the product of an obscure and secretive process that intentionally packed and cracked population groups, diluting their votes to the advantage of the legislators entrusted with the task of reducing the districts. The League joined other watchful and concerned organizations to take the case to court. And won the argument that the districts were purposefully drawn to minimize representation by race, and to limit representation on the opposing political party.

We are continuing to actively advocate this year for fair districts to be drawn using the 2020 Census data. The League is in favor of transparency and public input. Public hearing locations, such as this one, are scheduled for only 10 of the state’s 100 counties. Furthermore, it will be a travesty if additional public comment sessions are not provided for the draft maps. At this time, only one hearing to be held in Raleigh has been scheduled after the draft maps are produced. Many organizations, including LWV&C, have asked for transparency in the process and opportunities for adequate review and public input on draft plans. To date, those requests have been ignored. In 2011, here were 62 hearings and 35 counties convened before and after the maps were drafted. So we should be increasing transparency, not moving backward. Thank you.

John Torbett (01:12:22):
Thank you, Leona. Ivan Almonte. Ivan Almonte. Ivan, thanks for being with us this evening.

Ivan Almonte (01:12:34):
Hi, thank you. So this is my first time at a hearing on redistricting, and I wish I could bring my friends, but I mean, because we are essential workers, couldn’t make it at six o’clock. So that’s one of the things, this time is not accessible for all of us. So my name is Ivan Almonte. I’ve been a community organizer for the last two decades in Durham. And I’m also founder of Durham Rapid Response. I’m here representing my community, especially working class people. Last year, it was so challenging for organizers to encourage Latino’s to be counted due to the political climate in North Carolina. It was really sad to find out that too many low income families have been displaced from their own communities. Immigrant essential workers at another community of interest that share the same values, culture and celebrate as a
community in the neighborhoods. Gentrification has displaced this community. I will ask you to consider having more hearings in the neighborhoods where the most impacted people by redistricting live. Also provide interpretation services for Spanish speaking people. Thank you.

John Torbett (01:13:41):
Thank you, Ivan. Melanie Feinberg. Melanie Feinberg. Thank you for being here with us this evening, Melanie.

Melanie Feinberg (01:13:56):
I am a little short. I'll be brief. I have three things I want to say -

John Torbett (01:14:00):
Melanie, hang on one second. Can you pull that mic down so it's facing her mouth just a little?

Melanie Feinberg (01:14:05):
Great.

John Torbett (01:14:05):
Thank you.

Melanie Feinberg (01:14:17):
Thank you. Number one, the timeline for the entire redistricting process should be made public and widely disseminated. Number two, there should be ample time and opportunity for public comment at each stage of the redistricting process, including after draft maps have been drawn. And three, districts should be as representative of the state as possible, meaning that certain populations and political affiliations should not be sequestered into particular districts for the purpose of partisan gain. Thank you.

John Torbett (01:14:49):

Caitlyn Metzguer (01:15:31):
It's Metzguer.

John Torbett (01:15:31):
Okay. Thank you.

Caitlyn Metzguer (01:15:31):
Sorry.

John Torbett (01:15:33):
Thank you for being with us as evening.
Caitlyn Metzguer (01:15:35):
Thank you. Good evening. My name is Caitlyn Metzguer. I live in Durham County. I want to bring up two things today. One about the process that we got here, and one about regions and maps. First, I want to say that I would love to see the draft maps that you have before we can make comments of about what we think about them. And I know we're under a lot of time pressure, it being September, and filing in December. But that is because you guys made it that way. So we could push the Primary to May and have more time for the back and forth process that we really deserve. I would like to see you guys move the Primary in 2022 so that we can have an entire process of hearings after we see the maps that you're talking about.

The other thing I want to talk about is the actual maps. Of course, I haven't seen them, but in this region we've seen tremendous growth. And I understand that Durham may see some changes. What I want to see though is protected, our black and brown communities specifically. And our campus communities. As has been mentioned multiple times, A&T suffered through bad maps forever. And I don't want to see the same for Central. And I don't want to see the same for any of our HBCUs across North Carolina. It's also been done at Asheville, Elon, Pembroke, there's multiple campuses like that. So I want to encourage you to respect student voters, keep them together geographically. And also please do not crack apart black and brown districts, or excuse me, neighborhoods, across North Carolina. Thank you so much.

John Torbett (01:17:15):
Thank you, Caitlyn. Brenda Pollard. Brenda Pollard. Thank you, Brenda, for being with us this evening.

Brenda Pollard (01:17:28):
I'm Brenda Pollard. I live in the Forrest Seal neighborhood for 36 years in Durham. Born in North Carolina. First, I wrote a lot of notes, but I want to just say, if you will please look at this. These ladies and these gentlemen of all ethics came to talk to you. They could be anywhere tonight. They may be frightened to be in this room, but they wanted to be heard. Please listen to them. If you listen, you’re the leadership. We've given you our votes. This is something they are begging you to listen to them. And that's what I'm asking you to do. Be fair with this. Be heard. Let this State shine across America. That we are doing the right thing in this state of North Carolina. When you do these, when you draw these maps, this is the roadmap for our future of North Carolina. Please listen of their concerns. Some of these speakers have never been in front of a legislative, but you know that. They're intimidated. They shouldn't be intimidated. They should be able to talk to you.

Thank you for letting me talk, because what you've heard tonight is remarkable. It is democracy at its greatest and its finest moment. They were General Assembly members before you got there. Stand on their shoulders. Make us proud. Make us proud of this map. We don't have to come here and keep begging and keep asking for war. This is about the future, not mine per se. I'm on the edge of the stage, but the future is the children and the parents who are so upset because of masks. I will stop, but I will leave with you; make us proud. Thank you.

John Torbett (01:19:38):
Thank you. Shalandra Greenlee. Back to the sign up online. Shalandra, thank you for being with us this evening.

Shalandra Greenlee (01:19:49):
Oh, this is -

John Torbett (01:19:57):
We'll get somebody to help. Hang on a second.

Shalandra Greenlee (01:20:06):
Thank you. Excuse me. Good evening. Hello. My name is Shalandra Greenlee. My family and I settled in this great City and County of Durham 13 years ago. I would like you to keep my City and County together. My community sits in East Durham, located at Highway 98 and Mineral Springs. If you know the area, you know the traffic. And the traffic is grown. However, my Durham community is a city and County. The small farm turned into a subdivision, the revitalized downtown, and the historical North Carolina Central University. Go Eagles at Duke University. My community is my family like other families throughout the County of Durham. As a wife, mother of five, and business owner, my focus is this community. Its focus is education. Durham County continues to improve its educational system. And representation is a must for the intellectual and social growth of our children's future.

Durham has had an 8.2% growth in our child population, which makes an educational focus and funding even more important. It is different from other areas such as Alamance, which has not seen this growth. Purposefully breaking up communities takes away the community's ability to come together and to advocate for important issues. My family and children need representation that is fully committed to listening to our concerns. When maps are unfairly rigged, you end up seeing a legislator that represents special interests and politicians instead of representing the people. So like math class, show me your work. Keep my family and my community together. Thank you.

John Torbett (01:21:59):
Thank you, Shalandra. All right, Adam, I got a 50-50 chance of blowing his last name, Adam Kreidler.

Adam Kreidler (01:22:09):
Yeah, you got it.

John Torbett (01:22:11):
Thank you, and thank you for being here this evening.

Adam Kreidler (01:22:13):
Yeah, thank you. I want to thank the Chairman, members of the Joint Committee, other members of the General Assembly who are here. I appreciate the opportunity to speak. And I appreciate the steps that you've taken in the last few years to make this a more transparent process with more engagement with the community. It's important for all of us to see how the sausage gets made as voters, especially when it comes to redistricting, where as voters, we are the ground meat that goes into the sausage.

I want to believe that this engagement and this transparency, isn't just empty political theater and that we won't just have another few years of litigation and deepening distrust in this State. The reality is that folks like former Representative Lewis and Thomas Hoffler have cast dark shadows over this process through their legacies. I'm sure you'll understand that a lot of us are going to continue to be skeptical until we have a reason not to be.
Really, I think the truth is that redistricting should be a pretty simple and straightforward process. There was a 24 year old man who, right here from Durham, recently won a national competition to design fair maps for this State. It took him four hours to do so. And he was using publicly available software. If he can do it, you can too. The point is that fairness in our maps promotes competition, and competition produces better outcomes for voters and for parties. It means that there's less of a chance of hyper-partisan extremists on both sides getting elected and influencing their party's agendas. If we wanted to live in a hyper-partisan, low trust state, well then we've done everything right so far. If we want to go to a new destination, we need to build new roads. And that can start right now with this process if you so choose it. I hope for all of our sakes that you do. Thank you very much.

John Torbett (01:23:53):
Thank you, Adam. Kate Fellman. Kate Fellman. Hey Kate, thanks for being with us this evening.

Kate Fellman (01:24:06):
Hey, thank you for having me. My name is Kate Fellman and I am the Founder and Executive Director of You Can Vote, which started here, right here in Durham in 2014. And since that time, since 2014, we have spread across the State and served 43 counties. Have registered over 50,000 voters across North Carolina, and have educated through one on one conversations over 750,000 voters across the State. So I'm really proud of the non-partisan work that we do. We just are here to make people's voice heard, not tell them what to do or how to vote. Since 2014, it has been extremely difficult to educate North Carolina voters because the rules keep changing. Laws get struck down as unconstitutional. Maps get struck down as unconstitutional for targeting African Americans. And the voters are really in a hard place right now. And I'd like to share a little bit of my experience.

I am one of North Carolina's over 2.4 million unaffiliated voters. I urge you not to take party affiliation into account when drawing maps, because unaffiliated voters are the second largest political party in the state of North Carolina. And it will be the majority party soon. Our new registrants are deliberately choosing not to be affiliated with either party. Yes, you heard that right. The largest party is about to be none of the above.

And as over 60% of the registrants that choose to be unaffiliated, what they say is, do I have to choose? That's what we're facing. That has what has happened over the past 10 years to North Carolina voters. Now, many voters believe that the representatives are not responsive to the members of opposite party or to independent voters. And many unaffiliated voters do not participate in primary, partisan elections, which is often where the elections are decided in North Carolina. 94% of North Carolina voters under 40 have never voted in a midterm primary and this needs to change, because the party affiliation of the voters should not be taken into account when you are drawing these maps. We will be the majority, and please take that into consideration and draw fair maps so that we can have representation, as well. Thank you.

John Torbett (01:26:44):
Thank you for being here. Nemishina Burns, if you're still here, I have your name on this list, too. I think you spoke earlier. So I'm going [crosstalk 01:26:51]. Thank you. Anderson Clayton. Anderson Clayton. Anderson Clayton, thank you for being with us.

Anderson Clayton (01:27:09):
Yeah, thank y'all for allowing me to be here. My name is Anderson Clayton and I have the distinct honor of representing Person County here tonight because I had to drive 55 minutes in order to be able to give a public comment at one of these listening sessions, because they're not any closer to me where I am. Rural voters in this process are being left out by only having 13 listening sessions. And I realize we don't have some of our larger counties as well. So some of y'all might be looking at me like, who are you? But rural voters in this State matter. I also have the opportunity to represent the Person County Democratic Party as their Chairwoman. And I also want to stand with everybody asking for a non-partisan districting committee to be drawing these maps. I don't believe that partisanship should matter in them either.

And I think looking at the last 10 years in this State, we can tell why. And also just historically, as well. I also want to say that I used to be Student Body President at Appalachian State University, so I'm here voicing that student concern too of don't break up our students. Keep our universities together. They have a right too. A&T with 5,000 students on one side of a line, and 5,000 students on the other is absolutely ridiculous and should never happen again in this State, quite frankly.

So just to make sure that y'all hear it from us, young voters are paying attention. You may not think that we are, but we are taking on leadership roles and we are getting active in our State every single day. And we're watching you. We're watching this decision. And we're going to make sure that we voice it at the ballot box too, come October for my municipal elections in Person County, but also next November as well. So thank you for what you do, but make sure that you are considering that you do work for the people in this room. And that's important for you to know in this process. Thank you so much.

John Torbett (01:28:47):
Thank you, Anderson. Thomas Jeffries. Thomas Jeffries. Thomas, thanks for being with us this evening.

Thomas Jeffries (01:29:05):
Thank you. I'm glad to be here. And I appreciate all the mask wearing. I am a physician from Wake County. I practice family medicine, and I certainly hope all the mask wearers are also vaccinated because that's going to help everybody in North Carolina. And I'd like to say, I've grown up in North Carolina. I've lived here for more than 60 years. I'm proud of that. And we have a very diverse, beautiful State. But what makes it really beautiful is the diversity of our population. There's diversity here, there's diversity on the stage. And I appreciate that.

And I would just like to say, I've served all kinds of people, rich and poor. We're all worthy and we all want to vote and we want our vote to count. And we can all vote now pretty much, but our votes don't count because there's been so much gerrymandering. I hope that stops. And I'm following a bunch of speakers who have said it more eloquently than me, but our State motto is, To be, rather than to seem. And I hope that's why we're all here tonight. And I hope that's why you're here tonight. Thank you so much.

John Torbett (01:30:20):
Thank you, Thomas. Gary Whitford.

Speaker 4 (01:30:30):
Already spoke.

John Torbett (01:30:30):
Already spoke. I thought that name sound familiar, as well. Aliana Ramos. Aliana, thank you for being here tonight.

Aliana Ramos (01:30:42):
Sorry. I'm short. And it's Ramos. So you were close.

So my name is Aliana Ramos. I am a Raleigh resident, and I am also one of those unaffiliated voters that will eventually become part of the majority in North Carolina. Thanks for having us here at this hearing tonight. Now, hopefully we can see these in every County and we can see them after the maps are drawn, and we can also see them online. So we've heard our redistricting chairs touting how this is the first time that political data won't be used in the drawing of new election maps, but that's not necessarily true. By including incumbent residences in the map drawing criteria, you are virtually ensuring that our State House and US House of Representatives look similar to what we've had for the past decade. But the people elected in our General Assembly don't currently reflect our registered voters. There are 7.1 million registered voters in North Carolina, 34.9% are Democrats, 33.9% are unaffiliated, and 30.4% are Republicans. Making Republicans the minority party.

Yet they are over-represented in our State House. Of the State's Senate's 50 seats, 56 are Republican. Giving them majority representation. And the same situation exists in the NC State House where 67.5% of elected officials are Republican. We didn't get here by accident. We got here through gerrymandered maps. Yet by including member residences, AKA the addresses of incumbents in the map criteria, we are being asked to accept more of the same minority party rule for at least the next decade, while also being sold on the fact that minority data isn't being used. That partisan data isn't being used. Having a General Assembly that doesn't reflect the will of the people has very real consequences. For example, North Carolina hasn't had a minimum wage increase in about 12 years, despite 57.5% bipartisan approval from voters saying that they would support an increase from $7.25 an hour to $15 an hour. We can't accept more of the same for the next decade and redistricting is a chance for fair representation. Thank you.

John Torbett (01:33:03):
Thank you.

PART 3 OF 4 ENDS [01:33:04]

Speaker 5 (01:33:00):
Thank you.

John Torbett (01:33:01):

Beverly Kowalik (01:33:22):
I am Beverly Kowalik and I am a resident of Orange County. I am here to ask you to honor and respect the constitution of the United States which guarantees that each person's vote will be counted the same as every other person's vote. As legislators, you have an opportunity when drawing the new district lines to restore citizens trust in government. To do this, draw lines that ensure a fair election. Make the proposed maps available online for the public to study. Schedule more than one public hearing after the maps are available for citizens to review. Make the process fully visible to the public.
Citizens have a right to elect the people who represent them. It is up to you to uphold that right by honoring and respecting the oath that you took when you were elected.

John Torbett (01:34:21):
Thank you dear. Next speaker, your friend in mine, the former Senator, Floyd McKissick.

Floyd McKissick (01:34:38):
Thank you representative.

John Torbett (01:34:39):
Only two minutes.

Floyd McKissick (01:34:40):
Yes.

John Torbett (01:34:41):
Strict two minutes. Sergeant arms, two minutes.

Floyd McKissick (01:34:46):
Thank you. Representative Torbett, Senator Newton and of course the other members of the redistricting committee. I've been on the opposite side on many occasions on many a night. The thing I want to emphasize tonight is that we have an opportunity to do something that's unprecedented in North Carolina. We can do it in a profound and significant way, and it can be a roadmap for other states to follow, to emulate. And I think that opportunity is upon us.

Yes, we have constitutional requirement to look at districts in terms of looking at the whole county rule, but after we look at whole counties, we should try to make our districts as compact as possible and go in there and draw maps that are as compact as possible that really represent and respect communities of interest to the extent to which communities of interest can be respected. We should do so. We couldn't divide up small cities or towns or neighborhoods that are cohesive in a way that they're very identifiable.

The courts have said that we cannot have the courts voting that goes in and looks at partisanship. So partisanship has been stricken down by our State Supreme Court. Likewise, we can't gerrymander based upon race. But what we can do is a racially polarized voting study. And we should do a racially polarized voting study to see where in those sections of our State that racially polarized voting continues to exist. It would be appropriate to take race into consideration in drawing those districts in those specific areas.

That does not mean we do it all across the State of North Carolina. We don't want to look at being challenged based upon packing or cracking. We just want to make sure that those individuals and those citizens residing in those areas have an opportunity to elect their candidates of choice. And we should do a version of the map. I know you're going to do one that protects incumbents. Do a version that does not have incumbency protection and let's see what it looks like. A clean slate so that we can really see if we were using best practices what we would end up with in terms of legislative districts and what we’d end up with in terms of our congressional districts.
We know that we are a purple state and our maps should reflect that when it comes to legislative districts and congressional districts. And of course I know in terms of this area, one thing that’s been looked at I understand is Chatham and Lee County, The extent to which they can be kept whole and kept together. I think that’s something that when it comes to this area that should be respected and considered. Those are the observations that I would like to hear.

I’d like to say that I am not speaking on behalf of any group tonight. I’m sitting here speaking for myself as a interested, concerned voter and someone who respects the challenges that you faced in drawing these maps. I know that collectively, collaboratively working together in a bipartisan way that you are up to that occasion. Before, it was done with a higher of transparency due to a state Supreme Court decision. I hope that that same level of transparency will exist today and I hope that after the maps are drawn and perhaps several versions of those maps that include ones that don’t have incumbency protection that there will be a series of public hearings conducted across the State of North Carolina.

And if that becomes challenging, we can do it as we did it before. I sat there with Senator Bob Rucho. We did it virtually with remote satellite locations being able to come in at different points in the queue and all people from all across the State, large cities and small were able to participate and to be heard, but I think if you can do that after the maps are drawn, that would excellent. I commend you all for giving your time and your energies, for being here this evening and I hope that you’re all up to the challenge of doing what’s in the best interest, not only of the citizens of State North Carolina, but what can be a illustrative example and model that can be emulated across the United States of America.

Thank you.

John Torbett (01:38:38):

Kyle Brzail (01:39:12):
Thank you. Good evening. My name is Kyle Brazil. I have lived in Durham since 2010. My daughters have been Durhamites for their entire lives. And we live between the Lakewood and Rockwood communities within a very diverse community. I'm speaking for myself this evening. My concern is the lack of accessibility during this public comment process. No interpretation being provided by the assembly. Hearings that are right at the end of the Workday, which is a burden on the many people in the triangle and many people from rural parts of the State.

Criteria that was voted on after a public hearing. That was at 08:30 AM in Raleigh after only a few days notice, not allowing people who work or people from the edges of the State enough time to plan to attend, let alone not enough time to analyze the criteria that was proposed, criteria that is not the same as the 2019 redistricting criteria which the joint committee has said it is and criteria that appears to prioritize the assemblies member’s home residents address above and over the communities of interest.

Do not protect incumbents. Let the voters pick the representatives and not the other way around. And criteria that does not allow the review of race at all in the data set. A criteria which may sound fair in the surface but may have a disparate impact on our Black and Latinx and Asian communities as the assembly will not have the data to ensure that the maps drawn are not racist.

I demand for more inclusive process that includes more communities throughout the State of North Carolina. Having hearings, a process that includes weekend hearings and hearings that are
accessible online given the fact that we are still in a pandemic. And we have no hearings yet scheduled for after maps. You have not done enough to ensure all the communities are heard. There are no post map drawing hearings scheduled and the assembly's priorities are being placed above of the people's interests. Thank you.

John Torbett (01:41:22):
Thank you, Kyle. Renee Miller. Renee Miller. Renee, thanks for being with us.

Renee Miller (01:41:35):
Good evening. My name is Renee Miller and I must admit that I'm one of those people who's a little bit scared to be here because in addition to being a citizen of Wake County I'm the president of the Western Wake Republican Club. Your work and redistricting is important to me because of the rapid growth in the area of Wake County, which our club serves. Cary, Apex, Morrisville and Holly Springs will all be affected by the recent influx of more technology related businesses. Many of those people will be drawn to our towns and we want to keep the character of our towns intact. This means being sure that we have all viewpoints be able to be heard.

Presently, Wake County has a delegation of four senators and 11 representatives in the general assembly. Of these 15 legislators, only one represents the views of conservatives in the most populous county in North Carolina. Neither of our congressional districts is even competitive for conservatives, yet Republicans make up nearly one fourth of the electorate along with the Libertarians and other conservatives among the unaffiliated. We ask for compact, competitive districts at all levels of government. We encourage you to draw districts which encourage vigorous debate on the issues. Our constituents want good schools, good roads, low taxes, the freedom to live our lives as we choose and for people to be able to stand on their own two feet. We raise our children to pursue these values.

In addition, I ask that you do what you can to minimize the opportunity for legal action in drawing the districts in Wake County. We would prefer to be able to have the people's business to be attended without having prolonged court battles as we have for the last 10 years. It has been expensive, not to mention further eroding the relationship between the people and their representatives. The confusion over the ever-changing districts has had no benefit to anyone. I urge you to draw competitive districts to get back to the people's work and to stay in touch with all your constituents. Thank you.

John Torbett (01:43:51):

Lee Mortimer (01:44:17):
It's okay. Lee Mortimer. 33 year resident of Durham. And thanks so much for having this hearing. I'm not so concerned about Durham districts. We know they'll all be Democrat and by hefty margins. What counts more is how many seats each party gets in Congress and in the general assembly. In our six highest profile elections in 2020 the two party statewide vote was 50.1% for Republicans and 49.9% for Democrats, yet the analysts tell us Democrats should expect to win only five, maybe six of our 14 congressional seats. That's less than 40% representation in a 50/50 voting State.

Another way of looking at it is, if you are a Democrat, your vote counts as 80 cents compared to a Republican vote that counts as a dollar and 20 cents. They say it's because Democrats are clustered in urban and metropolitan areas while Republicans are more spread out. Democrats pile up bigger winning
margins like in Durham, but win fewer districts. So it takes more democratic votes to win fewer democratic seats.

Democrats are suspicious Republicans will draw districts that are unfair to democratic candidates, but Republicans don’t have to do anything underhanded and they’ll still be in control even if Democrats get more votes. The US Supreme Court says it can’t do anything about partisan gerrymandering but State courts can. Our courts have acted and so have other States.

A few years back, Pennsylvania Supreme Court rejected their congressional districts and brought in Stanford Law Professor, Nathaniel Persily, to draw new ones. Persily has also done work for our State. Pennsylvania is another evenly divided State but its congressional delegation had 13 Republicans and only five Democrats. Professor Persily drew a new map that included partisan fairness as part of the redistrict new criteria. In the 2018 and 2020 elections, Pennsylvania voters elected nine Republicans and nine Democrats to Congress. North Carolina should voters should not be shortchanged in representation just because they may live closer to other voters in their party. Advocates for fair elections should look to examples of other States so our congressional delegation and our general assembly fairly represent our State’s voters. Thank you.

John Torbett (01:46:41):

Karen Ziegler (01:46:50):
Hi. My name is Karen Ziegler. I'm a retired nurse and a retired pastor and I'm not going to repeat things that have been said so far. I just want to say it's very moving that we're all here with so much passion. When I feel we've been told some of us in so many ways that our vote doesn't matter, you don't care what we think and that this is just kind of theater because you're going to do what you want. So it's very moving that we believe so strongly in democracy and I just want to say that this is a really pivotal moment for our country with regard to democracy. We are in real danger of losing democracy in this country.

And I loved whatever somebody said about how you guys have an opportunity to turn a corner in this state which has been in the forefront of partisan gerrymandering. And I really plead with you around issues of transparency. Please make the maps as you draw them online available with full data file in readable form and please give the people of North Carolina the opportunity to observe what you were doing. Also so important, in 2011, there were three rounds of hearings and four rounds of map drawing and this is only one map drawing and then I think one hearing after that and that just is not going to go any distance toward restoring our faith in our elected officials.

I really agree with the person who said we have lost faith in you and this is your opportunity to restore it. And this is a really important moment to do that.

John Torbett (01:48:28):
Thank you. Laura Bravo. Laura Bravo. Laura Bravo. Claire Paulson, Claire Paulson. Claire, thank you for being with us this evening.

Claire Paulson (01:48:54):
Hi. My name is Claire Paulson and I'm a resident of Carrboro. First, I'd just like to speak briefly to what I see as my geographic community. I consider myself part of both the Carrboro town community and the broader Chapel Hill, Carrboro Community. I work as staff at UNC chapel Hill. And like me, many people
who live in Carrboro and Chapel Hill work or study at the university and define our community in large part through the university's centrality and significance to that community.

Because of this, I believe that the towns of Chapel Hill and Carrboro should remain in the same congressional district as well as in the same State legislative districts. And I'd like to echo what other folks have said about keeping communities together across the State. I think that's very important. Second. I'd like to comment on your process going forward. In order to come anywhere close to adequately serving the people of North Carolina the communities must offer additional opportunities for community input after new maps of the and proposed. Specifically, there should be a bare minimum of 20 hearings across the State and these should include hearings in higher population counties that were excluded from these initial hearings, including Wake County, Guilford County and Buncombe County.

These hearings should also offer options for remote attendance and participation for those who are unable to attend in person or don't want to attend in person due to work or family commitments, disability or safety concerns given the pandemic. Thank you.

John Torbett (01:50:22):
Thank you, Claire. John Leonard, PhD. John, thank you for speaking to us this evening.

John Leonard (01:50:36):
Thank you Mr. Chairman, members of the committee. I've got a tough act to follow. I've got all these people here. I agree with everything that's been said. Thank you so much for being here. I'm Dr. John Leonard. I'm a US coast guard vet, PhD in geographic information systems, program manager, IBM. I live in Cary, Wake County since 1992. So shout out to representative Dallas, Senator Nickel, representative Jones. I'm here to endorse five principles many organizations like Fair maps, North Carolina, Common Cause, No Labels and other seek for drawing our electoral maps.

As you know, North Carolina's constitution requires three simple things for US Congress and NC legislative districts. A, equal population. B, be compact and contiguous all in one geographic piece and C, try to keep county's whole and minimize crossing community lines. The five principles. One, include experts and citizens as members of an impartial review commission who reflect North Carolina's racial, ethnic population in the full spectrum of community diversity.

Principle two, include the legislature in the process. Obviously you approve the members of the commission. Principle three, set strict rules for the redistricting commission work that A, applies constitutional redistricting standards, i.e compact, contiguous. Keep local government units and communities of social and economic interest whole. B, here's the punchline. Do not allow use of party data or partisan objectives. C, use voting rules that require transpartisan support for any maps.

Principal four, provide for extensive citizen participation and transparency. And five, make North Carolina maps final with the nonpartisan commission's vote. In short, use regular parliamentary order with public input, not biased, partisan special interest backroom deals. In summary, please do not draw unfair gerrymandered partisan, unrepresented, unconstitutional districts. Thank you very much.

John Torbett (01:52:59):

Joe Kapowski (01:53:12):
I am.
John Torbett (01:53:13):
Joe, thanks for being with us this evening.

Joe Kapowski (01:53:15):
Thank you for having me. My name is Joe Kapowski. I live in Chapel Hill. I'm a former town council member there and former mayor pro tem. According to the North Carolina’s State Board of Elections, currently 36% of North Carolina voters are registered as Democrats, 33% as unaffiliated and 30% as Republicans. 36, 33 and 30. In the United States House of Representatives however, there are no unaffiliated representatives. So somehow we're going to have to divide up the unaffiliated voters of North Carolina for 14 seats that Raleigh will send to Washington.

Now, if we just divide unaffiliated voters 50/50 that will mean there will be eight Democrats and six Republicans in the North Carolina delegation. If we split 60/40 Republicans, that will make it a seven/seven split being sent to Washington. Okay? None of this begins to approach the 10 to four Republican to Democratic ratio that Dallas Woodhouse, the former executive director of the Republican Party promoted on May 2nd.

My request is to please draw redistricting maps that reflect the choice of the voters, not the choice of the party in control in Raleigh. Let me close with an idea. I've now listened to 60 some speakers here and there's been a complete dearth of compliments. Having sat in your seats and listened at public hearings it would really disturb me that everybody dislikes what you've done, and that's what I'm hearing. Thank you very much.

John Torbett (01:55:37):
Thank you, Joe. T Anthony Spearman. T Anthony Spearman. Mr. Spearman, thank you for being with us this evening.

T Anthony Spearman (01:55:56):
Good evening. I am the Reverend Dr. T Anthony Spearman, a resident of Greensboro in Guilford County and the president of the North Carolina State Conference of Branches, NAACP whose mission is to ensure the political, educational, social and economic equality of rights of all persons and to eliminate race based discrimination. The reason I emphasize all persons tonight is to make sure that everybody understands that the National Association for the Advancement of Colored People is open to all people. We do not discriminate between Republicans and Democrats, rich, poor, Black, White. Our services are available to all.

I want to say that and lift that up because there's one piece of landmark legislation that I'm hoping that those of you who are not minorities would make sure that you adhere to. And that's the Voting Rights Act of 1965. In November of 1963, I was a 12 year old living in the State of New York who was very hurt and cried all day when I learned that President John F. Kennedy had been assassinated. That's become the permanent furniture of my mind. Also, that has become the permanent furniture of my mind is June 25th to 2013 when the Supreme Court of this nation returned the verdict that they were going to eviscerate the fifth section of the Voting Rights Act of 1965, which has hurt my people ever since.

Those of you who are not minorities may not fully understand why we would compel you to please make sure that you use the Voting Rights Act of 1965 and section two in your deliberations on making sure that these maps are drawn comprehensively. I see the stop sign. I'm going to stop. And that's what I have to say tonight. Thank you so much.
John Torbett (01:58:35):
Thank you, Reverend. We've come to the point of the evening where I have exhausted the people that
were listed to speak this evening and will ask, is there anyone in the audience that didn't get a chance to
sign up to speak? If so, now would be the time to raise your hand or... Yes, sir. Were you wishing to
speak this evening?

Marino Leone (01:59:00):
Yes, please.

John Torbett (01:59:01):
Okay. Can I get your name please?

Marino Leone (01:59:04):
Marino Leone.

John Torbett (01:59:05):
You'll have to spell it for me, please.

Marino Leone (01:59:07):
M-A-R-I-N-O L-E-O-N-E

John Torbett (01:59:08):
L-E-Y...

Speaker 6 (01:59:13):
L-E-O.

John Torbett (01:59:15):
L-E-O

Speaker 7 (01:59:18):
Leo.

Speaker 8 (01:59:19):
Leone.

John Torbett (01:59:22):
Got it. Sir, you have two minutes. Thank you for being with us this evening.

Marino Leone (01:59:27):
All right. First of all, I want to thank you for your patience. I'm sure it's not very fun to come to Durham, a very progressive place and hear all of this for two hours. What I do want to point out is a very easy way to avoid this in the future is just draw really good maps and then when you come here next year, we'll be very happy. Thank you. And we'll say very nice things. And if you're not here next year because you drew really good maps, then you don't have to listen to us anyway. So that's also a great thing.

My name is Marino. I'm a law student at Duke University. I'm sorry. I missed your introductions. I was a minute late, so I don't know who you are but I assume you're Republicans because you're up there and you're in power and that's how it works here. I do want to thank you for your time and your attention and your eye contact. And thank you. Yeah, I want to thank eight of you for being off your phone the whole time. I want to thank you for at least trying to hide that you were off your phone. I appreciate that a lot.

I am speaking for myself. I also think I'm sort of speaking for a generation. And my main question is just, what are you doing and are you proud of what you're doing and do you really think this is a good idea? I just feel like this is cheating in politics. I feel like it's unAmerican. I feel like you know of these things as well and it's clear that you have a lot of great power. And I think we all know from Spider-Man that with great power comes great responsibility. I hope you choose to use that responsibility.

At duke Law, I'm the president of the North Carolina club and part of the club is telling students about how great our State is and trying to convince them to stay and in the State after graduation and you're making it really hard to convince people that this is a great State and that they should spend any amount of time here more than they have to to get a degree.

I was raised Republican. My family's Republican and if you're not Republican, maybe I'm misjudging the situation, but you're really losing us. You're losing my generation and you're losing Republicans. You're losing the people who are in the middle, who are unaffiliated. You probably feel like you have to gerrymander because you don't have enough votes. But I'm telling you that you don't have enough votes because you're gerrymandering. And if you flip that, you will be A okay.

If you want enough votes, you should just have better ideas and you don't have to come up with them. We will give you our ideas for free if you listen to the people. Those are the better ideas. So take those ideas and please use them. If you don't, we're going to find a way to vote you out. And if you don't, my generation is coming for you and we will not see you in the future.

Speaker 9 (02:02:04):
I will.

John Torbett (02:02:04):
Thank you. Ladies and gentlemen, on behalf of all the members of North Carolina General Assembly, both Republican and Democrat on the podium and sitting down here in front, we'd like to thank you for participating and sending or sharing some of your time with us this evening. Being no more speakers at this time, we're going to conclude our business and call the committee adjourned. [crosstalk 02:02:34]

PART 4 OF 4 ENDS [02:02:45]
Sen. Carl Ford (00:00:01):
[crosstalk 00:00:01]

We'll call this meeting to order. Welcome everyone here tonight. I'm Senator Carl Ford chairing tonight. On behalf of the House and Senate redistricting committees, I want to thank everyone for being here. I want to thank my fellow House and Senate members. Senator Crawford, Senator Davis, Representative Smith, Representative James Gailliard, Representative Cooper-Suggs, thank you. Representative Willingham, Representative Winslow, Representative Wray.

Is your name in here?

Sen. Barnes (00:03:28):
[inaudible 00:03:28]

Sen. Carl Ford (00:03:33):

And Senator Barnes. She didn't make the list. I don't know why she didn't make the list.

I want to thank our staff for being here. Senate Sergeant-at-Arms Hal Roach, House Sergeant-at-Arms Stanford Young, our other staff general assembly police, local police, everyone for their hard work here tonight. We appreciate you. I see Erica Churchill here, the staff, and other staff scattered around the room. We appreciate everyone being here tonight.

We usually conduct public hearings in the order that individuals have signed up. Thank you. However, it's come to the attention to the chair, that individuals that may want to celebrate Yom Kippur and, with respect to that, if you wish and you identify as that, if you want to come up and testify at the front of the line, that will be fine with us. Please introduce yourselves tonight and mention any organization that you are affiliated with when you speak.

First on tonight, docket, if you'll come up to the microphone, you have two minutes to speak, is Leonard Ward.

Barbara D'antonio, come up to the mic, you have two minutes to speak.

Barbara D'antonio (00:05:40):

My name is Barbara D'antonio, and I live in Goldsboro that is in Wayne County. I'm the president of the Democratic Women of Wayne County, and I have lived in the rural area of Wayne County for seven years.

When Wayne County is a community with lots of farmland and one large city, Goldsboro, and several small towns. The city of Goldsboro has recently completed a 20-year project of improving the downtown area. Our community problems are many; we have many challenges. As with all counties, we want better paid educators. We want better health care for everyone, including the 16,000 uninsured in our county. We have many environmental concerns, like the flooding that we have every year, every time we get a hurricane. We are also home to Seymour Johnson Air Force Base, which has a positive effect on our economy.

Okay, let me skip down here. I am concerned about the fact that we have two House of Representatives, and one of them I am concerned about is Representative Smith's district. It includes the central part of the county, including the city of Goldsboro, and several counties in Sampson County. That puts him in two congressional districts, the first and the seventh, and I would like to see that continued because there is little or no minority representation in the congressional district seven. I
know that the rules do not support minority or political gerrymandering, but I think that this representation needs to be addressed.

And now I need to stop, but I did want to say thank you all for doing this.

Audience (00:07:50):
[inaudible 00:07:50]

Barbara D’antonio (00:07:55):
I'm sorry.

Sen. Carl Ford (00:07:57):
They're having problems hearing.

Barbara D’antonio (00:07:58):
Oh.

Sen. Carl Ford (00:08:00):
It's all right. I don’t think it’s you.

Barbara D’antonio (00:08:02):
I just wanted to thank you all for doing this, and thank you to our representatives in Wayne County because they do listen.

Sen. Carl Ford (00:08:09):
Thank you, Ms. D’antonio.

 sensors. Gary Boos. Gary Boos?

Kelby Hicks. Kelby Hicks.

Michael Bale.

Is Kelby here? Oh, I got you.

Michael Bale. If you could speak directly into the microphone, it would help us all. We appreciate it. Thank you very much.

Michael Bale (00:08:49):
Thank you so much for the opportunity to share with you. As we know, redistricting is a very vital part of our lives, and I would like for you to consider a few points that hopefully you will take into consideration. One, districts must be drawn that are compact. Non-compact district confuse voters. It split communities of interest, and are often drawn to benefit certain voters or certain political parties. In other words, community is vital and we need to stay within the amalgamation of that community. District must be drawn that do not split precincts. Split in precincts also confuse voters. It make it harder to have the administration of the elections and are often used to benefit, whether we believe it or not, the incumbent or certain political parties. Cities and towns, like Goldsboro, for example, and Wilson, should not be divided unnecessarily to protect incumbents or a particular party. What is important is that legislators should consider communities of interest and not divide in them to protect incumbents.
Please, I ask of you that you consider this, that we keep communities together.
Thank you.

Sen. Carl Ford (00:10:50):
Thank you, Mr. Bale.
Angeline Echeverria. Sorry if I butchered that name. Very sorry.

Angeline Echeverria (00:11:14):
Good afternoon. My name is Angeline Echeverria. I have lived in the Brentwood area of Raleigh, and been active in the Latino community for nine years. I'd like you to keep my community of immigrant families together. Many of my neighbors are immigrants or, like myself, children of immigrants. Looking at the businesses lining Capital Boulevard and New Hope Church Road, you see the influence of many countries from Latin America, the Caribbean, Asia, and Africa. We deserve districts that take into consideration the common experiences of migration, language barriers, and the racial and ethnic discrimination that unites us with established Black communities in our area. Local housing options include single-family homes, duplexes, apartment complexes, mobile home parks, and low-cost hotels that some families rely on due to the lack of affordable housing, rent in housing prices have skyrocketed. Many of my neighbors are being pushed out despite having contributed to the vibrant businesses, infrastructure, and construction that is drawing newcomers in. Our district should unite communities affected by gentrification so we can elect candidates who understand our struggles.

The 2020 census shows that North Carolina is growing in large part due to community members who identify as Asian or Hispanic. Even though this growth has given us an additional congressional seat, North Carolina has never elected a Hispanic or Asian congressperson, and there are very few state legislators who identify as Asian or Hispanic. We deserve a redistricting process that actively acknowledges our community's growth, promotes racial equity, and includes immigrants. Information should be disseminated widely among ethnic media, more hearings should be held, and interpretation services should be offered.

Thank you for considering my testimony.

Sen. Carl Ford (00:13:04):
Thank you, Ms. Echeverria. I probably butchered it again.

Caitlin Metzger (00:13:26):
Is this okay?

Good afternoon. My name is Caitlin Metzger. I actually live in Durham County, but I came here thinking I would have more time to... a room to spread out. So, thank you for having me.

I want to talk about two main points. One is just the process that got us here. I would like to urge the general assembly to expand the redistricting process and make sure that we can push back this process to make sure that we can see the draft maps you're proposing. I would love to be able to see them before I comment on what I like and don't like about them. I know we're scheduled for a March primary which pushes this timeline up, but it is within your power to push that primary to may, and give us all a little breathing room in this process.
The other thing I want to talk about is making sure to protect communities, especially Black communities and Latinx communities. I live in a city with an HBCU, and I do not want to see that community split on the congressional level or legislative level or municipal level for that matter. I want to encourage you to respect campus communities across the state. I know we've seen that in Greensboro, in Asheville, and other communities. Please respect the campus communities as keeping them whole as well as protecting Black and Brown voters across North Carolina.

I had one more thing to say. Lastly, I really want to encourage you to have these meetings live streamed or available virtually. I've been trying to follow all of them as they've been going on, but I would love for the general assembly to offer this more widely available so that all of us can hear what all of us are saying and read the public comments that have been submitted online. We would like to watch all the hearings and read all the comments.

Thank you for having me.

Sen. Carl Ford (00:15:25):
Thank you, Ms. Metzger.

Gerald Branch.

Gerald Branch (00:15:38):
Thank you, and thank you for having me. Thank you for this opportunity for us, as citizens of this district and this area, to come forward.

Brother Bale, the previous speaker, we had come together and we had some bullet points that we wanted to cover. Basically, what he said is what we were really interested in. We're representing eastern North Carolina here. For the next 10 years, there's a lot of things going on. We just want to make sure that everything is done fairly, just above board and, I guess, just to let everybody know that, hey, all eyes will be watching what's going on here. We just want to keep it up front and above water.

Thank you.

Sen. Carl Ford (00:16:17):
Thank you, Mr. Branch.

With a reminder, recordings of this meeting, they are being recorded. They will be posted on the North Carolina leg.gov website within one day after all of these meetings, ncleg.gov.

Max Avent.

Max Avent (00:16:46):
Good afternoon. Thanks for being here. Just like Gerald, my bullet points have primarily been covered but I do want to reiterate a couple. I put just as much emphasis on the African-American voters should not be packed into a few districts through racial gerrymandering to dilute their votes. Democratic voters should not be packed into a few districts through partisan gerrymandering to dilute their votes. Districts must be drawn that are not compact.

Thank you very much.

Sen. Carl Ford (00:17:23):
Thank you, Mr. Avent.
Larry Alston.

Larry Alston (00:17:38):
Thank you for this opportunity. I too want to talk, in reference, will speak on the redrawing the voting district lands. As you understand and know already that we’re doing this for North Carolina eastern part of the state. As elected officials, you are responsible for the integrity of our election process. Legislators must draw the districts that do not have split precincts. Split precincts are the source of much of the voters confusion, and it can cause other problems. Each voter in the precinct should have the same ballot, number one, contain the same candidate. When this does happen, there’s confusion among the voters concerned. For instance, which line do I stand in? Why is my neighbor in a different land or has a different ballot?

Am I in the right place? Thank you. All right? Is my vote going to count? This can cause voters to stay at home out of frustration, and cause distrust with the process. Split precincts can cause voters to give up. They’ll be given the wrong ballot on election day and so their vote don’t even count. All right?
Polling places for split precincts are also more costly to operate because accommodation must be made for different precincts. More election officials and more voting machines should be there. All right? This is what I see that we really need to do not split the precincts.

Thank you.

Sen. Carl Ford (00:19:37):
Thank you, Mr. Alston.

Rick Horner.

Rick Horner (00:19:55):
Thank you. Welcome to Nash County, Mr. Chairman.

Sen. Carl Ford (00:19:59):
Glad to be here.

Rick Horner (00:19:59):
Please have some barbecue while you’re here.

My name is Rick Horner. I used to be the senator for Nash, Wilson, and Johnson counties. I just want to address the published groupings that I’ve seen. I don’t know if you guys are using those yet, but I’ve seen some algorithm. Apparently, they’re pretty accepted on how these counties will be put together. If they are correct, the House and the Senate, I want to address the Nash-Wilson county grouping and the two house seats involved.

Based on the Stephenson criteria of whole counties, Wilson will obviously be kept whole, and they will use some precincts from Nash. Currently, Nash has five precincts that are grouped with Franklin. One of those has a split between Representative Gailliard and Representative Winslow. If you can eliminate that and make that a whole precinct, that makes sense to me. But what I want to say was the simplest thing for the voters, and I know we want to keep our representatives separate, which this would do anyway, is to make it simple for the voters and just move those precincts to Wilson. They’re contiguous, they follow the line, the precincts in Representative Winslow’s district but up to the watershed of Wilson County, Buckhorn Lake, very important. The the proximity of Sims which the town
of Bailey is three and a half miles from, that's a Wilson town, they need to put sewer through there to Wilson.

There's a lot of things Southern Ashe County has in common with Wilson, and I've been a proponent of keeping those two together as long as I've been in public service, and I've served both counties. I think it's very important that you look at that criteria of the community interest when you do these things. It will be, as everyone said, compact. They basically cover the whole line of the county. That's really the point I want to make that, when you do these things, think about the simplicity of the voters. Representative Gailliard's district would probably not even be touched, which except picking up maybe [inaudible 00:22:17], whatever the other one. [inaudible 00:22:19] or one of those districts. But anyway, the idea is to make it simple on the voters, not have to go to a precinct, and get two different ballots.

But anyway, thank you so much.

Sen. Carl Ford (00:22:30):

Thank you, Mr. Horner.

Wyatt McGhee.

Wyatt McGhee (00:22:48):

I'm speaking as a resident of Nash County. The North Carolina constitution gives our elected general assembly the authority and responsibility for drawing representative districts after every 10-year census. The North Carolina constitution does not give that authority to the courts or to special interest groups. Unfortunately, in recent years, we have seen mainly left-leaning groups who have not been happy over the balance of power in the general assembly, filed numerous lawsuits in order to circumvent the North Carolina constitution. I'm here today as a registered voter to commend our Republican-led general assembly for previously carrying out their redistricting duties in the most transparent, fair, and constitutional manner in the history of our state, and to encourage them to do the same in the current redistricting process. Based on the North Carolina constitution, each elected official should represent roughly an equal number of inhabitants. The districts must be contiguous and counties must not be divided. The fact that these public hearings are being held demonstrates the transparency of this redistricting process. The redistricting criteria put forward in the Senate Committee on Redistricting demonstrate the fairness of the process.

If anything, I am afraid that the Republican leaders in the general assembly are going too far to accommodate the other side of the aisle. The redistricting process should not seek to dilute current Republican majorities. The North Carolina constitution does not mandate that this process be nonpartisan, and the Democrats never carried out a nonpartisan process during the decades that they were in the majority. As President Obama famously said, elections have consequences. For the last 10 years, the people of North Carolina have continued to vote for a Republican majority in the general assembly, therefore, it would be unreasonable and to go against precedent to try to undermine that majority through this process.

In closing, I hope and pray that this process will continue in a fair and timely manner, and that no one will seek to use the courts or any other means to circumvent the redistricting authority granted to the general assembly by the North Carolina constitution.

Thank you.

Sen. Carl Ford (00:25:00):
Thank you, Mr. McGhee.

Robbie Davis.

Robbie Davis (00:25:29):
First, I'd like to say welcome to Nash County. I am Robbie Davis. I'm the chair of the Nash County Board of Commissioners, and we are a county of about 96,000 people. We have not grown a lot in the last 10 years but, fortunately, we have not lost population in the last 10 years either. We have a lot of movement within our county. We are a voting rights county, and we have seven commissioners that serve seven different districts. We are also known as probably the or one of the most purple counties in North Carolina. Our board currently has four Republicans and three Democrats. We get along very well, and we get a lot done for the citizens of Nash County.

The expectations from our board about redistricting at the state level is as follows: Do your best to keep it simple, so we can understand it. We want it to be fair for all voters. We would like to see it done in a way that leaves little room for challenges.

Thank you, Sir.

We would like to see it done one time that will last for the next 10 years. We hope that there will be no gamesmanship utilized in the process. We would like to see logical boundaries used whenever possible. We would like to see the maps. We would like to look at the maps when completed, and just simply be able to say, "Job well done." We understand existing member residents should be a consideration. What we would not like to see is a district created for a person that may wish to run for office. More importantly, what we would not like to see is what we have seen for the last 10 years, the last 15 years, and the last 20 years.

Thank you for your time and, again, welcome to Nash County.

Sen. Carl Ford (00:27:32):
Thank you, Mr. Davis.

George Leach.

George Leach (00:27:50):
Almost everything has already been said, and I'm not going to say anything that you don't already know.

My name is George Leach. I'm from Wilson County. After the framers had decided that the House of Representatives representation would be based on the number of people living in the nation, they chose to account them every 10 years. The first census was 1790. Since then, we have counted every 10 years. The idea was equal representation for everybody. Several cases have trickled down through the courts and various attempts to preserve the idea of equal representation and, yet, we chose to stray all the way from that idea and have representation based on a political party rather than equity.

If we base our new maps on morality, we would not have a super majority in the North Carolina general assembly. Communities of color would receive due portion of funding from the federal governments and other sources but, more than that, the people of North Carolina in general would have an adequate voice in government at the state level. Gerrymandered districts continue to create conflict and contentiousness that leads us to the courts. The North Carolina constitution and the constitution of the United States guarantees equal representation. It is time to dispense with this foolishness of drawing safe districts and move to a system of equity. I entreat you to institute morality and do the right thing. Exclude your seat from the decision-making. Issue maps before the process is made.
Thank you.

Sen. Carl Ford (00:30:05):
Thank you, Mr. Leach.

Andy Jackson.

Andy Jackson (00:30:23):
Andy Jackson, Wake County. I'm with the John Locke Foundation. I want to thank you first of all for setting up these hearings and the 12 related hearings across the state to hear our concerns and observations about redistricting. I also appreciate the criteria that was approved by the joint committees, particularly the ban on the use of racial and election data. The only unfortunate part was the adaptation of criteria that included incumbents addresses.

What I really want to address is that something that many people in this room appreciate that most folks in North Carolina do not. It's that legislators in North Carolina are restrained in drawing districts by the US constitution, the North Carolina constitution, the Voting Rights Act, and related court cases, in particular, Stephenson versus Bartlett of 2002 restrains how you can cross county lines when drawing districts. These constraints allow people to know the districts or at least a large portion of these districts before legislators even start to draw them. For example, a team of researchers led by Prof. Chris Cooper of Western Carolina University found that Nash County is going to share a senate district with Franklin and Vance counties, that Edgecombe County is going to share a district with Pitt County in the North Carolina Senate, that Wilson County is going to share a senate district with Wayne and Greene counties.

Furthermore, and this has been alluded to already, we know that Nash and Wilson counties are going to be combined to form two house districts, and they're probably going to look something similar to this, maybe some variation but about like this. I don't have any insider information. I promise I haven't talked to anybody at this table beforehand or anybody on either of the redistricting committees; it's simply a matter of geography and math. I think you, legislators, would do your community as a service if you help people appreciate better not only what legislators can do when you're drawing districts but what you cannot do.

Thank you.

Sen. Carl Ford (00:32:35):
Thank you, Mr. Jackson.

Someone with the last name Branch. I'm sorry I can't make out the first name, and that's my fault. Anyone last name Branch? The first name starts with the G [inaudible 00:32:51].

Gerald Branch (00:32:52):
I've already spoken.

Sen. Carl Ford (00:32:52):
You've already spoken.

Pete Armstrong.

Thank you for that by the way.
Pete Armstrong (00:33:06):
Good afternoon. I'm Pete Armstrong from Rocky Mount, North Carolina. What I'm going to say, I do not say out of disrespect to our local elected officials but, to me, it would be extremely helpful and important to the city of Rocky Mount if it's any way the city could be in one district. Everyone here, I think, knows of the challenges that we face as a city for being located in two counties. One factor that would help us is to have the same representation in legislative bodies to represent our region as a whole. It would be very likely that the representative would be aware of the needs, interests, and status of the whole region as opposed to looking at individual parts. Many of us are trying endlessly to bring our region together. To me, this is one way that we can prepare for the future and represent what we should be in the future of being one community.

Thank you.

Secondly, real quickly, it's somewhat appalling to me that once the maps are published, there would be only one public meeting to respond to. That says to me that what you see is what you're going to get, and I don't think that that should be right. Finally, I think it's the time to put an end to gerrymandering in North Carolina. It confuses voters, it favors politics, and I feel like that we are much better. I think that you are much better than that.

Thank you.

Sen. Carl Ford (00:34:43):
Thank you, Mr. Armstrong.

Melanie Goff Bradley.

Melanie Goff Bradley (00:34:58):
Thank you. Hello. I'm Melanie Goff Bradley. I'm the president of the League of Women Voters of the Twin Counties. Hello to my representative.

I was born in Rocky Mount on the Nash County side. I live just outside the city limits now on the Edgecombe County side in my grandfather's farmhouse. We're an unusual city in Two Counties; redistricting in 2010, split our county in half along the county line. Over the years, this has led to a hardening of two sides, us versus them, as if we are two different kinds of people living in two different cities. That is untrue, but it has led to distrust and accusations that supporting one side is to the detriment, indeed the intentional denigration of the other. This has proceeded for years so far as to wholly endanger our school system. Another 10 years could split not only the schools but also the city.

Gerrymandered redistricting is a tool used by White supremacists, not one that our selected officials should use. We, the people, are the power of our democracy, and we elect you to serve us, the population of Rocky Mount as well both of Edgecombe and Nash County can support the arrangement of one district. I ask you not to maintain this division.

Thank you.

Sen. Carl Ford (00:36:35):
Thank you, Ms. Bradley.

Marcus Thompson.

Marcus Thompson (00:36:49):
Hello. My name is Marcus Thompson with Democracy North Carolina. I thank you for being here in Nash County today.

This process of redistricting is designed to happen every 10 years, and we understand that this process is going to shape the power dynamics for the next 10 years. Because it's so important, we deserve a process that will allow input from as many people as possible, that means more hearings in more places. We need hearings at times when working people can get off of work and be at these hearings, not during the time... at 5:00 when they're still working perhaps or it would be hard to get here. We also would need a virtual option so that the public doesn't have to risk their health to come and make these public comments. It also would be good to have... not good but really vital to have hearings after the maps are drawn so that people can really see what is going to happen to them and be able to have comment at that point too.

We learned that race would not be a factor in drawing these maps, however, in order to comply with the Voting Rights Act, we believe that race should be a factor, not the only factor but it should be a factor to protect the voting rights of people who had their vote diminished in many years past.

Those are the process things that I wanted to put on the record, but I just want to take a second and talk about something a bit larger. We know that redistricting is a partisan process. Right? We understand that. I strongly encourage us to look at a process that would take as much partisanship out of this process as possible, perhaps an independent commission, something that will make it so that we're not always so divided. North Carolina is often referred to as Republican, as a purple state, and so we have a chance to draw lines that are fair for all people. Maybe we can get away from the divisions that we see in other parts of the country. Always you see old versus young, Black versus White, Republican versus Democrat. But here, we have an opportunity to draw fair districts that are competitive so that the best ideas can rise to the top and the best people so that it's not fair, better for Republicans or Democrats but best for our democracy and the people of North Carolina.

Sen. Carl Ford (00:38:59):
Thank you, Mr. Thompson.

Gary Boos.

Gary Boos (00:39:21):
I'm Gary Boos. I live near the Western Edge of Franklin County. After the Common Cause v. Lewis suit on October 2019, the North Carolina Superior Court three-judge panel ruled that the 2017 maps are hereby approved by the court. This was because, and I'll read from part of the ruling: Item 3 - All decisions to alter the base maps were narrow, reasonable, and receive broad bipartisan support. Number 4, the entire process was concluded in full public view. And 5, the senate remedial maps were adopted by the Senate with broad bipartisan support.

Reading from the dictionary of view, to see, watch or inspect. The current mid-September 2021 maps have not been created yet. There is no broad bipartisan support. There is no independent redistricting commission. There is no referee. The plan for the Republican Control Committee is to draw the maps in secret and later present the final maps. There is no process in full public view. The dye will have been cast, complaints from the public can be made but the maps will be as the Republicans desire.

Will the Republicans pack and crack? In the 2020 elections, Republicans received 49.4% of the votes for the North Carolina 13 US House seats and ended up winning eight of the 13 seats. Wouldn't the North Carolina courts expected the same criteria to be used for the 2021 maps as was ordered for the 2017 maps? Do the Republicans controlling the map drawing process have to be sued for violating...
the criteria ordered for the 2017 maps? Will they be sued by common cause? Will the superior court, knowing their decree and orders for the 2017 maps have been ignored, if not violated, for the 2021 maps, will they do anything? If a scheme was ruled illegal in 2017, does the superior court have to rule that the same scheme is illegal in 2021?

Sen. Carl Ford (00:41:29):
Thank you, Mr. Boos. I'm going to go back to the top of the list and call these names folks that weren't here. Maybe they came in a little late.
Lynwood Ward.
Kelby Hicks. Oh, I thought I saw him coming to the mic.
Kyle Johnson.

Kyle Johnson (00:42:20):
Hello, everyone. My name is Kyle Johnson. I'm a resident of Rocky Mount here in Nash County. I am a former teacher. I'm a current educator. I work in ministry. I love my community. As I try to raise my children... I have two daughters and one on the way... and I try to influence the next generation, I try my very best to educate them and empower them on making sure they're fulfilling their purpose. I have to say I'm extremely disappointed consistently when I look at a government that promises an equal and fair democracy, but yet uses tactics that actually demolish that. I hope that as we are working toward this new redistricting for the next 10 years, you will ask yourself, "What's the point? Why are we doing this?" If what you're doing is hindering people, stopping people from being successful, if what we're doing is being a bad example not just to our peers but also to our next generation, what is the point? If the outcome of that is something that is negative, I would hope that as representatives who have promised to do best for the community, you will look at what is best for the whole, not just my demographic, not just the people who I think I align with, but what is best for the whole because what we do for the next 10 years will affect our city and our counties in our state for decades to come.

I realize oftentimes, as I advocate for better, as I advocate for education, as I advocate for community, that what I do in Nash county can be completely hindered by what happens in Forsyth County, and what happens in Buncombe County. As you are working toward the districts, I beg you and I implore you as a citizen as a person who loves North Carolina, as a person who loves eastern North Carolina to please remember the point of it all.

If anything that you're doing in any ways that we're drawing maps and any things that we're working toward and making backroom deals or trying to make sure that we're saying the right things up front and saying we're pro-democracy without actually supporting it by making sure that voters have equal access not just to the ballot but also to representation, I pray that you would really work to do the opposite and to work toward better, not just for now, not just for your seat, not just for your power but for what we're doing for society as a whole because it's really hard for me to know that my eight-year-old will have to wait until she's 18 to make sure that I can vote for her in the best way possible, and that those who vote for their representatives and their congress people and their senators across the state, what is happening with them will affect her when she's off ready to go to college. By then, all of the policies that have been created will either help her or hurt her. So please remember, what's the point, and please help my children in the future.

Thank you.

Sen. Carl Ford (00:44:57):
Thank you, Mr. Johnson. Come to the end of the list but if there's anyone else here that would like to speak that hasn't already spoken, of course, you are more than welcome to come up and tell us who you are and if you're with any group. You have same amount of time as anyone else. Anyone else wishing to speak? As they say in church, all hearts cleared?

Yes, Ma'am.

Sydney Meeks (00:45:31):
Hello. My name is Sydney Meeks. I'm 25, and I am newly elected as the third vice chair of the Nash Democratic Party. I also serve in many other organizations. But one thing that I wanted to say was that we live in the Bible Belt, and a lot of people claim to be Christian probably in this room. One of the things that Jesus really talked about was making sure that widows, children, and the poor were taken care of. If you believe in the same God that I do, I would ask you to not allow a tactic that has been used for several years affecting people that look like me... gerrymandering or segregation, they're no different... to make sure that everyone is has the resources that are fair in their communities. I would just ask that any map that you lay out, please use it as fairly as possible and so that it doesn't just be ruled by the majority but of all equal people under the protection of the law.

   Thank you.

Sen. Carl Ford (00:46:42):
Thank you, Ms. Meeks.

Anyone else?

Mr. Hooks (00:47:00):
Good evening. Thank you for allowing me to speak. My name is [inaudible 00:47:04] Hooks. I'm from Wilson, North Carolina. I'm a 70-year old disabled American veteran who was born in Jim Crow, who was a teenager, grew up in integration. I'm concerned with the direction that this nation is going in now. Gerrymandering was wrong when I was a child. It was used to disenfranchise Black Americans here in North Carolina from 1898 to 1964. I ask you, don't take us back into that direction.

   Thank you.

Sen. Carl Ford (00:47:46):
Thank you, Mr. Hooks.

Anyone else? Yes, Ma'am.

Catherine Lee (00:48:02):
Hi, everyone. My name is Catherine Lee. I'm a resident of Wilson County. I'm a millennial who's a strong advocate for the young dems here in the east.

   Okay, closer? Can everyone hear me?

Sen. Carl Ford (00:48:18):
Yes, that's better.

Catherine Lee (00:48:18):
Awesome.

One question i have in mind is how much of the redistricting will affect eastern North Carolina. The reason why I say this is because eastern North Carolina has already got the short end of the stick from the state in the past. We're already dealing with the redistricting lines that has affected the voting cycles in the past. How will this affect the future even more? That's the only question that I have in mind.

Thank you.

Sen. Carl Ford (00:48:49):
Thank you, Ms. Lee.

Anyone else? Yes, Sir.

Mick Rankin (00:49:02):
Good evening. My name is Mick Rankin. I'm running for the North Carolina House to represent Wilson. I just want to thank you all for being here, holding these hearings. I think it's important. The challenges that you face is not a matter of Republican or Democrat, but it's a matter of ensuring that everybody in the communities feel like that they are represented. Unfortunately, a lot of times when one party becomes more prevalent, people begin to feel like that they're not representative in their area. We need to make sure that when we draw the lines, that they keep them simple for the voters to know where they can go to vote and, two, that we ensure proper representation across all boundaries.

Thank you very much.

Sen. Carl Ford (00:49:49):
Thank you, Mr. Rankin.

Yes, Sir.

Yes, Ma'am. You're next. He had stood up before. You're next though.

Terry (00:50:17):
My name is Terry, and I grew up in Wyoming but I've raised my family here in Nash County, and this is where I call home.

Another thing I would implore everyone is whatever you do, make it open. Just imagine if there's a camera pointed at you the whole time, and that's public that we all get to see it. If there's something on your hard drive that the public sees and it makes you look like you're hiding something you probably are. Don't hide anything. Keep it open and transparent, and that'll keep the process protected for us as the citizens to know that what's being done is being done out in the open and transparent.

Sen. Carl Ford (00:51:07):
Thank you, Terry.

Anyone else?

Yes, Ma'am.
Good evening. Thank you for being here having this hearing and the first one I've been to. I'm a resident of Wilson County. My concerns are about people who are our elected officials locally and up, that this thing is going on now with the pandemic and the mask, people not wanting to go to work, public restaurants are closing or opening and closing. It's very confusing. I'm a senior citizen. And then they have programs going on for people who are not working, able-bodied people who could work but not working and they are receiving resources. My concerns are about the seniors, we can't get the $300 or whatever dollars resources. For me, I don't have them. I'm too old to have any more children, and I want to know when they're going to focus in on out the seniors who are on fixed incomes, especially in these smaller counties or cities like Wilson, for instance, and it kind of bothers me that they're having these, they're redistricting and drawing lines and everything. I heard somebody, it's like, what's the purpose?

I see changes or I feel like changes should affect and be effective for everyone that's concerned, all voters. Me, as a voter, sometimes, I feel like I'm left out when they draw these lines. I'm either here or I'm there or I'm here or there. I want to be centered. When I go to vote, I want to feel confident that my vote is not going in as a number, but it's going in to make a difference.

Thank you.

Sen. Carl Ford (00:53:17):
What's your name, Ma'am? If we could have your name.

Christine Adams (00:53:20):
Christine Adams.

Sen. Carl Ford (00:53:22):
Thank you, Ms. Adams. Thank you.

Anyone else? Yes, Ma'am.

Griselda Alonso (00:53:56):
[Spanish 00:53:56]

Interpreter (00:53:59):
Good afternoon. My name is Griselda Alonso.

Griselda Alonso (00:54:03):
[Spanish 00:54:03]

Interpreter (00:54:07):
And I am an example of why interpretation is needed in these hearings.

Griselda Alonso (00:54:12):
[Spanish 00:54:12]

Interpreter (00:54:18):
Our community is living here. We are working here and our children have the right to vote.
Griselda Alonso (00:54:25):
[Spanish 00:54:25]

Interpreter (00:54:37):
We, as parents, have the right to live in districts that facilitate or receiving health care and access to other resources.

Griselda Alonso (00:54:46):
[Spanish 00:54:46]

Interpreter (00:54:52):
We need representatives who will represent us with dignity and with equity.

Griselda Alonso (00:54:58):
[Spanish 00:54:58]

Interpreter (00:55:08):
That's what I hope to get out of these hearings, that you will really listen to everything that all of us have to say and bring that to the table.

Griselda Alonso (00:55:16):
[Spanish 00:55:16]

Interpreter (00:55:22):
By not providing interpretation services, you are pushing our communities towards segregation.

Griselda Alonso (00:55:30):
[Spanish 00:55:30]

Interpreter (00:55:35):
I feel like there has been way too much segregation over the years. Don't you agree?

Griselda Alonso (00:55:40):
Thank you.

Sen. Carl Ford (00:55:43):
Thank you.

Anyone else wishing to speak? Yes, Sir.

Kelby Hicks (00:55:59):
Good evening, everyone. Just to be considerate of time, I'd like to read a brief statement so I can be as concise as possible with my thoughts.
In 1787, the constitution was established as the supreme law of the land. In its first 52 words, otherwise known as the preamble, the principles of fair processes and fair results were implicated as core components of our nation's governance model. My name is Kelby Hicks. I'm a native of northeastern North Carolina. I'm also an alumnus of North Carolina A&T. I was a student there when we had to navigate the confusing voting process with a gerrymandered district that left many students feeling disenfranchised. I was one of those students.

We don't do nearly enough to educate or provide notice to our electorate on this rigged process and it leaves many citizens feeling overwhelmed when attempting to exercise a fundamental right to vote for their political representation. The inadequate criteria, coupled with the lack of transparency regarding this process leads to disproportionate results and decreased public confidence. The world of the people is being subverted by the weight of map makers who've exercised wanton disregard for our interests. We need a new independent map making method that incorporates common sense criteria. We want an equal voice, an equal vote, an equal value in the political process. It's not that I don't believe our legislators know how to draw fair maps, it's that I don't believe they will because there's no incentive to do so. Absolute power corrupts absolutely, and when we give political parties the power to draw partisan maps in their favor, then they absolutely will. This doesn't lend itself to a fair and inclusive process. Political power belongs to the people. Until it is placed properly in our hands, we will continue a process that is adverse to our constitutionally protected interests.

Thank you.
Julian Abreo (00:59:22):
[Spanish 00:59:22]

Interpreter (00:59:22):
In addition, we should also have the right to interpretation at these hearings because we are part of a community that is growing rapidly and contributing to the economy.

Julian Abreo (00:59:33):
[Spanish 00:59:33]

Interpreter (00:59:39):
I hope that in the future [inaudible 00:59:41]. Thank you very much.

Sen. Carl Ford (00:59:44):
Thank you.

Anyone else?

Thank you for coming in... Oh, one more, yes.

Alonzo Lyons (01:00:03):
Good evening, everyone. My name is Alonzo Lyons. I'm a citizen of Nashville, North Carolina. I feel like I'm coming up here pretty much to say the same thing that a lot of people here are saying. We just want fairness, and everyone should be represented. It is important that the way the lines will be drawn will be impacting us for the next 10 years. It will affect us. It will affect our children, our grandchildren. It will affect our families. As a citizen, I beg of you to just do and think about your own families and think about your neighbor to try to bring us all together when redrawing these districts, so everyone can feel represented because we all should be represented because we're all one community.

Thank you all. Everyone, have a nice evening.

Sen. Carl Ford (01:00:47):
Thank you, Sir. Thank you everyone for coming tonight. I want to thank you for being a part of this and be sure to check out the website, ncleg.gov. There’s a comment area there where you can make online comments, and we’d love to hear from everyone. Thank you for being here tonight, and everyone have safe travels. Everyone, good? Thank you. God bless. Good night.
John Hardister (00:00:01):
Good afternoon, this meeting will come to order. Thank you all for being here. My name is Representative John Hardister. I represent District 59, Guilford County, just down the road. I want to thank you all for your attendance. I'd like to also thank my colleagues in the House and Senate who are here today. We have Representative Pyrtle from Rockingham County, Representative Hurtado from Alamance County, Representative Harrison from Guilford County, Representative Quick from Guilford County.

And in the Senate, we have, to my left, Senator Edwards and Senator Galey, who is from Alamance County. I've also been instructed to send regrets from Representative Riddell, who represents part of Alamance County, that he could not be here today. This will be a listening session. We're here to listen to you all I will note that the House and Senate redistricting committee does have a website. You can access the website at ncleg.gov. And if you go there, there's an icon for redistricting that you can click on. This meeting is being recorded. All of the redistricting committee's activities and documents and so forth, will be archived on the website.

Speakers have two minutes. And when that time commences, the Sergeant-at-arms will signal once you've reached one minute. And then the Sergeant-at-arms has a stop sign, that will be held up when you've reached the two-minute maximum. We are gonna start with, we have a list of speakers who signed up online. So we'll start with that list. And once we get through this, we have a list of speakers who signed up in person. So without further ado, we're gonna get right into it. The first speaker we have signed up is John Hartwell, John Hartwell.

Oh and yeah, thank you. My coach has reminded me, if you'll suspend for one minute, I'd like to also recognize our Sergeant-at-arms who are here, who do a great job working for us at Raleigh. We appreciate them being here. In the Senate, we have Dwight Green right over here to your left. And then to your right, we have Glenn Wahl from the House. And also, of course, we'd like to thank our general assembly police for being here, Sergeant Walters and Officer Torres. Thank you all very much. With that said, Mr. Hartwell, the floor is yours.

John Hartwell (00:02:30):
You got me here? Good. So I am John Hartwell. I'm from Hillsborough. I live just south of town on a pond. There are four families. Our houses are clustered pretty close around the water, and properties all run for quite a few acres on back from the pond. We live out in the woods. We take our community activities and our responsibilities real seriously. So one of those responsibilities, of course, is about voting. And I believe everybody there has voted in every election that has been for nearly 20 years.

And our right to equal representation, which the constitution guarantees us is real important to us. And my message from my neighborhood is y'all is you're being watched. The last we went through redistricting, it was something of a fiasco. One member of the House committee, I believe, bragged that he had secured the greatest partisan advantage that would be possible. And now the worst of those maps were finally thrown out by the courts as unconstitutional, but we split counties. We even split precincts. And the general impression that people had that there was one popular state legislature trying to maintain their power by putting the expense and the burden on county election officials and deprived the citizens of their wants.

And so please let's don't do that again. Let's not have any bragging about partisan advantage. Let's put out the maps, get everybody to see the maps well ahead, secure comments on those maps, and let everybody have some faith again, in the American government.
John Hardister (00:04:31):
Thank you. And the chair apologizes in advance if I mispronounce anyone's name. I'll do the best I can. Next, we have Irving Zavalenta Jimenez.

Irving Jimenez (00:04:54):
Good afternoon. My name is Irving Zavalenta, use he and him pronouns. And I have been a resident of Burlington, North Carolina for the past 21 years. I know that you're aware the district lines must take into account the standard deviation, but I am here to demand that you protect communities of color and East Burlington from being split. Most of the members of East Burlington are black, Latinx, and working class families. While we are not uniform, we are a community of interest here in the county. We play together, we eat southern food at the gas station at the corner of Church Street and Bowman Avenue. I first taste chinese food at Cum-Park Plaza and the various taco and pupusa food trucks along North Church Street.

I truly hope that you are here, because you want to strengthen our democracy. One of the ways you can do that is to avoid packing and cracking historically marginalized communities, especially communities of color. There should be no reason why the current House district 13 is in a shape that looks like a swamp. I ask that you draw lines that are compact, that protect working families, and that you abide by the section 2 of the Voting Rights Act, and that you do not dilute the voting power of blacks and other members of community of color as well.

John Hardister (00:06:22):
Thank you. Next we have Lisa Marinas, Lisa Marinas. Okay, next we have Allen, and I don't know if I can pronounce this name, Schlotbier?

Allen Schlotbier (00:06:42):
That's right. Hello, my name is Allen Schlotbier. I've been a resident of Alamance for 21 years. I'm speaking today before our redistricting. It's a process of drawing and mapping the districts for which our public officials are elected for the US House of Representatives and the North Carolina House and Senate. By law, redistricting is required each annual censes. That means every 10 years. Now, our forefathers thought about this and realized that our population would change. And with that, our representation requirements will change. I am here to plead that we have and independent committee to draw these maps.

These maps can be drawn by software. It's real easy. It's real hard to keep the bias out, a bias that is so tempting with all this census data, of age and race and ethnicity and location, which is easily translated into income. And it's really tempting for incumbents to use this. And it's also tempting for candidates. And I've been out on the road, with candidates, and I know how difficult it is for, excuse me, for some of these candidates to meet with people in these districts. So please talk to your representatives and your natives. Thank you.

John Hardister (00:09:13):
Thank you. Next we have Beth McKee-Huger.

Beth McKee-Huger (00:09:28):
Good evening. I'm Reverend Beth McKee-Huger. I just have two points that we need to have. At this point, a non-partisan criteria for setting the maps. Voters need to be able to choose their...
representatives, rather than the party dividing up the voters into partisan stronghold, where there's safe seats for somebody and no opportunity for competition from anybody else. If I'm in a district where my party is in the majority, it's a safe seat. If I'm in a district where my party is in the minority, the elected person has no reason to listen to me.

The second point is that after the using non-partisan criteria, there needs to be transparency with the draft maps that are drawn, so that everybody gets a chance to look at them, to comment on them, and to make sure that there were not any inadvertent or intentional lines that would divide the community and keep there from being competitive process. Thank you.

John Hardister (00:11:10):
Thank you. Next, we have Chris Malone.

Chris Malone (00:11:28):
Before I start, a quick bad joke... Do you know what you get when you cross a snowman and a vampire? Frostbite. My name is Chris Malone, and I live in Guilford County, near Jamestown, a small community between High Point and Greensboro. I'm a precinct chair in the county, and my precinct, FR2, has 2,429 registered voters, 35% unaffiliated, 33% Republican, and 31% Democratic. In the 2020 election, the precinct saw 88% of registered voters cast ballots. I'm proud to be part of a precinct that turns out the votes.

As a concerned citizen and voter, I ask the North Carolina legislature to simply be fair in drawing new maps. Here's how I believe fair voting districts can be created, balanced, drawn by independent non-partisan commissions, to not give any political party or demographic unfair advantage, no gerrymandering. Compact and congruent, keep neighborhoods, precincts, and community areas together, not sliced and diced into partisan or demographic persons, no gerrymandering. The current maps for Guilford and Forsythe counties are neither compact nor congruent.

Transparency, the redistricting process should publish draft district maps for public review and comment before being finalized. Districts should be drawn so that candidates and ideas are the drivers and elections, with no influence from how the map is drawn, no gerrymandering. I hope that you agree with me, and will fair and common sense guidelines in creating new maps.

I'll close with this, in April, the Texas Republican party chairman, Allen West wrote, and I quote, "Republicans control this process and must realize the strategic opportunity and not concern themselves with fairness to the progressive socialist left." Is this what we want to see with redistricting in North Carolina? I hope not. If it is, we'll be back in the courts again. If it's done fairly in the first place, it's a win for all voters. I believe the citizens of North Carolina deserve fairness. We'll know it when we see it. Thank you for your time and service to our state.

John Hardister (00:13:48):
Thank you. Next we have Peter Boykin.

Peter Boykin (00:13:53):
Hello again. My name is Peter Boykin, and thank you for protecting our constitutional republic. I will go ahead and disclose, I am running for congress in this district. And I'm hoping that we have a district that is well-rounded, done properly and protected. And I do note that a lot of people are talking about making sure things are fair and not gerrymandered. I would like to call out if it was the opposite side, then they wouldn't be saying the same thing. But that's still very difficult for the side that's having the
legislature now to handle things. And I’m glad that they are fairly doing this and having these, so we do not have problems in the future, because obviously, that was the problem last time.

And as a candidate and all candidates would know, we don’t want districts changing every two years or every four years. We’d hope we can get something solid, keep something solid. I do implore the board that if it gets to the point, because I know it’s a difficult task, that things are not super rushed, that you do move back the dates for registering and the primary, to give us more time to run. It’s been a very difficult time running, not knowing what we’re doing. And I thank y’all very much for all of what y’all are doing. And hopefully, everybody will be listened to. Thank you.

John Hardister (00:15:26):
Thank you. Next, we have Donna van Hooke.

Donna van Hooke (00:15:44):
Good evening sir and ma’am, members of the North Carolina legislature. My name is Donna van Hooke. I live in Burlington, what we would call East Burlington. And there has been some statements made about East Burlington. I would like to say there is a discrepancy now about a Western electric site, where the building has contaminants. And so from that building, four miles towards what we would call, West Burlington, there is an 11-year difference in life expectancy. And that has been reported in the 2018 community health improvement plan.

And so I want to state that I would like to see fair and just mapping, just like everyone else who has spoken before, especially mapping that will beneficial to communities of color. I would like to see revitalization on the east side of Burlington, what we call East Burlington, because it is predominantly black and brown. And there a lot of issues like food insecurity, versus the other side of town, which we call West Burlington. So I’m speaking today, on behalf of North Carolina Black Alliance, for redistricting, which was fair and just, and also as a resident of Burlington, for there to be better situations involved in the mapping for black and brown communities. Thank you.

John Hardister (00:17:36):
Thank you. Next we have Brittany Cartner. I apologize. You’re recognized.

Brittany Cartner (00:17:52):
So my name is Brittany Cartner. I’ve lived in Alamance County for 33 years. I do believe that the redistricting, I would like to see the map before I make a comment whether I like it or whether I’m opposed to it. I do believe that if we only have one hearing, public comment before y’all kind of put it as firm, I would like to ask if we might could have two public hearing comments. After once we get to see it, they can do public comments. And then, maybe have a revised after, if some people are not okay with what was produced. And then, kind of reiterating no gerrymandering. Try and keep it fair.

I believe that my vote counts. I want it to count. I think everybody’s vote should count. And I don’t think that this 2020 election proved integrity, voter integrity. I also feel like if we have, on our ballots, serial numbers to track registered voters, and they have their own ballot that’s for them, they have a serial number, we can actually track it and keep up with who’s voting where. And I don’t discount the mail-in ballots. But I don’t think that able-bodied people should have that option. If they are able to get up and get out, they should be able to get up and get out to vote if they are registered.

For the elderly, I do believe that that is absolutely, or the disabled, I do believe that that should be a... It is a valid thing. So I’m just asking that once we see the maps, once we get all the comments, if
we can have another public hearing and then maybe go over some things that could possibly be changed, that would be awesome. Thank you for your time.

John Hardister (00:19:55):
Thank you. Next, we have Ian Baltutis.

Ian Baltutis (00:20:13):
Good evening. Thank y'all for joining us in Alamance Country. My name is Ian Baltutis. And it's my honor to serve as the mayor of Burlington, North Carolina. But today, I represent myself and my personal capacity. I've walked neighborhoods and known residents here in our community since 2012. And as I've walked and talked to people, they've expressed confusion about the districts as they've been laid out over that time frame. We've had to describe it will all kinds of different shapes and styles.

And what I'm asking for is dense and logical and representative districts here in Alamance Country, particularly ones where you don't have to describe well, if they live across the street, they're represented different by someone than here and someone different than behind you. Burlington represents a very diverse population. 50% of our population is classified as BIPOC. And that's something that I think we really need to make sure is represented when we draw these districts, something that our community, as an engine of the economy of Alamance, needs to make sure that we have representation that really helps drive Burlington's success today, and into our future. So I just wanna thank y'all for your time and your efforts in this process.

John Hardister (00:21:25):
Thank you. The chair was just informed that we are capacity in this room. There are some folks outside who would like to come in. So if you're inclined, you certainly don't have to, but if you wanna step out so others can come in, then I'll leave that at your discretion. Okay, next we have Omar Lugo.

Omar Lugo (00:22:19):
Thank you so much for this opportunity. Thank you for everything that you all are doing for our county. I am Omar Lugo, and I don't even consider myself a citizen of any special class. But what I came here to say is we applauded the openness and transparency the general assembly has committed into drawing maps during open and during redistricting committee meetings and to listen to public input as they are through these hearings. Thank you so much.

The main point here is that I hear many people talking about communities of interest, black and brown, et cetera, et cetera. Why don't we give the integrity of our communities as such? The only colors that we should defend, and we're keeping in mind in United States of America are blue, red, and white. And that's how we should keep it. Therefore, communities of interest do not dominate the process. There's no common understanding of what a community of interest is. So a community of interest is in the eye of the beholder. It is appropriate that claims of community of interest are only considered after other redistricting criteria have been satisfied. Thank you so much.

John Hardister (00:23:44):
Thank you. Next we have Jennifer Brimmer.

Jennifer Brimmer (00:24:03):
Good afternoon. My name's Jennifer Brimmer, and I'm an Orange County voter. Redistricting requires a dialogue between the voters and the legislators. So I would like to thank you for holding this hearing here in Alamance, and for committing to engage the voters in the redistricting process. Drawing our redistricting maps is a task that our legislature takes on in trust to the voters legislature. Discharging this critical duty in an unbiased manner is vital to our representative democracy. This complex task is made all the more challenging by the severe conflict of interest inherent in drawing your own districts.

Many of you are lawyers or business people. You know how damaging such conflicts are, but we're stuck with the flawed system that we have for now, and must rely on your commitment to uphold your constitutional duty to the voters and to our constitution itself. The North Carolina constitution is crystal clear on this point, quote, "All political power is vested in and derived from the people. All government originates from the people, is founded upon their will only, and is instituted solely for the good of the whole. The people of this state have the inherent, sole, and exclusive right of regulating the internal government."

The legislator's oaths of office, which you're familiar with of course, binds each of you to support our state constitution and to faithfully discharge your duty under that constitution. We rely on all of our representatives to take this responsibility to heart, but we stand with Ronald Reagan, trust, but verify. Consequently, while we appreciate this opportunity to speak to you now, the hearings after draft maps are drawn are the most important ones.

In the 2011 redrawing, there were three rounds of hearings after the first maps were drawn, each bringing in seven to 10 sites. And we didn't even have Zoom then, so it's much easier now. We know that you can do better. Voters must be heard. Our constitution and the oath you have sworn to uphold demand no less. So we hope to see you all again soon. Thank you.

John Hardister (00:26:01):
Thank you. Next we have Donald McKennon.

Donald McKennon (00:26:34):
Good afternoon. I’m Don McKennon from High Point. With a population of 114,000, High Point is the ninth largest city in North Carolina. In spite of our many challenges, most residents feel that High Point feels like a city and functions like a city. But the redistricting has slashed our city to pieces, as if we did not matter. I'm here today to ask you to keep High Point whole during each step of the redistricting process. Today I'll focus on House seats 60 and 62.

Here is the current map. The ideal population for each house seat is about 87,000, which means High Point cannot constitute one district. But how a city is split lies at the heart of any redistricting effort anywhere in the country. High Point is 45.5% white, 54.5% non-white. This map has produced a black rep in H0 to the south and a white rep to H62 to the north. Both are residents of High Point. But at what cost?

What's the problem with this map? It's not compact. That's the problem. Most important, it puts High Point voters in 862 with voters in norther Guilford County. In fact, 59% of registered voters in H62 live outside High Point. High Point shares a natural affinity with Greensboro. That anyone in northern Guilford County would have a good understanding of High Point's needs is doubtful. But if H62 stands as it is, we face the possibility of an incumbent who at some future data, knows nothing about us.

We can do better. With this map, drawn with Maptitude for redistricting software, it emphasizes keeping High Point whole. High Point represents about 2/3 of the two districts combined. And we have paired High Point only with voters who live close to our borders. In conclusion, this new map will
probably still elect the black rep from H60 and a white rep from H62 just as now. The difference, two
districts which offer our residents fair and more effective representation, because the districts will be
more compact, because voters will be closer to the representatives. Thank you.

John Hardister (00:28:47):
Thank you. Next, we have Ed Priola.

Ed Priola (00:29:05):
Good evening. In the interest of transparency, I'm a candidate for Alamance State House district 63. I'm
from Mebane. There was a recent meeting that I attended, about 40 or 50 people. Some candidates
were there. One candidate for the state legislature stood up and somewhat arrogantly claimed, that he
had inside information on a district and the way the district would be drawn. If his claim were true, of
course, that's wrong. This process should be transparent, and we should have equal access to the
information of how the process and the districts play out.

Regardless of party, the information should be of equal access to every candidate and in fact,
every citizen. And I would join with the citizen that spoke up a little bit ago and say, this should not be
your last meeting. We should know what they districts are and then have the opportunity to comment
on those districts. Individual insider information should never take place. Thank you for your time.

John Hardister (00:30:19):
Thank you. Next we have Tyler Day.

Tyler Day (00:30:36):
Thank you for holding this hearing today. This past year, I was excited. It's the first time I felt I had a
representative in Washington, who actually represented my community as a community. That's because
my community was kept together in one congressional district for the first time in my life. In my first
experience with voting, I learned of the congressional district I would be voting in. And I was stunned.
The district stretched in a skinny line from I-85 from where I live outside of Greensboro, all the
way to Charlotte. And as I learned more, I found out that I and other black North Carolinians had been
packed into the district strategically. A democratic candidate would win the district by a margin of 50%.
So I never really felt that my vote mattered, and I didn't feel as though I had a representative focused on
my community. This upset me and encouraged me to get involved, in what I believe is one of the civil
rights issues of our time, fair voting districts.

I learned about our past maps, like the ones drawn by the democrats in 1992, which Supreme
Court Justice, Sandra Day O'Connor said were so extremely irregular on its face that it rationally can be
viewed only as an effort to segregate the races for the purpose of voting. Then I watched in awe, when I
heard a state representative propose in 2016, that the districts should be drawn to, and I quote, "gain a
partisan advantage to 10 republicans and three democrats."

I realized whichever party that's been in power has always drawn the districts to their liking. I'm
now an organizer with Common Cause North Carolina, and I'm asking you not to follow in the footsteps
of your predecessors. The redistricting criteria the committee approved, only says you may consider
communities of interest. I thought the whole purpose of having a representative democracy was to have
someone represent your community. If you believe that's the case, I believe you do, please make
keeping communities together your primary focus when you redraw the districts. And please hold public
hearings across the state after the maps are drawn, so we, the public, can react to them. Thank you.
John Hardister (00:32:51):
Thank you. Next, we have Phyllis Demco.

Phyllis Demco (00:33:02):
Good evening. I’m Phyllis Demco, and I represent the League of Women Voters of North Carolina State Board. We appreciate your having these hearings. But I have to be frank with you. We’re wondering how much you really care about hearing from the public. And these are some of our reasons. For example, you’re hearing schedule has totally missed two very important population centers, Guilford County and Wake County. There’s been very little in way of public announcement about these hearings. You give us five days, at most, notice. And it’s not really well-publicized in social media or the newspapers.

We really want to read the comments that are being put on the portal. There’s no indication yet, that you will let us do that. We hope that you will. That gives us some concern about whether or not you’re even going to bother to read them. Though you may not be interested in what the public has to say, we are vitally interested in what you’re doing, because we know that what you now will affect what we do for the next 10 years.

In 2019, a state court required you to do remedial maps in full public view. That is certainly something that means more than what you’ve indicated you’re going to do. We want you to make your final decisions public, not do as you recently did with the criteria and the hearing schedule, where there was absolutely no discussion. It made us feel that you already decided, behind closed doors, and then came out with criteria.

We of course, want you to give us an opportunity to look at the maps and review those maps, and comment upon those maps before they’re voted on. All this is to say that we have concerns regarding public input and transparency, and we hope that you will address those. Thank you.

John Hardister (00:35:21):
Thank you. Next we have Lynn McCoy.

Lynn McCoy (00:35:35):
Thank you so much. Am I heard? Yes. We appreciate this. We appreciate these hearings. I’m Lynn McCoy, unaffiliated voter from Guilford County. And I’m here in Alamance County, because there is no hearing in Guilford County. In fact, as I understand it, there are only hearings in only 10 out of the 100 counties in North Carolina. This is not transparency. This is not working for the voters, even in spite of the portal.

So please, this is not the way North Carolina voters should be treated. Our voices should be heard. I agree completely, that the criteria should have been made public in some way, so that people could comment on them. And I agree, there should have been notice about these hearings, and certainly, more publicity. It was very hard to find out about them. But we do appreciate your having them.

Much has been said about communities of interest. And I agree, that communities of interest, neighborhoods and precincts, and universities and others should be kept together, because they have common needs. And they need common representation. I don't believe there should be incumbent protection. I don't believe any seat should be protected. And it's not a matter of who's side you're on. It's a matter of what's right for North Carolinians. Gerrymandering is wrong, no matter who does it. It does not serve the voters. And I hope that you’re here for this hearing, because you intend to do fair
and just maps, that will really represent the voters. This is what we need, and this is what North Carolinians deserve.

The most important thing is what so many have said. We need hearings after the maps are drawn. We need more hearing than 10 counties. We need them publicized, please. And I think it's a great idea to have one right after the maps and then one again, after input. But certainly, more hearings after the maps are drawn. Thank you so much again.

John Hardister (00:37:51):
Thank you. Next, we have Peggy Feraby.

Peggy Feraby (00:37:52):
Hello, I'm Peggy Feraby. And thank you very much for hearing us. I'm from Summerfield, North Carolina. I first became interested in redistricting when I would go into my voting booth in various districts that I have lived and discovered that well, I needn't have shown up, because I really didn't have a choice. Either there was no competition, or it was so overwhelmingly gerrymandered, that there was really no point in voting for anyone else.

And you know what? That made me mad. Because voting is very Bedrock of our democracy. We're supposed to be the greatest democracy in the world. And we can't get this right? Right now, we're having trouble with assault on our entire electoral process. You talk to young people, and they're very, very critical and very cynical of the program. And it's stuff like this, where the feel that it doesn't matter what they do, because y'all are gonna do what you wanna do.

The only input we have is our votes. So please, I beg of you, make this a fair, transparent process. Don't divide communities like pieces of a pie, to assure someone's election. We should have hearings, I agree we should have hearings more than just in 10 counties, and we need to have hearings afterwards, so that people can comment on the maps. Democracy starts right here, at this level, with y'all and with all of us.

I have grandchildren. I want them to grow up in the kind of country I grew up with. I need y'all to be on board with us. Please, make it a fair, transparent and well-publicized event. Thank you very much.

John Hardister (00:40:02):
Thank you. Next, we have Anthony Pierce.

Anthony Pierce (00:40:15):
Mr Chair, it might not a rule, but the people behind me said they'll yield their time to me. No, I'm just joking. Good evening, my name is Anthony Pierce. I live in Haw River, but in the Melville community, just up the road from here. I come here today, representing the Alamance branch of the NAACP, where I serve as the political action committee chair and the first vice president. First and foremost, thank all of you for your service to this great state, to Alamance County, and whatever jurisdiction that you may come here representing.

As chair of the political action committee, one of our top priorities and top goals is to work to ensure that the voting process is fair, and it's convenient for all without unnecessary barriers that will suppress or restrict any Alamance County resident from being able to exercise that most basic fundament right that's afforded to them, which is to vote. Our focus has always been on historically underserved, the under-represented, the elderly, the marginalized communities across this county. But
we need your help. As you redraw the districts across this great state and across Alamance County, we ask that you ensure the districts are drawn in a compact fashion, to prevent confusing voters and splitting communities.

There are about 38 or so precincts in Alamance County. Districts should not be drawn that split precincts, as they also further confuse voters. And it also makes it even harder for our election staff to perform and execute elections. Communities should stay together. We share common interests, and we face the same problems, and therefore should always stay together. Dividing neighborhoods will only further complicate that and should never be done.

In closing, failure to consider these non-partisan, basic requests, goes against the very fabric of our democracy and undermines the bipartisan provisions that are outlined in the Voting Rights Act. Thank you for your time, and thank you for your service.

John Hardister (00:42:29):
Thank you. Next, we have James Adams.

James Adams. (00:42:43):
Good evening. I'm James Adams from High Point, North Carolina. I'm glad to be here with your this evening, to share a request, a request that we have fair and equitable voting process here in redistricting process. There's a lot of conversation that you've heard from this floor about the concerns that we have. Let's address those concerns.

I was not here a few years ago for the last redistricting, but I'm living through the results. We need to fix this. We need to fix it now. The Voting Rights Act of 1965 afforded us the opportunity to having fair and equitable voting process. We need to practice it. We need to be committed to it, and do what we can to have our children enjoy the voting process and the results of the voting process that we have seen and we work for today.

Let's not make the same mistakes. Let's fix it. Let's do it now. Let's be mindful of a gentleman, Mr. McKenna, what he presented to us. Let's consider that. Let's look at the information that's on his boards and his paperwork. It's only gonna happen if you're committed. It's only gonna happen if you're committed. Thank you.

John Hardister (00:44:20):
Thank you. Next, we have C. Bradley Hunt. T. Anthony Spearman.

T. Anthony Spearman (00:44:45):
Thank you, I am the Reverend Doctor T. Anthony spearman, resident of Greensboro. And as a matter of fact, I am within your jurisdiction, Chair Hardister. So I need your cell phone number. And I am also the state conference president of the North Carolina NAACP. Political parties are nothing but the instruments of tyranny when they degenerate into agents of chaos and cease to represent progressive justice. All our polarized politics is producing is pain. It is for the people, who are the sovereign in this nation, to see to it that parties conserve the public interest. That is why we are here.

It is pure nonsense to expect others to perform this duty for us. Having attending two redistricting committee criteria meetings, and this makes four of the six public hearings held thus far. I have enough information to know that what the people want are fair and just maps, maps that allow voters to choose who their responsibility will be, rather than maps that allow legislators to pick who they want to represent them in elections that predetermine the winners.
In short, the maps should be about the people, and not about politicians or incumbency. The maps should be a fair representation of the rich diversity in the state of North Carolina. But at the rate we’re going, we will never achieve that as long we we continue to present ourselves as a bunch of ideological contortionists, purporting to be politicians. What we the people, truly need, are more public servants. Public servants will produce fair maps. Thank you.

John Hardister (00:47:13):
Thank you. Next, we have Peter O'Connell.

Peter O'Connell (00:47:21):
Thank you. I am Peter O'Connell. I'm a resident of Guilford County. And I am a active republican voter. I urge the legislators to carry out the duties they were elected to perform. We have a redistricting process. It is a legislative process. And I urge you to follow it. Do what is fair, do what is right. And that is to follow the rules and not to change them in the middle of the game. Nothing could be more certain to create division, additional cost, and cynicism on the part of the voters.

We have a redistricting process, and we should follow it. Speakers say that you should listen to the people. Those who urge you to delegate your responsibilities, in fact, seek to overturn the will of the people. The people already have spoken. They've elected their chosen representatives, including all of you. And I ask you to please do the job that you were elected to do. And I'd also ask you to please disregard the so-called non-partisan expert route. There is no such thing as a non-partisan expert. We have seen in other states that have tried that route.

What is actually envisioned is people who have failed to obtain their desired goals at the ballot box, trying to obtain control of this process by other means. And I would urge legislators to carry out their functions. Please do what you were elected to do. Do not delegate your duties to people who are not answerable to the public. Respect all people. Respect each other. Cooperate where possible. But follow the process. Thank you.

John Hardister (00:49:37):
Thank you. Next, we have Elliot Lynch.

Elliot Lynch (00:49:51):
Good evening. My name is Elliot Lynch, and I thank you for having me available to speak tonight. I want to speak from my heart and from my experience. I've been living now in Alamance County for almost 30 years now. I grew up on a farm, sharecroppers, and one of the highlights of our year, was to load up in the car with my parents and go vote. And since that time in my life, voting has been very important to me. The political process has been very important to me. And I'm here to give you some, not things to do, but things that I plead you not to do.

I've been a chief judge in my precinct for a number of years. I ran for office a number of times. I believe in the political process. I believe in being fair, and I love people. So I'm asking you to do this for the people, particularly the people of Alamance County. We are a wide and diverse community. We have farmers to our south and north. We have urban areas in Burlington in our cities. And I ask and I plead with you, not to do these things. Please don't split up our neighbors. Please do not split up Alamance County. Do not split up our precincts, our cities, not our state legislatures, districts, or our district 13.
Right now, we're sitting a five-minute drive from Orange County. And then end of district 13 is almost in Charlotte, Cabarrus County. And that doesn't make sense to me and doesn't make sense to a lot of people. So I ask you to consider, to make these districts compact and be fair. As a matter of fact, one other thing I'd like to mention, when I go vote, I pass a church two blocks from my house and drive several miles, because the district across the street is a different district. So please consider that, and thank you. And please be fair. Thank you very much.

John Hardister (00:52:17):
Thank you. L. Harris?

L. Harris (00:52:34):
Good evening, committee. We do appreciate you offering the opportunity for us to have a hearing and public speak today. However, as a resident of Rockingham County, I'm extremely concerned that many of my other residents, as well as others in counties, are not represented here today. There's a lot of families that are not even given the opportunity, because of lack of public transit, to be able to come to the public hearings that you're offering today. I will say it is extremely important to realize that a public hearing is really for the public.

Offering live stream like it was the last time, was not a perfect process, but it did allow more transparency. Having transparency is extremely important, as it relates to encouraging and promoting trust in our legislators and in our public processes. I ask each of you to please consider everything that you hear everyone talk about today. But remember, live, in-person hearings mean you have to be willing to listen to the public. But in order to listen to the public, you must host it at locations that require less than 200 capacity. You must allow an opportunity for redistricting to educate the public on what the education of redistricting means.

Please again, I'm from Rockingham County. My neighboring counties, I drove all the way to Forsythe County the other day. After I got off work, I got there too late. But I made it today, 'cause I had to get off work early. So I'm encouraging you, understand there's many North Carolinians that are not represented today. Thank you.

John Hardister (00:54:24):
Thank you. Alejandro Garcia?

Alejandro Garcia (00:54:26):
Hey everybody. My name is Alejandro Garcia, and I've been living in Burlington for over 20 years ago. This is my hometown. As a resident of Burlington, Alamance County, I'm here to highlight the need for fair and transparent maps in order for communities of color to stop being segregated. As a Latino, I don't wanna see neighborhoods, bus stops, or schools segregated in order to fulfill elected officials' political agenda.

According to the 2020 census, North Carolina Latino population has seen a 40% growth. In this manner, all minorities and communities of color have grown. According to census, populations who identify as multi-racial, saw an increase of around 276% nationally. This is why I join everybody in this group to draw these districts so my kind and neighbors have representatives who represent them, who look like them and can share time with them.

We are tired of having individuals in power who don't look like us or have the same interest in heart. Alamance County is a key county for North Carolina, with a population of 174,000, 2020 census.
With that population, 29.3 identify as non-white. However, the current county commissioner board is entirely Caucasian. All of the current commissioners within a 10-mile radius of the western part of Alamance County in a suburban area along the I-40 corridor. Meanwhile, 28.6% of Alamance County population live in a rural area. So fair and competitively drawn districts will serve the entire population of Alamance County by establishing a fair system that allows voters to elect the candidates who are diverse, both geographically demographically. Thank you for your time and interest.

John Hardister (00:57:16):
Thank you. Next we have Ron Osborne.

Ron Osborne (00:57:30):
Thank you. My name is Ron Osborne. I'm a 35-year resident of Alamance County. Before that I lived in Guilford County, where I was born. And I live in souther Alamance County on a farm. I want to first compliment the legislature on the most recent maps. I would characterize them as less bad, but they're still not good. But at least you're making some incremental improvement as to the courts and what folks see.

The maps still guarantee safe seats for representatives. As the North Carolina Superior Court said, back in 2020, 2019, the enacted maps do not permit voters to freely choose their representatives, but rather, representatives are choosing voters, based on sophisticated partisan sorted. It is carefully crafted in the will of map drawer that predominates. The current maps marginally meet the letter of the law. But I question whether they meet the spirit of the law. And I think the data reveals that.

Is it truly representative democracy? I take issue with those that are concerned about true representative democracy and think that we're disingenuous if we question the process and the maps that are provided. I, myself, have been a registered republican, as well as a registered democrat. I've also served as a precinct worker, and I helped my neighbors vote differently than I would have voted. But that's okay. That's democracy.

I just want to see a process, an outcome that is true, fair, and equal. And I think independent and non-partisan commission is the way to go. Thank you.

John Hardister (00:59:49):
Thank you. Next we have Paul Walker. While you're approaching the microphone, Senator Galey apologizes.

Paul Walker (01:00:00):
Thank you very much for this opportunity to speak. I'm Paul Walker. That's not Paul Walker of the "Fast and the Furious" fame. I'm the slow and old. But again, I do appreciate this opportunity. And I've been a resident of Alamance County now for about 40 years. I'm a retired, agricultural agent, and I have traveled extensively in Guilford County, Alamance County, and quite a bit in Orange County. A lot of differences as you go from one part of the County to the other. As somebody has already mentioned, we go from a city to urban, to suburban, to rural.

And I would like for y'all to at least, consider geographical and populous areas, maybe put both of 'em together in drawing the maps. Perhaps, look at townships. Because within each township, there is some commonality within each township. I think that's one thing that's missing. But the main thing I would like to say is please stop the political gerrymandering. I have lived here, like I say, 40 years. I've saw both parties do it.
And then the resulting controversy and lawsuits is not pleasant to watch. So please, whatever you do, stop the political gerrymandering. Thank you very much.

John Hardister (01:01:21):
Thank you. Next, Cole Riley.

Cole Riley (01:01:37):
Thank you. Hello, thank you. Can you hear me okay? My name is Cole D'Angelo Riley. I'm a senior political science student at North Carolina A&T. I skipped my US presidency class to drive here 30 minutes, to be here today. I guess Guilford County, which was home to one of the most egregious acts of partisan gerrymandering, was not included on this public hearing tour. The general assembly split the largest HBCU in the nation into two, leaving us with diluted voting power and two representatives who did not represent, let alone reflect us.

Splitting the voting power of 13,000 predominantly black students in the black population of East Greensboro is wrong, it's racist, and it's partisan. But I fear similar tactics will be implemented again. Since I've been on campus, we've had elections scheduled during our spring break, twice. We've had our on-campus voting site removed twice. These are not accidents, but a blatant attack on our university and the black population of East Greensboro. Do not gerrymandering us into oblivion again.

Gerrymandering allows you to effectively flip democracy on its head. So it allows our representatives to choose our voters, not our voters to choose our representatives. So as stated before, some of the younger population has grown cynical and very critical of this institutions who have disfranchised us. So our demands are clear. Do not gerrymander us into oblivion again. We want an independent committee to create these maps. We want an early polling site. We do not want it to be scheduled during our spring break. And we want our polling site to be on campus. And we also want these legislative sessions to be more accessible so I can go to class.

John Hardister (01:03:32):
Thank you. Next we have Jay Kennit.

Jay Kennit (01:03:47):
Good evening. I'm Jay Kennit. I live in the city of Burlington, not far from downtown Burlington. The great mystery of every election is what my congressional district will look like. It changes every single time. In one incarnation, my neighbors, a block away, in the city of Burlington, voted for a different congressional candidate. That is not just or fair or equitable. You have heard from the people here. We are here because we hope this time, it will be different.

We have no evidence to prove that it will. But we ask you do what is right, to represent the people and to have, create free elections and fair districts that are equitable, non-partisan, and do not racially gerrymander. Thank you.

John Hardister (01:04:44):
Thank you, and the chair received a note from Representative Quick who apologizes that he had to leave for a 6:30 meeting at his church. Next we have Peter Klein.

Peter Schay (01:05:10):
My apologies for perhaps, difficult to read writing. It's Peter Schay, S-C-H-A-Y. I'm a resident of the city of Burlington in North Carolina House district 63. I'm here not representing any particular organization or any particular constituency other than voters who want good government, where the voters choose their representatives, rather than the politicians choosing their voters. I would reiterate a comment made by my friend, Mr. Schlokvir, as well as others, in support an independent redistricting commission. But in the absence of that, I am basically here to voice opposition to partisan gerrymandering. And I believe specifically, that the redistricting process should focus on three things.

First is compactness. The current shape of congressional district 13 is an abomination. Second, congruency or respect for existing boundaries, of county boundaries, city boundaries, and necessary precinct boundaries. And then finally, on support of others, that the redistricting should avoid of minority communities, so that they are disenfranchised in their choice of representatives.

And finally, I support the comment that have been made by several other speakers, that after the proposed maps have been prepared, there should be another round of hearings to enable us to give our feedback on those proposed maps before they're finalized. Thank you.

John Hardister (01:07:18):
Thank you. Next we have Lee Haywood.

Lee Haywood (01:07:24):
Thank you, Mr. Chairman. My name is Lee Haywood. I'm a longtime resident of Guilford. I live in Summerfield. And I have intentions to run again, for the 6th district congressional seat. And I wanna address that here in a second. But I wanna thank y'all for the tough job y'all are getting ready to do. You're not gonna be able to please everybody. And this is my second hearing, and I've heard a lot of good suggestions. And one of the things that really strikes me is everybody wants a non-partisan commission.

There's no such thing. It's gonna be partisan, no matter how non-partisan you try to make it. And I think since 2010, I think the process has become a lot more transparent than it was the 140 years before that. So I wanna thank y'all for what you're doing. And I wanna address the 6th district specifically. I remember when Guilford County was split into three different districts, one which ran from the eastern part of Guilford County to Raleigh. The other snaked up from Charlotte, all the way to Durham, up I-85. And the rest belonged to Howard Knob.

Now it's a lot better now. Guilford is whole, but you have divided Forsythe. Now, no offense to my peeps in Forsythe, I love 'em to death. But they deserve to made whole again. And I ask y'all to take that into account when you're redistricting the whole state. Try to keep these counties as whole as possible. Of course, it's not always gonna be able to do that, but as much as possible. It makes no sense for the 6th district to be rated a D-18, and Ted Budd's district, the 13th district, which goes right around Guilford, an R-1000. It makes no sense to have that. So now's the time to fix it. I have faith that you will. I know a few of you that sit on that commission, and I just wish you well in the process.

And I'll leave you with one thing. The fella a little while ago gave you a joke. What do you call a hot dog with the middle taken out? A Halloweenie. Thank you Chairman Hardister.

John Hardister (01:09:39):
Thank you. We have reached the end of registered commentary. Is there anyone who signed up to speak, but their name was not called? And the Chair will confer, the Sergeant-at-arms, is there anyone
waiting outside? Is there anyone who did not speak who wishes to speak? If you would please, state your name for the record, thank you.

Susan Mclanahan (01:10:19):
My name is Susan B. McClanahan. I'm from Orange County. Over the last decade, you spent almost $11 million of taxpayer money on litigation. I would like to encourage you to avoid that. I'll start again.

John Hardister (01:11:00):
Restart the clock.

Susan Mclanahan (01:11:02):
Thank you, gentleman. My name is Susan B. McClanahan. I'm a resident of Orange County, nearly life-long. During the last decade, you have spent nearly $11 million on litigation. [inaudible 01:11:18].

Speaker 33 (01:11:18):
Could you maybe go to the other podium, ma'am?

Susan Mclanahan (01:11:31):
Can you hear me now? Thank you. My name is Susan B. McClanahan. I'm from Orange County. Over the last decade, you spent nearly $11 million of taxpayer money on fighting in the courts to entrench yourselves in power. That is wrong, no matter who does it. It is right for you to listen to the will of the people. For years, you have ignored us when we wanted Medicaid expansion, health care for everyone in North Carolina, when we wanted good schools that have been starving since you have been in charge, when we have wanted rural hospitals to be able to survive. Medicaid would have helped with that. There have been so many things that the people of North Carolina have wanted that you have ignored.

It's not okay for you to do that anymore. It is time for you to have 26 additional hearings across North Carolina once the draft maps have been shared. Those could be in the 13 current counties and in 13 others, so that there would be two hearings per congressional district. You can change to primary so that the deadline is not December 6th. You can move it to May, where it has been for years until you changed it. That would give us time to hear from the people of North Carolina, and it is required that we hear from the people of North Carolina. It's not okay for you to entrench yourselves in power.

You need to share the map shape files once the drafts are presented, and without any delay, so that the Princeton gerrymandering project can assess them, so the two other organizations can assess them, so that we know when we've been gerrymandered. Thank you.

John Hardister (01:14:03):
Thank you. Is there anyone else who would like to speak? Yes sir, you're recognized. State your name for the record. [inaudible 01:14:20]

Tom Rokoski (01:14:28):
My name is Tom Rokoski, can you hear? And I'm an Orange County resident. Thank you for letting us speak this evening. I have some comments here made when I attended a previous meeting of the general assembly during the last 10 years. First of all, I'm surprised that you do not have a presentation to the public to inform us of the redistricting process. You talk about it, but let's see what it is, along
with the provisional maps that was done 10 years ago. When I lived in Watauga County and our state representative, Jonathan Jordan, gave a video presentation of the redistricting process, with maps that had been drawn at the time. Different redistricting models were explained, and many of us there thought the Iowa State plan was superior, as districts were compact and did not have the problem of dividing counties.

Which model will you be using this time? What changes will be made because of the additional district? We wish to know. Secondly, the results of the 2020 census were later than usual. And you’re starting late, as been mentioned by the previous speaker, with the information process, and you’re running out of time. So good government required that distressing be transparent. So there should be these forums afterwards, so that we may be able to see final maps and to have an evaluation by the public.

And I believe you could move back the time for filing, as was mentioned. You could do that. It doesn’t take long to redistrict once you have a computer model, just a couple day. So let’s do it and have these meetings afterwards. Thank you very much.

John Hardister (01:16:43):
Thank you. Is there anyone who’d like to speak? Anyone else who’d like to speak? With that said, the chair apologizes that the battery in the microphone apparently has gone out. We have reached the end of the public hearing. On behalf of my colleagues, I’d like to thank you all for your participation. I’d like to thank our Sergeant-at-arms [inaudible 01:17:16] employees, Alamance County college. The chair will remind everyone that you can access the committee’s website at ncleg.gov, and then navigate to the redistricting icon. You can also submit comments online. With that said, the hearing is completed. And we are adjourned.
Senator Jim Perry (00:00:04):
[crosstalk 00:00:04] Thank you so much. Okay. [inaudible 00:00:18]

Speaker 2 (00:00:04):
Green County girl, right?

Speaker 3 (00:00:04):
Pitt County.

Speaker 2 (00:00:20):
Oh Pitt County. I thought she lived in Green.

Speaker 3 (00:00:22):
She moved to Green. She lives in Green now.

Speaker 2 (00:00:24):
Right, right, okay.

Senator Jim Perry (00:00:26):
Okay. Everybody got water. Everybody got ... Linda, are you ready?

Speaker 2 (00:00:30):
I don't have any water.

Speaker 4 (00:00:32):
I ain't got nothing to do with it except.

Speaker 2 (00:00:33):
Oh okay, you need something here.

Speaker 3 (00:00:35):
A bottle of water please, thank you.

Speaker 4 (00:00:37):
The only thing they told me to do was [inaudible 00:00:43]. I'm saying to keep you all safe. But we already know Pitt County's the safest place in the world.

Senator Jim Perry (00:00:37):
That's right.

Speaker 5 (00:00:55):
The mike's not on.
Speaker 4 (00:00:55):
Yeah, we ain't saying [inaudible 00:00:59].

Senator Jim Perry (00:00:55):
He's going to sit down there.

Speaker 4 (00:01:02):
I'm saying that you all are the best audience in the world.

Senator Jim Perry (00:01:07):
You guys ready?

Speaker 2 (00:01:07):
I'm ready.

Senator Jim Perry (00:01:09):
Linda, you good. Okay.

Speaker 2 (00:01:12):
No, you need that here.

Senator Jim Perry (00:01:17):
Good afternoon. As the Chair, I will call this meeting to order. We would like to begin by recognizing and thanking our Sergeant at Arms for being here with us today. From the Senate, we have Mr. Mike Harris. From the House, we have Ms. Teresa Ferguson and Mr. David Leahy. Thank you for being here. Thank you for all that you do for us.

In addition, we have General Assembly police here. We have Officer Hailey [inaudible 00:01:47] over here on my left. Sorry, I couldn't see you. And Officer Thomas Rutherford back in the back. Thank you for being here, everything you do.

Okay, we will jump straight into the comment portion of the meeting today. Our format will be that we ask you to step up to the microphone. We will call two speakers. So I'd ask that you stand at least six feet behind the active speaker if you're the next one up. And we'll do that. Save time for people walking up because we do have over 30 speakers today.

You will have two minutes to make your comments. We would like for you to approach the microphone and tell everyone your name. And if you represent an organization, please share that with us too.

The committee is here to receive comments and hear your thoughts. We will take your comments back to the General Assembly. We will not be taking questions or having back and forth. This is about you and what you have to say today.

We will ask that everyone be respectful, be considerate of each other. And we look forward to a great afternoon. And we are thrilled to be in eastern North Carolina today and not in Raleigh. It's the greatest place on Earth.
So first off today, I'm going to ask Miss Ann Watson to come to the microphone. And behind Miss Watson, Miss Emily [Keel 00:03:18].

Mary Ann Watson (00:03:22):
Thanks so much. My name is Mary Ann Watson. I live in Greenville, North Carolina, in Pitt County. And I want to thank you all for coming to Pitt County. We're a great county and very active politically. Have a very active organization and appreciate you're giving us the attention to come out here.

Secondly, I am disappointed that you picked 3:00 o'clock in the afternoon on a work day. You've eliminated how many people can participate on this. I'm here on my lunch break. I postponed my lunch break so I could attend this. But many people do not have that opportunity to do that. So you've limited the input by the timing of this event.

But I appreciate you coming here. The thing I want to encourage you to do is to not draw the districts based on political parties. I do not think the legislators should be picking their own voters, but given that that's way it's set up in North Carolina, I would ask that you not do that.

And my reasons for that are because of the state of our country. We are polarized. And one of the reasons we're polarized is because we have, our districts are so often based on political parties which means that there's no good dialogue within the districts because the representatives have to be either one party or the other so there's no compromise that can happen.

If we can have non party drawn districts, we're more likely to have good dialogue and have good policies come out of that good dialogue and that's what I would encourage you to do. Thank you for giving me the opportunity to speak.

Senator Jim Perry (00:05:06):
Thank you. Stacy Jeff, if you'll please come up next. And before you speak, if I could, I failed to introduce my colleagues. I'll start on the left with Representative Linda Cooper-Suggs. Representative Chris Humphrey. My good friend, Senator Don Davis. Representative Candy Smith and Representative Brian Farkus. And I'm Senator Jim Perry.

So I apologize for missing those introductions but thank you for being here today. After Miss Keel, I don't see Stacy Jeff. I'll ask John John. Please begin.

Emily Keel (00:05:48):
Hi, I'm Emily Keel and I live in Martin County, a rural county of 23,000 people adjoining here. I'm a member of the NAACP there and of the Women's International League for Peace and Freedom. We want to remain as a unit in Martin County with no division of our population as you redistrict. No splitting us in the House, the Senate or the U.S. districts.

We are, for the most part, a multi generational population since not many people move to a rural areas with fewer employment opportunities. Our citizens have been farming and gardening together for generations. We're also bound by struggles to provide common services in our towns. They're so small.

So people have trouble with utility bills. The provision of utilities is difficult and costly for low income communities. And we've benefited from joining in cooperative efforts there.

We depend upon each other to share resources and information as we did when citizens were called on to help inform each other about the COVID vaccines and to transport each other to receive
vaccines. It's such a rural population that public transportation is limited. So we move each other around together.

Many of us in the small communities are called upon to transport neighbors for appointments and groceries. Many of live miles from medical care, from grocery stores and pharmacies so networking to assist each other is common.

There are only two public high schools in the county and they encompass and tie together each of the smallest communities. We need to be able to work together to address our common problems with our elected state representatives.

And so we need to remain an intact community, rather than be divided into two as we were in the Senate at a previous time. Additionally, I insist that we be allowed to make public comments in numerous locations around the state after the proposal of maps is made.

It's not acceptable to prevent all in person comment or to limit it to one location. The public should also be able to see what has transpired in the legislature on a daily basis as the process of mapping takes place, perhaps through some online resource. Thank you.

Senator Jim Perry (00:07:55):
Thank you for your time. Miss Gwen Green. Miss Mary Perkins Williams, Mr. Alex Urban? [inaudible 00:08:09]. Welcome.

Gwendolyn Robinson Green (00:08:17):
Thank you. Good afternoon. I'm Gwendolyn Robinson Green. I'm a resident and homeowner in Greenville, North Carolina. And I'm very pleased to be here this afternoon. And I do thank you for giving us this opportunity to express our views in terms of redistricting.

I, along with members of the organization that I belong to, a service organization, Delta Sigma Theta sorority, our members went out. We were a part of the complete count to ensure that as many African Americans as possible would, in fact, return the census information.

And I stand here today and I encourage you to keep in mind that there are, that the citizens of North Carolina are entitled to your respect as you consider how to redistrict the state of North Carolina. I ask that you maintain the integrity of the districts. That you look at and consider. Be respectful because have worked long and hard to ensure that the census in North Carolina was done correctly and that its citizens were heard. I thank you for the opportunity and I hope that you will consider those things that I've asked you to do. Thank you.

Senator Jim Perry (00:09:43):
Thank you. Mr. Urban and then Miss Cindy Elmore, Christopher Mansfield after Miss Elmore.

Alex Urban (00:09:53):
Good afternoon. My name is Alex Urban. And I am the Advocacy Coordinator for the Association of Mexicans in North Carolina. Also known Amexican. Amexican is a nonprofit organization that serves the Latino community across eastern North Carolina.

And I am also a lifelong resident of Green County, North Carolina. Today, I bring several considerations to the NC General Assembly in regards to the process and practice of redistricting.
In 2011, the General Assembly held 60 hearings. In my and my organization's opinion, the 100 counties of North Carolina need to have more. With only 13 public forums, it makes it extremely difficult for the Latino community to drive and come to a hearing.

Additionally, the basic outreach for events and opportunities such as this one presented primarily in English creates an additional hurdle for the Latino community and the organizations that serve them.

Informing the community requires translating and disseminating information about these meetings. And it takes time and effort on behalf of the community organizations such as ours. Absence of this leads to large subsection of North Carolina's population, ignorant of the rights and opportunities available to them.

I ask that the outreach and promotional materials for these meetings be available in Spanish to the general public. Additionally, they should not be so rushed as to take away the ability of community organizers, such as myself, to prepare and inform the Latinx community.

For our districts, both on the state and federal level, we ask that you draw them compactly and contiguously. Creating districts that stretch from the coast to Raleigh, whose drawing is guided solely by advantage only serves to disenfranchise and divide communities and divide the east.

It is not a matter of a language or color. With the composition of many eastern counties increasing with a larger number of Latinos, fair and equal districts have never been more important. Especially when such cracked and fragmented districts diminish not only marginalized communities' say, but all voters' political power. Thank you for you time.

Senator Jim Perry (00:11:57):
Thank you. It's good to see you.

Alex Urban (00:12:02):
Miss Elmore, then Mr. Mansfield, then Mr. William Pitt.

Cindy Elmore (00:12:05):
Good afternoon. I'm Cindy Elmore and I live in Greenville. Please accept that the public really does care about a transparent and fair redistricting process. Most people can't come to hearings like this, but they do know and care about it.

Here’s what most people I know also care about, we want to see a process that does not consider partisan data, like voter registration levels or voting histories or incumbents' places of residence in this process.

We want to see districts drawn that are contiguous, that are consistent with natural and political boundaries like county lines, for example. And we want to see compact districts. So contiguous, compact and consistent with natural boundaries.

We're also tired. We're tired of the gerrymandering that no one can pretend hasn't happened in this state. We're tired of the millions of dollars of our tax dollars, our money, being spent on the costs of defending indefensible, partisan, gerrymandered maps.

And we're tired of the justification always being, "Well, the other side did it first." Which is what children say. We're tired of, in this state, of what always seems to be gleeful, hand rubbing, political machinations done to this process so that politicians entrenched in office can safely keep themselves there which leaves half this state without proportionate representation.
And we're tried that people pretend we don't have the computerized data technologies that make it pretty easy that, for the most part, could follow contiguous, compact boundaries that put people together with the same geographic and multiple interest. That's all anybody wants. And it isn't that hard to do.

And lastly, we're tired that North Carolina has become the country's poster child for partisan gerrymandering, thank you.

Senator Jim Perry (00:14:15):
Thank you. Mr. Mansfield, Mr. Pitt and Miss Linda Harper.

Chris Mansfield (00:14:29):
Thank you for the opportunity to comment today. My name is Chris Mansfield. I have lived in North Carolina most of my life. The last 45 years in Greenville. I'm retired now, but I had a hand, a bit of a job, a part of ECU's service to eastern North Carolina and the state.

Our rural communities and towns continue to lag behind in regard to economic opportunities, financial access to medical care, education, internet access and infrastructure.

We need and deserve representatives in the General Assembly and the U.S. House who will articulate, advocate for our needs and bargain for resources to address them. We're not getting the representation we need because the democratic system has been corrupted by extreme gerrymandering.

We don't get to choose who represents us. You selected the voices. You need to get elected, beholden only to the small base voting in primaries, special interests and party leadership.

Politicians, therefore, have little incentive to represent the whole district and do the hard work of crafting bipartisan, forward thinking policy.

I hope this won't be the only opportunity to comment. I hope there will be transparency so that citizens can see how the maps are drawn, be there when they are, and see who's drawing them. Will be there an opportunity on alternative maps? On the ground rules? What metric's used to evaluate the fairness?

I don't think residence of incumbents or candidates should be a factor. Splitting VTAs, towns, neighborhoods and university campuses should not be allowed.

I drew a map of congressional districts on my own and was able to get equal populations with minimal splitting of counties, no splitting of municipalities or voting districts. But I didn't endeavor to crack and pack them. I hope that won't be allowed, thank you.

Senator Jim Perry (00:16:41):
Thank you. Mr. Pitt, Miss Linda Harper, and Miss Lori Yoshi Newman.

Mr. Pitt (00:16:52):
Thank you, Senator Perry. Thank you to the esteemed guests on the [inaudible 00:16:56]. To all those in the gallery. I would like to say that I believe that the district, not only should they be compact, they should be sensical.

I've heard it said a few times before that our districts have been drawn with surgical precision to draw certain people out of the district. It is very important that everyone's voice be heard. It is very
important that every vote counts. It is very important that we, as citizens, get to choose our legislators, not legislators choosing our citizens.

So I ask as these maps are drawn, they will be drawn fair, compact, sensical and most of all, fair. Because that's all we really want in this world, just fair. Just fair. Because that's all we really want. So thank you for your time.

Senator Jim Perry (00:17:42):
Thank you, Mr. Pitt. Miss Harper, Lori Yoshi Newman and Carol Rados or Rados?

Linda Harper (00:17:53):
I'm Linda Harper from Wayne County. Thank you for being here today. And thank you for making this available on the internet as well as these 13 places that we have.

Well, I would like to ask that all of Wayne County be placed in district one. We are talking about contiguous places so the whole county. We would like to district one. If we need more people because of the decrease in population in the census, I recommend adding Sampson County because it is a rural county and the culture is much better fit for Wayne County.

And we'd like to not to have any counties or towns or parts of towns west of 95 because east of 95 has a culture all of its own and we enjoy that rural country. So I would like to be sure that all of county is in district one and that we have Sampson County added.

Senator Jim Perry (00:19:00):
Thank you. Miss Newman, Miss Rados and Miss Diane Tindall.

Carol Rados (00:19:09):
I'm Carol Rados. And I'm not representing any particular group. I do feel that this group did choose a bad day to have this hearing because today is Yom Kippur which is a Jewish holiday and it's not a holiday that you should be having hearings for the public.

In your redistricting, I think the main thing that you need to think about is being fair and not focusing on parties and just focusing on the population and the communities. Thank you.

Senator Jim Perry (00:20:06):
Thank you. Miss Diane Tindall, Miss Minerva Freeman?

Lori Yoshi Newman (00:20:17):
Hello, committee members, legislators and all of my fellow citizens. My name is Lori Yoshi Newman and I live right here in Greenville, Pitt County. I have heard so many compelling comments already. I hope you really have taken note of what people have taken the time to come here and say.

I am here to represent democracy. I'm here with an honest intention. I'm asking you for nonpartisan, fair and equitable voting maps. We should have a truly independent commission. A truly independent commission to draw voting maps that do not benefit either party, candidate or incumbent.

We need maps that don't drag through the courts to conclude they were gerrymandered districts which was obvious in the beginning.
This undermines the very foundation of democracy. One person, one vote and each vote is equal. All voices are heard. I'm impressed with the comments of our Amexican representative who pointed out the inequities of the process, including the Amexican community being left out already.

We need maps where neighborhoods and precincts are in tact and districts are compact. The interests and needs of the community must come first. In our community, we need elected officials that lift up all of our community, in poor and under resourced areas.

Officials who will effectively address extreme climate disasters which will increase in both regularity and the destructive forces of flooding and high winds.

We need laws that protect flood prone areas from rampant development. And the resources to provide rapid and effective disaster response and relief for those who are impacted by these human made disasters. We, the people, want to elect legislators that are loyal to our communities and not to the parties themselves.

We want democracy that is a government of the people, by the people and for the people not politicians. Thank you.

Senator Jim Perry (00:22:33):
Thank you. And we are joined by Representative Raymond Smith who was a little detained being here but Representative Smith joined us now. Miss Diane Tindall, Miss Minerva Freeman and then Mr. Michael [Shackter 00:22:49].

Diane Tindall (00:22:50):
Good afternoon, this is an exciting time for our state. I also drew a map last night and I envy you guys. It's not an easy thing to do. But I did manage to get the boundaries fairly equal.

Unfortunately, North Carolina's history with this process has been replete with challenges and court cases because borders have often encompassed those already in office.

I would ask today that you create districts that represent all the people of North Carolina, drawn with boundaries that keep counties, voting precincts and communities whole as much as possible.

Please be mindful of shared culture and experiences such as our hurricanes in eastern North Carolina. And in doing so, make it possible that close neighbors within a county can contact the same individuals for help.

Our young people have become apathetic about government because they feel that every issue is divided. Okay, thank you. Let's see. Let's use this process to treat people as individuals, not Republicans, Democrats, Libertarians and so forth. And make fair maps so that every voice can be heard. Thank you. And I'm not sure if I said I'm from Craven County, thank you.

Senator Jim Perry (00:24:11):
Thank you. Miss Freeman, Mr. Michael [Shackter 00:24:16], Miss Sarah P. Connor.

Minerva Freeman (00:24:22):
And I'm Minerva Freeman. First, I would like to thank you all for coming here this afternoon. And to listen to us. I am from a small community, Falkland, North Carolina. But I'm representing today, I'm representing the Delta Sigma Theta, Pitt County chapter. I am representing the National Council for Negro Women and I'm also representing Pitt County branch of the NAACP.
And the message they asked me to convey to you all is to be fair. To listen, that's what I believe that you're doing now. But to go back and draw the maps a little differently than what you've done in the past.

I'll tell you, I have looked at some of the maps and they're zigzag. It's crazy, in a way of speaking, the way they are drawn. And I believe that we can do better than that. And I would just encourage you to show that diversity as you draw the map. To make certain that everybody is represented. Because that's what we need in a democracy. We need fair maps, if I could say that. And you scare me so I'm going to go sit down. Thank you.

Senator Jim Perry (00:25:46):
Thank you. Mr. [Shackter 00:25:48], Miss Connor and Miss Kelly Askew, I think.

Michael Shackter (00:26:00):
Hi, I'm Michael [Shackter 00:26:01] from the nonpartisan Craven, Get Out The Vote Coalition and the Tuscarora Rims Road Community in Craven County. Having no preliminary maps to look at is a real problem. New maps that are drawn should be drawn in a nonpartisan way, not by legislators who are choosing their voters. That's what needed.

And also transparency in the map drawing. This needs to be followed by many more meetings that are at different times so that people can attend them. And that are also virtual so that, especially at this time of COVID, so that people can comment. They don't have to be among other people. So that we can have public input across the state, especially in eastern North Carolina before the final maps are approved.

I'm going to be very specific about the community where I live on Tuscarora Rims Road, the State Road 1224 is a historical black community, but it has been split into two state house districts, district three and district 79 during the last redistricting.

This area has absolutely no collection to the far away Beaufort County and the city of Washington. The community's connections are with other communities of color off 17, such as Rocky Rim Road community and even Jones County which the Tuscarora abuts.

The arbitrary dividing line is Bachelor's Creek, but there are members of the community, starting below Clarks Road and over on Rollover Creek Road.

The community would best be served if there was one state house district nearest to the city of New Bern, thank you.

Senator Jim Perry (00:28:12):
Thank you. Miss Connor, Miss Askew and Pamela Woods.

Miss Sara P. Connor (00:28:18):
Good afternoon, I'm grateful for this opportunity to be able to speak today. After listening to the speaker in front of me, it just ... Like he have the same intention that I have also written down. It's like I could just say ditto to the speaker that was just in front of me.

I am, too, in opposition of having a public hearing prior to the maps being drawn. To me, it's like putting the cart before the horse. Why have a hearing not knowing where the maps are going to be drawn? I'm thinking well maybe you're getting input from us and then draw the map and then you
would bring the maps back to us so that we can make comments and we can have [inaudible 00:29:06] public map that would represent the public in a democracy way.

Two, I am in opposition, few hearings that are being held. For instance, like me, I do not drive long distant. So a lot of people are not afforded the opportunity to drive to attend meetings.

Also, to keep the municipality together so there would not be confusion within the community and that we would have pure, unequal ... So that we would not have unequal representation for [inaudible 00:29:42] group. These things and other things cause us to have insufficient representation that will harm us for the next 10 year. Thank you for your time. And we do want to have an opportunity to comment once the maps are drawn.

Senator Jim Perry (00:29:58):
Thank you, Miss Askew, Miss Woods and Mr. Chris Suggs.

Kelly Askew (00:30:05):
You almost got it right, it's Askew.

Senator Jim Perry (00:30:05):
I'm sorry.

Kelly Askew (00:30:06):
That's okay, I'm used to it. My name is Kelly Askew and I live in Ayden. I have two items on which I would like to comment. First, we do not want any partisan gerrymandering applied to the drawing of voting district maps because it is not fair to the people of North Carolina. We want fair maps that do not have to be fought over in the court for years.

We don't want them looking like a bunch of spaghetti thrown up on a wall. Packing once one group into one district diminishes their voices. It deters people from voting and this isn't fair.

And finally, the extreme partisan gerrymandering in North Carolina has been an embarrassment as it has been in the national news so many times. Let's draw maps that we can all proud of.

The second item upon which I would like to comment is regarding municipal boundaries. I am a resident of Ayden. We are a part of the 12th house district and 3rd congressional district. We have been sliced off the bottom of Pitt County of which we are an integral part.

Many of us work, play, go to school and do business in Pitt County and pay taxes. We do not relate to Lenoir County and it is confusing to people to know where to go, who represents them and how to vote. Please draw lines along county boundaries wherever possible. Thank you, I appreciate the opportunity to speak today.

Senator Jim Perry (00:31:35):
Thank you, Miss Woods, Mr. Suggs and then Ann Floyd Huggins.

Pam Woods (00:31:42):
Good afternoon. My name is Pam Woods and I live in Craven County. I am representing not only the citizens of Craven County, but Craven County branch, NAACP. I have some things I don't have to mention which has saved me some time.
We’ve talked a lot about already the time of this meeting. We are thankful to have a meeting, but the time is not really conducive for as many people to get here and the fact there is no virtual advantage.

Now most citizens are at work at this time. So they’re not here to speak. So I’m going to make some few points. I live in a residential area near Trent and Noose Rivers. We have a number of manufacturing plants. We are growing in our retail centers.

Craven County is known for its tourism. We are looking for a way to make sure we continue to have affordable housing, healthy food alternatives, safe areas for our children in public schools so that the reason I say all these things is that we would like to make sure that our county is bound by a like a county.

A county that has the same sort of interests and economic problems that we have. We’re trying to build and we don’t really want to be with the adjacent county that’s going to outshine us where we can't actually get representation or things working in our county because the other county has more advantage.

We don’t want political parties to be involved in these district mapping. It is very important that we consider the type of communities, the geographic areas, what the communities are known for, are working with and what is working good in those communities when drawing the lines. It’s important to our citizens that we be able to be represented by the right type of interests, thank you.

Senator Jim Perry (00:33:38):
Thank you, Mr. Suggs, Miss Huggins and Mr. Holden Spain.

Chris Suggs (00:33:48):
Good afternoon, everyone. My name is Chris Suggs. I'm 21 years old from the great city of Kinston in Lenoir County where I live, work and love my community. So thank each of you for being here and your service to east North Carolinians like myself and I hope you take our thoughts into consideration.

Kinston is a community with just over 19,000 folks. We have a population that is predominantly black. And we have a history and culture that is threaded by resilience in the face of natural disasters, being a focal point in the Civil War, a rich arts and music heritage and the best baseball, basketball and barbecue in eastern North Carolina.

It is necessary that communities of interest like Kinston be kept together in future legislative districts. Our community has been hit the hardest by some of our nation's greatest challenges, including hurricanes and flooding, exacerbated by the climate crisis. Loss of major textiles and tobacco industries causing poverty and population loss.

And being, right, the most economically distressed community in the entire state. So these issues, along with health issues exacerbated by COVID-19 have collectively caused reasons for us to be able to collectively organize and advocate and not want to be in split districts that serve party interests over public good.

It is disappointing that the committee chose to hold only 13 hearings across the state in a state that has more than ... Or exactly 100 beautiful counties. And that the meeting times have not taken into consideration, travel time, work obligations or true accessibility.

It is my request that once the drawings of maps take place, the committee holds additional hearings across the state, more than 13 and at accessible times and locations, to receive public input and engagement. Thank you [inaudible 00:35:24].
Senator Jim Perry (00:35:23):
Thank you. Miss Huggins, Mr. Spain, Mr. Tom Best.

Ann Floyd Huggins (00:35:33):
Good afternoon. To the Chair, I wear two hats. I am Ann Floyd Huggins, Chairwoman to the Pitt County Board of Commissioners. So my first hat wearing is to welcome you to Pitt County officially.

Senator Jim Perry (00:35:51):
Thank you.

Ann Floyd Huggins (00:35:51):
To the committee. And we are so glad that you chose Pitt County as one of the locations to come and bring this information and give Pitt County citizens as well as our neighboring counties an opportunity to participate in this process which makes good government.

So if I take off that hat and become the citizen, now I will say that we encourage you as you are redrawing the lines that you draw districts that are compact. And of course, some of this has already been said but I want to say it again.

Because non compact districts confuse voters. It splits community of interests and are often drawn to benefit certain voters or certain political parties.

So as I said, some of this have already been said and I want to repeat it for your hearing. And for you to really consider it when you go back to draw the lines. Again, thank you for the opportunity to speak to you this afternoon.

Senator Jim Perry (00:37:16):
Thank you. Mr. Spain, Mr. Tom Best and Mr. Charles [McLawhorn 00:37:22].

Holden Spain (00:37:23):
Good afternoon. My name is Holden Spain. I am the second Vice Chair of the Pitt County Republican Party. I would like to thank the committee, first off, for organizing this public forum and allowing the citizens of Pitt County and the surrounding area a chance to voice their concerns about redistricting.

I understand the process of redistricting is complicated and that it generates very strong opinions in citizens as evident by the crowd we have here today.

So I would like to encourage the committee and the General Assembly to work diligently to publish the proposed maps that they have in mind and to allow further time for the citizens of eastern North Carolina and citizens across the state to comment on these proposed maps before they are voted on and decided by the General Assembly. Again, I'd like to thank the committee for organizing this public event. Thank you.

Senator Jim Perry (00:38:12):
Thank you. Mr. Best, Mr. [McLawhorn 00:38:14] and Mr. Donald [Inslee 00:38:18].

Tom Best (00:38:21):
[inaudible 00:38:21] of taking off masks are very difficult with glasses. Thank you for your service to our state. I appreciate you holding this public hearing regarding new voting maps that must be drawn due to the recent 2020 Census.

I also you to return to Pitt County and share the maps you draw before you hold your final vote. My name is Tom Best. I'm a native North Carolinian and Pitt County registered voter. I served a decade working with the Pitt County Board of Elections, first as a poll worker, then a precinct chief judge for several years. And finished worked as the annex chief judge where we handled all of the problems that occurred at the precincts.

I ask you to keep the precincts whole. Do not split them between candidates. It causes confusion for the voters and sometimes the poll workers themselves.

I learned from my tenure as a chief judge, voters are very serious when they enter the polls and many are anxious. Any unnecessary issue that can cause confusion and distrust among the voters must be mitigated or avoided all together.

A split precinct is one of those issues. I actually had a situation in my tenure where a voter came in, knew the individual that was the poll worker that was handing out the ballots and read her ballot, came back to that poll worker and said, "I can't vote for the candidate that you voted for." And they lived across the street from each other.

The poll worker initiated an effort to give that voter the wrong ballot to satisfy that. Now fortunately I was told and I was there and I was able to mitigate that situation. We stopped it and it didn’t happen.

I look forward to seeing you again in Pitt County after the drafts, maps are drawn. Thank you for listening.

Senator Jim Perry (00:40:29):
Thank you. Mr. [McLawhorn 00:40:31]. Mr. [Inslee 00:40:32]. Miss Sandy Smith.

Charles McLawhorn (00:40:37):
Thank you, Senator Perry. Members of the House and Senate, I, too, want to welcome you to Pitt County. We’re so glad to have you here and we’re glad that you’ve come to our Pitt community campus to be here.

The coin of the realm in Raleigh is partisanship. It is not racial composition or compactness or communities. It is partisanship. Now it’s not the will of the people that the political party in power, which party that is, and it has been the Democrats at times and it’s been the Republicans at other times.

But it’s not the will of the people that the party in power should set up voting districts to consolidate that power or to perpetuate their control of the legislative process by drawing district lines primarily with a view to partisanship.

I have spent most of my life as an attorney. 45 years, I’ve tried to promote the cause of fairness and justice. Not only for my clients but for my adversary as well. It is not fair and it is not just for our citizens that politicians seek ways to dilute some voters and increase the influence of other voters by the way the district lines are drawn.

As you develop the maps, I urge you to rise above politics and look for ways to take partisanship out of the picture. Please respect the will of the people and don’t cast our state back into the courts for what might be years of countless litigation. Thank you.
Senator Jim Perry (00:42:22):
Thank you. Mr. [Inslee 00:42:30], Miss Smith and then Mr. Marcus Thompson.

Don Inslee (00:42:35):
Thank you, sir. My name is Don [Inslee 00:42:38]. My wife, Ramona [Inslee 00:42:40], and I have lived in
Greenville for 44 years. I am an 80 year old community activist. This afternoon, I wish to make a brief
comment about one of the fundamental rights of all citizens as related to redistricting and the drawing
of the maps to maintain the rights of communities.

Interest. And let me just quickly say what is a community interest. A community of interest is a
neighborhood, community, a group of people who have common policy concerns and would benefit
from being maintained in a single district.

Another way of understanding a community of interest is that is a simple way for a community
to tell its own story about what neighborhoods share in common. And what makes us unique when
compared to surrounding communities.

And let me just say, so briefly some of the things that are also important of community of
interests, safety, civic engagement as well as honesty and equity. And all those things that have been
previously said.

And I wish to thank you for convening this. And one last thing, it's an unfortunate situation
where this was not held later this afternoon so other people who could attend and give their input as
well.

And I wish to thank Senator Davis, Representative Smith, others on the voting and the redistrict
committee for allowing me and others to share our input. Thank you.

Senator Jim Perry (00:44:15):
Thank you. Miss Smith, Mr. Thompson and then Mr. Keith Cooper.

Sandy Smith (00:44:23):
Good afternoon. Thank you so much for coming to Pitt County. My name is Sandy Smith. I'm a resident
of Pitt County, a business owner and a property owner. I'm going to do something that hasn't been done
today and I'm going to say thank you for making some huge inroads in regards to our redistricting maps
on the congressional side in 2019.

We need to continue looking at our congressional maps to make them more reflective of our
community. For example, eastern North Carolina is definitely more rural than Durham and Raleigh and
places over in Charlotte.

We need to make sure that we are drawing these districts so they are reflective. For example,
we used to have Durham in the first district. And a lot of the residents here, we felt very disenfranchised
because we were neglected.

We feel that's an exact reason why we do not have broadband internet. Why we don't get
business incentives here is because we were neglected because our leaders were focused on the urban
areas and more not really aligning with our rural area.

So if you could, continue that progress. We appreciate that as a community. We do want these
districts to be drawn compacted so we are voting for the same people as our neighbors are and that are
not split a street right in half or a county in half, things like that. Thank you again so much. God bless you all.

Senator Jim Perry (00:45:49):
Thank you. Mr. Thompson, Mr. Cooper and then Mr. Mark Parker.

Marcus Thompson (00:45:57):
Thank you for having me. My name is Marcus Thompson. I'm a longtime resident of both Martin and Pitt counties my whole life. And I've already gone on the record in other places saying that we need more hearings. The times of these hearings should be set so that people who work can attend them.

There should be a virtual option for safety. And most importantly, there should be hearings after the maps are drawn so that you can hear from the people after that.

But I just wanted to take a moment and just think about the people who are here now. The people who have been speaking at all of these events across the state. Why are these people here? They're here because this is a crazy issue, redistricting, only happens 10 years.

But people are here because they care about this issue. And for everybody that's here, there's a group of people that couldn't make it to this meeting that they, too, care about this issue.

And so you have an opportunity now. My question to you is do you really respect the people who have come to these meetings? Do you respect them? Do you really represent them? Because if you do, then it will be represented in the process that you have going forward, whether or not you care about what these people have come down here and said.

And it will be reflected in the maps that you draw. North Carolina is a 50/50 state. It's a purple state. So I truly believe that we've had court cases. We had Democrats gerrymandering, Republicans gerrymandering, and court cases. Aren't we tired of that? Aren't you tired of that?

The opportunity that you have right now is to put all that stuff aside and to just draw fair maps. North Carolina is a 50/50 state. If you have good people, good ideas, you will win. Regardless of what party it is, your party will win. You don't have to gerrymander. You don't have to cheat. You just have to draw fair maps, have good people, have good ideas and we all would benefit from that. We all would benefit from that. And that's the people really want.

So if you care about the people of this state and you really respect them, you will draw fair maps, run good candidates and then, we'll all benefit.

Senator Jim Perry (00:48:09):
Thank you. Next is Mr. Cooper, then Mr. Parker and then it looks like Mildred [Surnow 00:48:19], I hope I didn't pronounce it-

Speaker 2 (00:48:21):

Speaker 4 (00:48:21):
Council.

Senator Jim Perry (00:48:23):
Mildred Council. I'm sorry, thank you. [inaudible 00:48:30]

Keith Cooper (00:48:31):
Good evening. To echo what the previous speaker just said, sometimes I believe that some members of the community should get together and purchase copies of Merriam Webster dictionaries to send to all the legislators in the House and, of course, the state Senate so that they can look up the meaning of equity, equality and basic fairness.

But let me also say that drawing maps for redistricting purposes has been controversial for decades. We too often hear that legislators may try to score partisan advantages by supporting maps scarred and tainted by cracking and packing, gerrymandering terms.

Cracking, of course, means diluting voting power of the opposing party's supporters across many districts. My minute is up already.

Senator Jim Perry (00:49:34):
You get two.

Keith Cooper (00:49:37):
Okay, across districts. Packing means concentrating the opposing party's voting power in one district to reduce their voting power in others.

By now we know that it is illegal to redistrict in a way where race is a predominant factor. This typically means, at least in North Carolina, [inaudible 00:50:02] other parts of the country that black folks and various other people of color would be relegated to certain districts so as to dilute our vote and influencing elections.

Remember Cooper vs. Harris in 2016 when the District Court determined that race was the predominant factor motivating the redistricting plan. And therefore, that the redistricting plan was unconstitutional, racial gerrymandering that violated the equal protection clause.

And also remember that this is not a good thing to do. Racial gerrymandering. And let us send packing and cracking packing and work towards a more equitable way to redistrict while respecting pluralism and racial and ethnic diversity. Thank you very much.

Senator Jim Perry (00:51:06):
Thank you. Mr. Parker and then Miss Council.

Mark Parker (00:51:13):
Good afternoon. Buenos tardes. My name is Mark Parker. I represent CARE. And the one thing I want to say is just dare to be different. We have this tradition in North Carolina. It's time to be different. We've done it the old way. It's time to do it another way. Reckoning as defined as a settlement of an account, a bill is due.

There's a bill due. And the representatives of North Carolina have to pay that bill. We've all said the same thing. Everybody's thinking the same thing. We know the crazy uncle in this room. Its name is gerrymandering. We don't want that crazy uncle for North Carolina anymore.

Dare to be different. We all really came here to see something on that screen to talk about versus just saying how we feel. And see if okay, what are the options? We don't have any options right now. We don't have any information. So you're just hearing from us.
We need you to be more visible in our communities. Not just when it's a primary. Not just when it's election time. We need true, honest communication. Give me the good, give me the bad, but don't belittle my intelligence. We need to change right now.

North Carolina is the joke of the country. If you go all over the country, ex-military, I've been everywhere, we always talk about North Carolina. We're always in the news.

Everybody think of us as yokes, hicks, whatever. Because of all the stuff that goes on. We need to make a change. And the change start with you guys. We're ready for change. Everybody's saying the same message. We are ready for change. And the only way we're going to get the change is you guys have to pay the bill and settle this account. Thank you and gracias.

Senator Jim Perry (00:53:13):
Thank you.

Mildred Atkinson Council (00:53:20):
Good afternoon, representatives from the North Carolina General Assembly. We appreciate giving this opportunity. I am Mildred Atkinson Council. And I am a former elected official. Served 29 years in this community. 22 on the Greenville City Council and six years and nine months on the school board.

So my issue today is a little different. I have been a victim of being deliberately drawn out of my district when I was on the Board of Education. And that was between 2012 and 2018. As a candidate at that time, my name was not on the ballot when I got ready to go vote.

So therefore, I lost at least three votes. My vote, my husband, Walter's vote, and my son, Logan's vote, who at the time, was in Greenville. He's a diplomat so he was here for that time at home.

So I just want to say to you today, I'm representing four organizations. Vice President of the Pitt County Democratic Women, President of the Pitt County Chapter of Shaw University National Alumni Association which covers five counties. Beaufort, Hyde, Green, Martin and Pitt counties. And the Eastern North Carolina Regional Association of Black Social Workers who's been in this region for 46 years. And then a social worker by profession, retired now.

We know what the deal is and we want you to continue to represent us well through this redistricting process.

And lastly, I'm representing being a volunteer leader of the Pitt County 4H All Stars Club. I continue to work with youth. We're grooming them so they can be like you one day. So thank you. My last thing is to say draw those lines fairly and get it right for the first time in North Carolina because I've been through three of these and I've been giving my opinion. Thank you.

Senator Jim Perry (00:55:41):
Thank you. Is there anyone in the audience who signed up to speak, but maybe came in late and I missed hearing your name. Please come up to the podium and state your name? Thank you.

Brenda Fairfax (00:56:04):
Good afternoon. I'm Brenda Fairfax. Greenville is my home. I left here in 1970 when we didn't have an opportunity to speak. Today, to think in 2021, we're facing this issue of redistricting. I'm going to say something that probably no one has said.

I think Pitt County should be kept whole. If you look at Greenville Boulevard to the north, there is one district. If you go south, there is another district. Pitt County should be kept whole.
When we go to the polls, citizens are confused. They don’t know where they’re supposed to vote and who they’re supposed to vote for. I also think we need one representative that we can go to for cohesiveness and speak with one voice. Thanks for being here.

Senator Jim Perry (00:57:02):
Thank you. Is there anyone in the audience who did not sign up to speak, but is here now, hasn't spoken yet and would like to speak.

Bobby Weatherly (00:57:11):
[inaudible 00:57:11

Senator Jim Perry (00:57:13):
Please approach the podium and share your name with us please.

Bobby Weatherly (00:57:18):
My name is Bobby Weatherly. I'm a resident of Greenville and Pitt County. I am a newcomer relative to North Carolina. So I am a North Carolinian by choice. And I affirm that choice today.

First and perhaps foremost in my mind, I would like to respectfully you guys and ladies to draw some lines that don’t pack African Americans in one single district. That violates, in my heart and mind, everything that the word fairness and equity means.

Today, you've heard we the people. I'm one of those. And I'm also here that the people that I'm privileged to serve, they tend to be marginalized, poor, suffering some conditions that are just bad because of the color of their skin.

That does not need to be a part of our government and our political process at all. Clear the boundaries. In the process, we beg you to be transparent. And as I don't think I've heard anything this afternoon that I disagree with, but a transparent process and let us see some maps before some final vote that we can then come here to comment. Thank you very much for being here and for hearing us and I know the word stop.

Senator Jim Perry (00:59:22):
Thank you. Anyone else in the audience who'd like to speak, please approach the podium. State your name and the organization you represent if there is one.

Ricky Hines (00:59:33):
Good evening. My name is Ricky Hines. I'm Mayor Pro Tem for Winterville. And I'd just like to thank you all for coming to Winterville. And just you to be transparent on the maps that you draw. As you can see, today you have a variety of people and they all bring great concerns. So please take that back and make sure that you're just transparent. Thank you.

Senator Jim Perry (00:59:57):
Thank you. Anyone else in the audience who would like to speak, please raise your hand? One additional speaker. Please approach the podium, state your name. If you represent an organization and you'd like to share that, please do.
Speaker 36 (01:00:17):

Good afternoon, everybody. My name is [Cyene 01:00:19]. I'm a resident here in Winterville, North Carolina. I'm also here with the Black Voters Matter, but I'm here just representing myself. I've been living in Pitt County since about 2010. This is home to me now.

And I saw what happened during the aftermath of President Obama's election in 2010. And how we went through this whole fiasco. Like my friend Marcus said earlier, like there's no reason to go through the whole process through the courts. There's no telling how much this state actually pays when you have to go to the courts back and forth.

The truth of the matter is if the fear is that packing black voters because most likely they may vote Democrat so you can keep a Republican majority, if that's the case, that's not really true because African Americans and people in general are not monolithic people, right?

We all think differently. So really I just want to encourage folks to remember, number one, just to be fair. But secondly, after the maps is done, like let’s do this again. And this is a good first step. I give everyone credit. I thank everyone for being here.

Lastly, a few more things, Pitt County, currently, according to the census data, we have about 180,000 people within our county. So that means that we really should just be one congressional district.

I can say at least the last two or three times I voted, there was different candidates for my congressional office. So it should be one congressional district, that's number one.

And number two, and property, as far as Greenville, can most likely be one senate district. So the idea is to keep it compact, keep the continuity and just be fair, thank you.

Senator Jim Perry (01:02:01):

Thank you. Any other hands in the audience. Okay, I want to share a little information with the group, if I could. I'm going to give you a website address where you can get a lot of really good information. A lot of history. You have previous maps that the state has drawn and used over the years.

Also, there is a public comment can be made at any time on the General Assembly website. And if you go to ncleg. N-C-L-E-G.gov. So N-C-L-E-G.G-O-V/redistrict. So if you go to that section of the General Assembly website, you will see every map that's ever been used over the last, I think, 30 years or so. Don't hold me to that.

But you'll see the members of the redistricting committees for the House and the Senate. There's also, you can access and view all of the public hearings on the site. So they're posted about the day after. So you can see the meetings from other areas of the state.

I believe when we get to the redistricting process, you'll see additional information added in a very timely manner there.

So once we begin this, I would encourage you to visit on a daily basis. To look for updates. It's very informative.

I would just like to take a moment of personal privilege and thank you for being here today. But more than that, I want to thank you for the manner in which you conducted yourselves, shared your feelings. We joked with our Sergeant at Arms and our General Assembly police who are here with us that we didn't really need them in eastern North Carolina. We're a little different down this way so give yourself a hand. We appreciate you being here and your interactions so thank you.
I know that it's been probably a long day for some of you. We heard about some of the drives, but again, on behalf of my colleagues, thank you for being here today. Thank you for your feedback. We look forward to your continued feedback and following along on that website as this process continues. And with that, I declare this meeting adjourned, thank you.

Speaker 4 (01:04:38):
Don has great hearing. That's where the mikes are. [inaudible 01:04:43].
Senator Chuck Edwards (00:00:00):

Everyone, we appreciate you taking the time to be here. This is a public input session and there is a joint committee of the House and Senate on redistricting. This is not that committee meeting. This is the house redistricting committee and the Senate redistricting committee meeting jointly. I would, before we get started, I'd like to thank the Senate Sergeant at arms. And if you'll raise your hand and be recognized as I call your name, so everyone will know who is here that's responsible for helping us keep order I would appreciate it. Terry Barnhardt from the Senate, from the house we have Jonas Cherry.

Jonas Cherry (00:00:51):

Yes, sir.

Senator Chuck Edwards (00:00:52):

And Stafford Young. I'd also like to thank and recognize from the general assembly police Officer Barkhaffer and Officer Torres.

Thank you for making the trip. I'd also like to take the opportunity to thank all of the general assembly staff. Most of which are out in the hallway that helped organize this meeting. A key person is directly behind me as well. I hope you all enjoyed your trip to the mountains. You can see now why on Thursday afternoons, I'm always in a hurry to leave the general assembly and get back here into this wonderful country.

Speaker 1 (00:01:42):

Who are you?

Senator Chuck Edwards (00:01:44):

Oh, I'm sorry. My name is my name is Chuck Edwards, Senator Chuck Edwards. I represent District 48, Henderson, Transylvania, and Buncombe County. And I also sit on both the joint oversight committee for elections and redistricting, as well as the Senate elections and redistricting committee. So yeah. Thank you. Thank you for reminding me.

I appreciate all of you being here this afternoon for taking the time to provide us feedback on a very important process, a historical process to redraw the maps under which the general assembly and our Congress will run under for the next 10 years. Many of you are here to speak, and we appreciate the opportunity to hear from you. Many of you are here just to listen and show an interest in the process. And I thank you for taking time to be with us as well. I appreciate all of you taking time and recognizing the opportunity and the importance in participating in your state government. And I hope that you recognize the efforts that the general assembly has taken to get out to all 13 congressional districts, and to hear from the public directly on the ideas that they may have in embarking on this process.

I noticed that some of you have some signs in the audience and that's great. You're welcome to keep those with you. I would ask that you keep them below your chin so that we don't obstruct the view of the folks behind you. And I'd also like for each of us, just to take a few seconds through this process this afternoon to reflect on the benefit that we have in participating in a system like this. Isn't it great that we're part of a government where we can have a voice, where we can have a say, where those folks that govern will listen, and that we can collaborate on such an important process. I would like to also introduce the folks that are here from the general assembly to participate in this.

We have Representative Carney. We have Representative Clampitt. We have Representative Pless, and your name's escaping me because of the mask.
Representative Gillespie (00:04:25):
Representative Gillepie.

Senator Chuck Edwards (00:04:26):
Oh, Gillespie. And we have Senator Mayfield down on the end. I appreciate all of you being here to listen firsthand and to show interest in this process. With that, we're going to move directly into the public input session. You may recall that there are two ways that folks could register to provide us input this afternoon. An online enrollment process began about a week ago and it ended at 1:00 this afternoon. I have all of those names in front of me. It's quite a lengthy list. I hope all of these folks are here and we're happy that they did sign up and then beginning at 4:00 this afternoon, you could sign up right outside. And I understand that the folks outside the door are going to continue to take signups and continue to hand me sheets as we continue through this process.

So with that, let's get started. I'm going to apologize right up front if I mess anybody's name up, please just correct me. If I mispronounce a name and as you come up, if you would introduce yourself, and if you're representing any particular group, if you would tell us that. So I welcome first to the podium, Jake Quinn. And before you get started, we've agreed beforehand that each speaker will have two minutes. So if you can hold it to that, we'd appreciate it, Mr. Quinn.

Jake Quinn (00:06:13):
Thank you. Good evening general assembly members and staff. And thank you for this opportunity to address the subject of redistricting in North Carolina. My name is Jake Quinn. I am a Buncombe County resident, and I welcome your invitation to share my testimony with you. I rise here to challenge you to accomplish a feat of uncommon strength. Offer North Carolina a set of maps that does not beg for judicial review. Give us districts where people can say that while they themselves might have drawn them differently, they see nothing inherently unfair in the general assemblies maps. Please exorcise the ghost of Thomas Hofeller. Now, I view that as a hefty challenge in light of what we've seen over the past decade, but it is one that I pray that you will accept and meet.

Since 2013, we have seen North Carolina have to defend numerous sets of maps at a cost of millions of dollars in legal fees. And we lost about every case. Add to those millions the enormous costs that the state and 100 County boards of elections have to bear updating their databases and voter records and notifying every affected voter after each new law and each new court decision. Unconstitutional maps are expensive. The changes confuse and alienate voters and the inconsistency and disruptions undermine our electoral processes. The legitimacy of Republican democracy hinges on the fairness of the process by which the people choose their representatives. And so my challenge to you is to support a healthy, robust electoral process that sees its stability enhanced by a set of maps that North Carolina, all of North Carolina will see as fair. Thank you very much.

Senator Chuck Edwards (00:08:21):
Thank you, Mr. Quinn, it occurs to also I'm missed thanking a significant group of folks, and that's the staff of Western Carolina University. We appreciate you welcoming us to this beautiful facility and being so hospitable. Thank you, Jane Kanig.

Jane Konnig (00:08:48):
Konnig.
Senator Chuck Edwards (00:08:48):
Jane Konnig. Thank you, Ms. Konnig.

Jane Konnig (00:08:53):
Yes, it's Jane Konnig. I'm from Canada precinct down the road in Jackson County. And I want to talk about the 11th congressional district today. It's one of the largest districts in the entire state, 16 and a half counties, really only matched by, I think it's number three on the other far end of the state. It's a lot of territory for one person to cover much less to cover well. Numbers wise and I sat down with the 2020 numbers, thank you for putting them online for us. Current population in North Carolina is almost 10 and a half million people. You've got another congressional district at it because we've been so successful at attracting more people. So you divide that by 14 districts and you get 745,000 in some. Oh, thank you. Which ranges from 708,300 some to 782,000 based on your criterion of a plus or minus 5% around the mean population. The current population of NC 11 as it stands today is 5.8% over the mean. So something's got to go. Two things that came up that seemed easy to me. One is to take out McDowell County that would bring us down to 744,000 in sum which is per perfect. Another option, if we are trying to stick with keeping our counties whole is to take out that little half of Rutherford County and maybe attach either Polk or Avery to it, which would also bring us within the range around the mean. So that's what I would like to suggest.

Senator Chuck Edwards (00:11:03):
Thank you, Ms. Konnig. Next on my list. I see Bert Bertremis. Bertram says, Bertram says. Is that a person? Their organization is Bertram Says. All right, we're going to skip over that one for now. What about Graham McGuffick.

Graham McGuffick (00:11:42):
Thank you. My name is Graham McGuffick. I currently reside in Asheville, North Carolina, Buncombe County though I lived in Jackson County here for six years and have a 24 year old son born at Harris Regional down the road here. I'm here representing a political action committee. We have a project out there called firemadison.com. Our only goal is to fire Madison Cawthorn. During the previous decade, NC 11 was one of the worst gerrymandered districts in the state, and even the country. Splitting traditionally progressive Asheville in order to make what had been a fairly purple district into an incredibly red district is an example of the worst in extreme gerrymandering. And though NC 11 is now not so badly gerrymandered. It's a cautionary tale for the negative impacts of gerrymandering.

We've done it. And the Republicans, who most definitely have done it. And that isn't good for anyone because most people in any district are closer to the middle than to the extreme fringes. The gerrymandering put into place by the GOP majority of the North Carolina general assembly in 2011, led to Mark Meadows winning the GOP primary, and then the general election in 2012. He was known as one of the most conservative members of Congress over his seven years in office and his replacement Madison Cawthorn, with little job experience, no educational background, and completely unqualified for the job is possibly even more conservative and completely ineffective.

Both were elected as a direct consequence of extreme gerrymandering. We are a purple state. Thanks Jake. Our representation in DC and Raleigh should reflect that. Aren't our elected officials supposed to represent all of the people in their districts, not just those who voted for them? I asked the
members of the house redistricting committee and the Senate redistricting and elections committees to allow the people of North Carolina to select their representatives and not vice versa. Thank you.

Senator Chuck Edwards (00:13:55):
Myrtle Schrader.

Myrtle Schrader (00:14:02):
Hello, I'm Myrtle Schrader. I'm a resident of Cullowhee. I've been here since 1968, and I ask you to please redistrict Jackson County with no division. In fact, keep all of our Western counties hold, draw fair maps so all votes are counted with equal weight in determining the winner of any election. Presently, gerrymandering makes some votes count more and other votes to count less in determining which candidate is elected. All of the people's voices need to be heard. All of the constituents in each district needs to be represented by a winner. Democracy can only ring true and even exist if the electoral process works fairly and voters trust it. The computer tools are now available to make North Carolina true to our state motto, to be rather than to seem. The Tar Heel State used to be a leader on so many fronts, make the right to vote in fair elections a reality for all of our citizens. Thank you.

Senator Chuck Edwards (00:15:25):
Roy Osborne.

Roy Osborne (00:15:31):
Thank you for being here and thanks to Western for hosting this. My name is Roy Osborn. I'm a resident of Cullowhee, North Carolina. Gerrymandering is typically a contentious voting issue and political parties historically have used that technique to ensure that certain, excuse me, districts, within a specific voting district boundaries favor their candidates to the extent that their candidates will win an election regardless of their opponents merit or the will of all the people being represented. That being said, now today is the perfect time to begin a new using nonpartisan committees and analysts to choose redistricting criteria that enable legitimately unbiased voting districts and to implement the criteria by drawing fair and equitable nonpartisan voting districts at the local, state, and national levels. The same computers that provided surgical solutions to gerrymandered districts in the past can also be used to construct surgically fair districts that are much closer in constituent party distribution than the 5% criteria used for the current redistricting plan.

Thank you. Competitive districts mean that candidates will be obligated to solicit votes from all district constituents because one can't win without convincing more than half the voters of one being the best candidate. That is true and trustworthy representative democracy, elected officials who represent and are accountable to all the people. Best of all, fair and competitive elections mean no elections are called minutes after the polls closed. Instead we watch the election returns with baited breath until most or all precincts are counted and will make those cable TV pundits stay up all night guessing the results. Thank you.

Senator Chuck Edwards (00:17:20):
Thank you, Mr. Osborne. Ninah Tavish.

Nina Tovish (00:17:42):
My name is Nina Tovish. I live in Buncombe County. Democracy depends on people's trust and confidence in the legitimacy of our institutions and the foundation of those institutions. The bedrock of that trust is the fairness for our elections. Democracy cannot survive if voters feel disenfranchised. Democracy cannot flourish if voters feel that elections have forgone conclusions. Democracy not be sustained if the electorate believes that nothing they do has a chance of making a difference.

You've heard this before. Why should I vote? My vote doesn't matter. People say this both when they're in the minority and when they're in the majority. Democracy, where a high proportion of eligible voters don't participate, isn't really a democracy. Faith in the political system is at a low ebb at the moment. Cynicism is rampant. Money seems to rule and people entrenched in positions of power seem willing to do just about anything to remain there.

A vital first step is to restore voters' confidence in elections. That means undertaking an open and impartial redistricting process. That means entrusting districting to a commission that doesn't have skin in the game. Give people a reason to believe in democracy. Let them know that their participation matters. Help rebuild people's faith in free and fair elections. I believe we are at risk of losing our democracy and redistricting can either contribute to saving our democracy or hasten its downfall. Thank you.

Senator Chuck Edwards (00:19:21):

Matt Ballance (00:19:55):
Good afternoon. My name is Matt Ballance. I'm the chair of the NC 11th Congressional District Democrats. I want to thank the committee members for being here today and listening to the needs and wants of our community here inside of District 11. I live inside of Henderson County in District 11, and there's a lot of eloquent speakers in this room that are going to hit on a lot of points. And one that I'm already hearing right off the bat is the issue of keeping our counties whole. There are so many examples right here inside of District 11, where lines have been drawn in a way that cut our communities and our counties in half. Currently the line between the 11th and 5th congressional districts split Rutherford County right down the middle. On a state level, the majority of Haywood County is currently inside of house 118 while Waynesville is carved out and placed inside of 119 away from the rest of the county.

Likewise on the Senate side, Northern and Eastern Buckham County is placed into NC Senate 48. While the rest of the county is represented by Senate 49, the splitting of counties causes a lack of clarity and confusion for the constituency regarding who is representing whom and keeping counties whole assures that the needs of the different communities located within our counties is heard. Instead of placing a partial slice of Buncombe County inside of Senate 48. I think there are things that could be done such as making Buncombe whole inside of Senate 49, and then offsetting the change by placing Polk County inside of 48 instead of 47th. The needs of the electorate in Polk County are much more aligned with those in the other southern border counties of Transylvania and Henderson County than they are with those of the northern border counties of Mitchell, Yancey, and Madison County. We have to keep our neighbors with our neighbors so that our voices can be heard on a collective ear. Those are our concerns. You're going to hear a lot more, much more eloquent than I, thank you for your time. I appreciate it. All right.

Senator Chuck Edwards (00:21:43):
Thank you, Mr. Balance. Next up I'd like to invite Kathleen Barnes.
Kathleen Barnes (00:21:59):
Hello. My name is Kathleen Barnes. I'm secretary and political action chair of the Transylvania NAACP. I'm most concerned about the North Carolina redistricting process as it has already presented itself and in a way that is logical to anticipate how this will play out. First is this hearing itself. I'm speaking with you face to face with scores, maybe hundreds of other people in the room, despite the risk of COVID spread. Some people are unmasked. It is that important to me to be here. You made no provision for live streaming in this hearing and public comment. This shows an extreme disregard for public health. I drove here today from Transylvania County. It took us two hours to get here. You set this hearing in location in the 11th congressional district that is remote and accessible to the public only with great difficulty, on a workday, at 5:00 PM. This made attendance untenable for working voters.

This is an unpromising start from a committee that promises it will draw fair maps. This in fact makes it abundantly clear. You do not intend to draw fair maps at all. Then there are those maps. Well, those nonexistent maps at this moment, even though it's been barely more than a month since the official census results were released, it has been known for nine or 10 months or more that North Carolina has gained population and new districts would need to be drawn. Do you really expect the people of North Carolina, the ones who elected you to believe that you haven't drawn anticipated maps or even several versions? And how can we, the people, comment on maps in these sham public hearings, if we can't see them and it appears we will never have an opportunity to comment on the actual maps because there are no further public hearings scheduled after they are released. So now I cannot comment on the maps. No one can. I can only comment on the process. This process is flawed beyond redemption. It foretells a gerrymandered North Carolina that does not represent all of our communities.

Senator Chuck Edwards (00:24:06):
Thank you, Ms. Barnes. Next I'd like this call CJ Breland, CJ Breland.

CJ Breland (00:24:27):
Good evening. My name is CJ Breland. My husband and I have lived in Asheville for 21 years. I retired from teaching high school two years ago. We vote in every election. It is clear that congressional district 11 will need to be redrawn based on growth reflected in the 2020 census. And I believe that the majority of people of western North Carolina will be better served if the counties of Polk, McDowell, and the portion of Rutherford are removed and Watauga is added to District 11. Watauga County shares our topography, environmental concerns, and the joys and stresses of tourism. We not only share the beauty of our mountains, but also the challenges of maintaining mountain roads and other infrastructure in a changing climate. Watauga shares our dilemmas about how to deal with increasing tourism without destroying the natural beauty tourists came to enjoy. In addition, Appalachian State University is located in Watauga County.

District 5, Watauga's current district has many fine in community colleges, but App State is the only four year public university. In District 11 ASU would join UNCA and Western augmenting the voices of those advocating for four year colleges and the students who attend them. Subtracting Polk, McDowell, and the current sliver of Rutherford County then adding Watauga gives District 11 the ideal population for a congressional district. I did the math. I request that you consider this option. Also, my husband and I drove more than an hour to get to this meeting. I urge you to schedule virtual meetings so that more people in North Carolina cities will have the opportunity to express their opinions to you out loud. Thank you for being here. Thank you for letting me speak.
Senator Chuck Edwards (00:26:19):
Thank you. The chair would like to ask the Sergeant in Arms assistance. When you indicate a card with a time on it to the speaker, would you also flash it to me so I can keep track of where we're at. Thank you. Daniel Perlmutter.

Daniel Perlmutter (00:26:45):
Thank you. My name is Dan Perlmutter. I'm a resident of just the next valley or hollow or cove over in Jackson County. My wife and I have been here for over 30 years. There are several things I'd like to address, but given the shortness of time, I'll make this quite short and take a different tack. We are going to experience an amazing change in terms of our environment. And I'm not sure whether people recognize that the lines drawn for the various districts should represent the physiognomy of the area. In other words, mountains, piedmont, or coastal, and we are going to need the expertise and the solutions that arise from good higher education institutions. And we have had them mentioned already, and Western Carolina is one of them, but I'm most concerned about Asheville. I want the integrity of the UNCA and the community colleges in that area kept whole by keeping the entire area whole. So when this tidal change of climate change affects us, we will have the expertise in our area to help us deal with it. Thank you.

Senator Chuck Edwards (00:28:28):
Sadie Wuckert. Sadie Wuckert. Sadie Wookert. W-U-C-K-E-R-T. All right. We'll move on to Cynthia Faircloth Smith.

Cynthia Faircloth Smith (00:28:53):
My name is Cynthia Faircloth Smith, and I moved to Jackson County in 2012. My husband and I made a home here and quickly became a part of this welcoming-

PART 1 OF 4 ENDS [00:29:04]

Speaker 2 (00:29:00):
Home here and quickly became a part of this welcoming community. I began teaching as an adjunct English instructor at Southwestern Community College. And the first assignment this flatland's girl received was a critical reading class at Blue Ridge Early College in Cashiers, located at the Southern end of the county, but at its highest point accessible only by 25 minutes of winding roads, cascading waterfalls, and fall to your death cliffs. In short, I fell in love with the drive through Shangri-La and was transported to another world each time for six years, I traveled up the mountains. I provide this personal narrative to emphasize how important it is to keep north and south Jackson county together as you face the task of redistricting North Carolina. While the Cashiers, Glenville, Sylva, Dillsboro areas seem like two separate entities, they are not. For example, our county commissioners are comprised of four elected officials from north Jackson and one from south Jackson who work as a unit to ensure the wellbeing of all Jackson citizens.

Recently when Mark Jones was elected to the commission, he promised to support the revitalization of Blue Ridge school, but that cannot be accomplished without the support of fellow commission members representing north and Jackson county. I respectfully ask you, you that you keep Jackson county whole in your plans to redistrict. Since the citizens of this county see themselves as a unit politically, socially, educationally and culturally, despite the geographical boundaries punctuated by
winding roads and different elevations because the welfare of Jackson county hinges upon these efforts. Please keep it together.

Senator Chuck Edwards (00:31:00):
Thank you, Mr.s [inaudible 00:31:01]. Mr. Ted Carr.

Ted (00:31:13):
Thank you Mr. Chairman. Ted Carr from Haywood county. Two points quickly. I think it is unconscionable that the district team will be based on a census... 2020 census that made no distinction between US citizens that can vote and a illegal who cannot vote. But clearly the majority of not voting in population benefits the larger counties and therefore our Western counties are disadvantaged by that.

Second point. The laws that have been adopted for this redistricting follow the US constitution. And in that regard, I think there should be no change in those requirements late in the game. Thank you very much, sir.

Senator Chuck Edwards (00:32:20):
Thank you, Mr. Carr. The chair calls Cody Lewis. Cody Lewis.

Cody (00:32:33):
Thank you. Good afternoon. I'll keep this as concise as I can. I'm not a huge public speaker. My name is Cody Lewis. as you just said. I'm a ninth generation resident of Jackson county. My family's homestead is just across the mountain that they homesteaded in 1795. Currently, I serve as the chairman of the Jackson County Democrats. So in that capacity, I would like to implore to you to keep Jackson county whole and keep all counties whole. That long history in Jackson county has shown me and shown, I think, everyone in this room that issues that face county face entire counties, not portions of counties, not municipalities within counties, especially in the Western half of the state. And I think any fiscally conservative member of the house or of any legislative body should try to avoid adding to the $7 million in tax payer debt we have accumulated during the court cases involved with gerrymandering over the last seven to eight years. Thank you [inaudible 00:33:35]

Senator Chuck Edwards (00:33:34):
Thank you Mr Lewis. Sharon Withrow.

Sharon (00:33:50):
My name is Sharon Withrow and I'm here on behalf of The League of Women Voters of Asheville, Buncombe county and The League of Women Voters of Henderson county. I took time off work and drove an hour to be here since this is the only public hearing on redistricting you scheduled in Western North Carolina. Please remember that many of your constituents were not able to overcome logistical challenges to be here this afternoon. The League of Women Voters believes that districts should not intentionally favor or disfavor any individual or political party and should not be drawn to protect incumbents. Legislative districts should be compact and contiguous. Districts should avoid splitting cities, counties and communities of interest, such as university campuses. Until a lawsuit forced the redrawing of districts, there were two dormitories at UNC Asheville that were split between congressional districts.
If you lived on one side of the building, you were in the 10th congressional district. If you lived on the other side, you were in the 11th congressional district. When I would do voter registration among UNCA students, I could not look at them and tell them that this was an example of good governance or the responsible use of power. This kind of gerrymandering leads to cynicism among voters, as well as unaccountability in politicians. Gerrymandering also leads to lawsuits. The maps drawn in 2011, led to the expenditure of almost $11 million defending the maps in court. Regardless of your political priorities that money could have been put to much better use on behalf of North Carolina citizens. Fair voter maps will reduce the impact of litigation on the people of North Carolina. Finally, The League of Women Voters is asking for more public hearings after the draft maps have been proposed so that citizens can give informed feedback. Thank you.

Senator Chuck Edwards (00:35:53):
Thank you, Mrs. Withrow. The chair would like to recognize Jeffrey Rose. Jeffrey Rose. Is there a Jeffrey Rose in the room? All right, we will move on to Avram Friedman. Welcome Mr. Friedman.

Avram (00:36:24):
Hello, I’m Avram Friedman. That’s how you pronounce it. And I currently serve as the chair of The Political Action Committee of the Jackson county, North Carolina branch of the NAACP. Thank you to the legislators who are holding a series of public hearings throughout the state with the stated purpose of including the input of citizens in determining fair congression on legislative districts in North Carolina. But let me be clear in saying that I and many others see and feel the deep injustice embedded in the existing districts that have been drawn in North Carolina that have resulted in an unrepresented of apportionment of power in our congressional delegation and in North Carolina general assembly. Make no mistake that the people you are supposed to be representing are unaware of the injustice and undemocratic practices that have been perpetuated by the current process of determining districts.

We know how the system is being manipulated to maintain the power of the current majority. And we know that you aren’t the first ones to do it. Gerrymandering has a long and sorted history in north Carolina and in other states, but it’s time to end the injustice. We now know how to draw our fair districts through a nonpartisan neutral process. We know because eight other states, both red and blue have already successfully developed redistricting processes using nonpartisan commissions to determine district boundaries. Along with this statement, I’m submitting to you a copy of the Arizona Statute that outlines their nonpartisan commission redistricting process as a Republican state. Please use this and research the other states with similar systems in place. I urge you to bring justice and democratic principles back to the North Carolina state government. You are wrong if you believe your constituents aren’t watching and don’t care about democratic principles. We do care and we are watching. Thank you.

Senator Chuck Edwards (00:38:34):
Thank you, Mr. Friedman. Thank you. I’d like to take a moment and recognize representative, Susan Fisher, who has joined us over here, in the beautiful yellow. Welcome. We’re glad you could be with us. And next up is Cameron Lail, L-A-I-L. Cameron Lail.

Speaker 3 (00:39:01):
[inaudible 00:39:01]

Cameron (00:39:01):
Hey, my name is Cameron. Is it on?

Senator Chuck Edwards (00:39:06):
Yes sir.

Cameron (00:39:06):
Thank you. My name is Cameron. I'm a resident of Haywood county. [crosstalk 00:39:11] Still not working. A small lag.

Senator Chuck Edwards (00:39:13):
They can't hear you.

Cameron (00:39:14):
Too tall.

Speaker 4 (00:39:15):
Thank you.

Cameron (00:39:16):
Area, can you hear me now? [crosstalk 00:00:40:05] .

Senator Chuck Edwards (00:39:16):
Better.

Cameron (00:39:18):
All right. My name's Cameron I'm a resident of Haywood county. North Carolina is one of the most extremely gerrymandered states in the country. As a North Carolina citizen, who has lived here my entire life, I ask that you and the rest of the general assembly, make sure my vote counts and that you do not use your power as representatives of the state of North Carolina unfairly by using the redistricting process to alienate voters, to stay in power. I recommend an independent, nonpartisan redistricting commission. This will keep politics out of the process and restore faith in North Carolina democracy. Gerrymandering is unamerican. It is wrong when Democrats do it and is certainly wrong when Republicans do it. [crosstalk 00: 11:05] Thank you. [crosstalk 00:11:05]

Senator Chuck Edwards (00:40:06):
Dr. Steve Woodsmall. Dr. Steve Woodsmall. Dr. Steve Woodsmall. All right, Leona Richard.

Leona (00:40:37):
Thank you very much. I'm Leona Richard and North Carolina is my home and I am a member of The League of Women Voters of North Carolina. And I drove here from chapel hill.

Speaker 5 (00:40:48):
[inaudible 00:40:48].
Leona (00:40:47):
After the 2010 census, The League of Women Voters recognized that voting districts drawn in 2011 were unfair and unlawful. The districts were the product of an obscure and secretive process that intentionally packed and cracked population groups diluting their votes to the advantage of the legislators entrusted with the task of producing the districts. The League joined other watchful and concerned organizations to take the cases to court and won the argument that the districts were purposefully drawn to minimize representation by race and to limit representation of the opposing political party. We are continuing to actively advocate this year for the fair districts to be drawn using the 2020 census data. The League is in favor of transparency and public input.

Only 10 public hearing locations, such as this one are scheduled for the state's 100 counties. Furthermore, it will be a travesty of additional public comment sessions are not provided after the draft maps are produced. At this time, only one public hearing for comment on draft maps to be held in Raleigh has been scheduled. Many organizations are asking for transparency in the process and an opportunity for adequate review and public input on draft plans. In 2011, there were 62 hearings in 36 counties convened before and after maps were drafted. 10 years later, we should be increasing transparency and not moving backward. Thank you for your consideration of this appeal.

Senator Chuck Edwards (00:42:30):
Thank you, Mrs. Richard. Jane Yokihama. Jane Yokihama. Feel free to correct me on that pronunciation.

Jane (00:42:47):
Thank you. And my name is Jane Yokohama. You said it correctly.

Senator Chuck Edwards (00:42:47):
It's all right.

Jane (00:42:51):
It's Japanese, but I am of course, a US citizen here. I want to thank the redistricting committee, all the legislators who came here as well as the north Western North Carolina staff, officers and everyone else who's here. So my name is Jane Yokohama. I live in Nashville, North Carolina. I live in Buncombe county precinct, 2.1 north Carolina state. Senate district 49. Assembly district 116 and US congressional district 11. My neighborhood consists of mostly retirees and young couples. I'm fortunate to live close to [inaudible 00:14:32] homes, public housing, historic [man friend 00:14:42] , UNC Asheville, and I'm walking distance to downtown. I'm an active participant of UNCA's lifelong learning Institute and North Carolina, Asian Americans together. Both of these organizations are nonpartisan honor and respect diversity and promote community service. I’m testifying tonight because I believe strongly in fair maps, and I'm happy that 2020 maps put all of Buncombe county and district 11.

And I request that it happens again. Buncombe county and Henderson county residents use the same businesses and other things so these districts should be kept together. And like the past universities and college campuses must be kept in the same district like [lies 00:44:19] counties, Jackson. For example, small cities and towns should not be split into different districts. This would cause confusion and break up long established communities. I also like [inaudible 00:44:30] being added to district 11 since we say share similar interests and issues. Fair maps reflect the political makeup of our state and keep communities whole, it starts with a fair process. That means these public hearings should be easily accessible to all north Carolinians before and after the maps have been drawn. I'm lucky that I
have time to leave mid afternoon and drive over an hour so I can testify in person. I speak for others in our community who are not as fortunate. Please let us have equal votes, equal voices and equal value. Thank you.

Senator Chuck Edwards (00:45:05):
Thank you, Mrs. Yokohama. The chair recognizes Carol Travis. Carol Travis. Is Carol Travis in the room? All right. We'll move on to Karen Smith. Welcome Mrs. Smith.

Karen (00:45:40):
Good afternoon. My name is Karen Smith. I'm the third vice chair for district 11 Democrats and I am also a resident of Macon county. I would like to voice my concern over the hearing schedule which has limited opportunities for comment and for not having a virtual option in a surging pandemic. I respectfully request the committee refrain from splitting counties or urban centers. Rutherford county has been split between US district 5 and 11. With regard to North Carolina house boundaries. Haywood county is in a situation where part of their county that includes Waynesville is in North Carolina house district 119 instead of 118 with the rest of the county. Please cluster Graham and Swain and Jackson in North Carolina house district 119 and put the whole of Waynesville in 118. As far as North Carolina, Senate boundaries are concerned. Buncombe has historically been vulnerable to a carve-out in the east and north to weaken the democratic majority of the county. Do not place a boundary that dissects any of our urban areas in Western North Carolina. North Carolina Senate district 47 should encompass Mitchell, Yancey and Madison.

Whereas Polk shares much more in common with Henderson and Pennsylvania in district 48. Our rural Western counties share many common interests and our urban centers are critical to those surrounding counties. NC-11 is fifth among state districts and income below the poverty line. And first in residents aged 65 years and older. Both populations need access to the types of services affecting fixed and low income populations. We are tied to Asheville for healthcare, which is under assault by for-profit entities, rendering our rural areas at life-threatening risk due to the lack of emergent care and OBGNs services. Affordable housing shortages and costs have skyrocketed in recent years, striving many who work in Asheville to the surrounding counties. We are concerned about how our community will deal with extreme heat as the climate changes. Keeping mountain watersheds intact is also important. Our elected leaders must be accountable to the voters of Western North Carolina. Thank you.

Senator Chuck Edwards (00:47:54):
Thank you, Mrs. Smith. Sharon Ramsey. Sharon Ramsey. Welcome Mrs. Ramsey.

Mrs.Ramsey (00:48:12):
Thank you. Good afternoon or evening. I'm Sharon Ramsey, a citizen of Macon county. First, thank you for traveling west of Asheville to hear our comments, we feel that most folks in North Carolina seem to think the state ends in Asheville. I wish there were more meetings scheduled. In 2011 there were over 50 meetings or opportunities to be heard on the issue of redistricting, a matter that will affect every citizen in North Carolina, whether they are a voter or not. I want the process to be transparent. Set up a website for the process, appoint an independent committee with experts. Then when they make their recommendation post the report and the data, obtain comments and hold another set of meetings such as this and add more venues and in the evenings and via zoom, which is easier for everyone to attend or to comment and let us see the proposed maps.
And then we do the right thing to make everyone's vote equal. Don’t split cities or towns or universities. Every person's vote should have an equal effect in the election. By drawing districts with surgical precision to obtain favorable outcome to one party, or to save the seat of a sitting official or to draw the district to primary an official you don't like, you disregard the votes of people and make a mockery of the process. Since the previous redistricting, in which we, the people of North Carolina have spent millions of state dollars in legal fees, funds that could have been spent on education, infrastructure or healthcare rather than on attorneys fighting to keep the gerrymandered districts that were drawn for political advantage. Please, no more secrecy and tricks. We spent enough time and money cleaning up what you did before. Thank you.

Senator Chuck Edwards (00:50:15):
Thank you, Mrs. Ramsey. I'd like to remind everyone that if you came here not intending to speak and you've changed your mind, we're still taking names outside the door, feel free to sign up. Gina Collias. Gina C-O-L-L-I-A-S. We will move on to Levi Sweat.

Sweat (00:51:05):
Good afternoon members of the North Carolina general assembly. My name is Levi Sweat as you already mentioned. I'm originally from Clayton, North Carolina. Currently I'm a freshman here at WCU representing the Student Democracy Coalition. We're a nonpartisan student organization dedicated to increasing voting, voter education and voting rights on campus and across the state. Thank you for giving me the opportunity to speak today. The NC general assembly redistricting committees have dedicated 13 public hearings to redistricting across the entire state. Many of these few hearings occur during the middle of the workday in the middle of the work week. None of these public hearings are being live streamed, even in the midst of a pandemic that's killed over 15,000 north Carolinians. Furthermore, all the scheduled hearings take place before the release of the newly redistricted maps. These factors make it incredibly difficult for North Carolina citizens to have their voices heard by a general assembly that has a clear and obvious history of gerrymandering and redistricting in the favor of the majority party. I ask you members of the NC general assembly and my fellow north Carolinians to consider who is missing here, fill up the empty chairs, the few that are here, with the single mothers, too busy working to provide for their family. To the elderly who stayed home out of fear of contracting COVID or those in Murphy in Cherokee county who couldn't make that hour and a half drive to their closest public redistricting hearing. Even though we're disappointed with these decisions, we at Student Democracy Coalition believe there's still an opportunity for the public's voice to be truly heard. We demand more opportunities for the public to testify. After the new maps have been released, we demand remote options for those who don't feel comfortable speaking in large crowds because of the pandemic. We demand future public hearings be live streamed. And finally, we demand more transparency about the redistricting process. Thank you for your time.

Senator Chuck Edwards (00:53:12):
Thank you, Mr. Sweat. I'd like to back up and make sure I didn't miss Gina Collias, C-O-L-L-I-A-S. I thought I heard a murmur from the audience after I had called that name. Is Gina C-O-L-L-I-A-S in the room? I suppose not. Boe Hess.

Boe (00:53:54):
Hello everyone. My name is Boe Hess and I am a current congressional candidate for north Carolina's district 11. Today I am making sure the commission commits to drawing equitable districts for
competitive, fair and free elections. My friends please make no mistake. Our freedoms and our
democracy are under attack. The assaults on our freedoms and our democracy are coming from within
our borders, within our state houses from people who claim they want less government intervention,
but only impose more and more government control. Let's all pause and ask ourselves a question. Are
we indeed a representative democracy if one party can essentially never be voted out of power? Or put
it in another way, if one party can write jurisdictions to their advantage to stay in power. If politicians
choose their voters, instead of the voters choosing their elected representatives, then our system of
government is no longer serving the needs of the people. In our representative democracy,

the voters are supposed to select the representatives we send to be our voice, not for partisan politicians to draw their districts in a way that takes away the ability for voters to make a competitive choice. To be clear, fair redistricting is not and should not be a Democratic or Republican issue. Instead, this is an issue of preserving our democracy and making sure that each person matters and each vote counts. Each person matters and each vote counts. Fair districts, make sure the will of the people is enacted and will ensure that all voters and citizens have fair and equal representation. We have too many vital issues in which we need practical input and collaboration. We need to be bringing people into the processes of civic engagement instead of working to disenfranchise voters. A bipartisan compromise now is to make this process transparent now. Implement a multi-party commission, overseen by a citizen advisory panel and a panel of judges now. Thank you so much for your time.

Senator Chuck Edwards (00:56:00):
Thank you so much. I'd like to invite to the podium Jean Tunnell or Jean Tunnell. Jean Tunnel or Tunnell.

Jean (00:56:14):
Yes. Thank you very much for being here all of you. People say Tunnell, and I say, "Well, that's that hole in the mountain that you drive through" It's got two L so Tunnell, but call me anything except late to eat. Okay. I am Jean Tunnell. I'm a member of the Jackson County Democratic Party, Jackson county NAACP. Much has been said already about gerrymandering. And I'm not going to rehash things that have already been said, but I would point out that elections are supposed to represent the will of all of the people. All of the people. Think about when people in our country, march, protest, rally so forth. Do they say, "We have the freedom to do this?" No. They say, "We have the right to do this."

That's what we say about our opportunity to vote. We have the right to vote. League of Women Voters, and several others have talked about the need for additional sessions like this. I would say amen to that. And I'd like to say, we need a fair, inclusive and transparent process. And here are the four ingredients I think that most of us could agree on that should be part of that process. Number one, disclose all criteria systems and data used in the process. Number two, have all drawings and revisions of maps done in public view. Number three, ensure quality, audio and visual broadcasting in public meetings. And number four, disclose any third parties that happen to be involved in redistricting.

PART 2 OF 4 ENDS [00:58:04]

Jean (00:58:00):
That happened to be involved in redistricting. We, the people deserve an opportunity to have a say on House Bill 437, the Fair Maps Act because that's what would establish the North Carolina Citizens Redistricting Commission and remove the process from the general assembly. Thank you. There are, no doubt, people of faith here of a variety of faiths who can relate to this statement, "Woe unto those who legislate evil and rob the people of their rights." Thank you, Mr. [inaudible 00:58:41]
Senator Chuck Edwards (00:58:42):
The chair recognizes Jeff [Grow 00:58:45]. I see him coming up over here. Hi Jeff.

Jeff Grow (00:58:50):
Folks? My name is Jeff Grow. I live in Fletcher, North Carolina. Want to thank you for the opportunity to speak. Also want to thank the general assembly for having these public meetings. This is our system of government in action, and I commend everybody here that's come out today to be engaged. We need more of that, not less. Redistricting this time around as a result of the census, adding a congressional seat is a good thing. North Carolina is growing. Unlike states like California, who are losing seats. There's a reason for that. Maybe fiscal responsibility plays a part, other political and social factors. Maybe the mountains have something to do with it, but there have been endless lawsuits on the maps over the last decade that have nothing to do with the growth in our state. It's about political power.

Through I speak for myself tonight as a regional captain for the Convention of States, a grassroots organization trying to use Article V of the US Constitution to reign in an out of control federal government and bring power back to us here in North Carolina, I have seen the voter confusion that has occurred due to the constantly changing state House and Senate district lines in particular, that is not good for our representative form of government.

It has to stop. The process by law is a general assembly responsibility. And I, in my opinion, it should stay that way because it to have an independent quote unquote commission will not solve the problem. It will just add another layer of politics and all the outside groups like [Eric Colder 01:00:19] the former US Attorney General under Obama who's the head National Democratic Redistricting Committee and common cause a source fundus organization who will no doubt file suits on whatever maps or draw need to stay out in North Carolina. This is a state issue. I support the process. That's been announced. It's the same one from the last court ordered process. Legislators will attempt to file a county by boundaries. I agree with that with some exceptions, obviously, it will prevent oddly shape districts like the famous District 12. And the process, as I understand it, will not use racial or political data. Thank you.

Senator Chuck Edwards (01:00:56):

Suzanne Klimek (01:01:24):
Hi there. Put my glasses on. My name is Suzanne Klimek. You almost got it right. I live in Waynesville, North Carolina, and today I'm just representing myself as a native North Carolinian who loves my state. In the long term, I do think that North Carolina needs an independent nonpartisan group to draw district boundaries based on census data, but in the absence of that, I'd like to share my concerns and interests for this year's redistricting effort. I believe that all North Carolinians deserve fair representation. I am adamantly against district boundaries being drawn to serve particular party or potential candidate. If I understand what I've read about this year's process, lawmakers cannot consider race partisan data or past election results in drawing these boundaries. I am asking that y'all adhere to these criteria. I also believe that the final maps should include a detail explanation of why the boundaries were chosen.

And I believe that the public should have another opportunity for input after maps had been drafted and released. I was a career civil servant for the state of North Carolina. I held public hearings and used the comments and data received to modify recommendations for specific regulations. My
interest was always in doing what was best for the citizens of the state. My final request to you is that you take this process seriously and that you consider the comments that you receive with care and that your subsequent actions are made in the interest of all North Carolinians. Thanks for the opportunity to comment.

Senator Chuck Edwards (01:02:59):
Thank you.

Gerard Stam.
Welcome Mr. Stam.

Jared Stam (01:03:22):
And you can call me Jared. My mother did.

Senator Chuck Edwards (01:03:24):
Okay. Jared.

Jared Stam (01:03:25):
And I hope you all have noticed that there is a pattern going on in this forum, and I hope you all are listening very, very closely today. Pattern. I live in [Chandler 01:03:37] on the edge of Haywood county, but I reside in Vulcan county. I'm here to speak to the most important issue for me personally and broadly for my community. And that is to speak to the most important issue for me personally and broadly for my community. And that is to have, as everybody else has said, fair and truly representational elections. However, as all of us should know, this is becoming harder and harder whenever partisan redistricting rolls around. Let's face it those in power, don't like to share their power. It's like they never went to kindergarten and they will do anything possible to retain power. Gerrymandering, the unfair partisan process of drawing voting districts, is the most sure way of keeping that political power, more so than money.

If redistricting is not conducted in an impartial nonpartisan way and not just some promise to be fair from the party in power, it will be de facto, gerrymandering. And such meetings as this will turn out to be meaningless. Worse, these public response forums would turn out to be window dressing and something the party in power can disingenuously point to as an open and transparent process. Nonetheless, I will take Senator Chuck Edwards at his word when he says public input is a historical process to which the public should contribute because of our important role. Dogunnit, we wouldn't need a meeting like this if the process was already fair in the first place, but since this is the process allowed us, please take the voices of your electorate to heart. Let us comment again. After the redistricting lines have been drawn. Let us have continued access to all the comments and, above all, ultimately change the system of redistricting to where it is totally honest and fair stop. Thank you.

Senator Chuck Edwards (01:05:40):
Thank you, Mr. Stam. Robert Thornton, Robert Thornton.

Robert Thornton (01:06:11):
There's a great deal of shame on this process. And North Carolina deservedly has the, carries the honor of a poster child for gerrymandering. Why was this meeting room and building not publicized? Why is there not signs out there on the road, showing that this is where we need to be? And why are there not...
signs out here showing people how to get into this particular room? That cast a lot of doubt on this process to begin with. I want to underscore keeping the county whole, the counties whole. I want this process, of course, to be transparent. Litigation will be right around the corner, if you don't. And then the other thing I'd like to say is, very quickly, this should have been certainly should have been at least on the internet if stream, but it actually, it probably should have been on UNC public television and allowing people to call in. I would urge you to consider that. And the last thing I guess I have to say is I really miss people like Bill Friday. Thank you.

Senator Chuck Edwards (01:07:48):
Thank you, Mr. Thornton. I'm going to begin to call two names since it, apparently we've got a lot of folks in the back of the room that are speaking so that if you are in the back of the room, or if you're the next speaker up, you can move your weight closer to the front and we can get to everyone's comments. First up is Amanda Huber or Hubber and then behind that is Aaron Littlefield. So Amanda Hubber and if Aaron Littlefield is near the back of the room, if you could be close to the mic when we're ready. Thank you.

Amanda Huber (01:08:37):
Hi, my name is Amanda Huber. Close enough. I am a voter in Buncombe County and I-

Council Room (01:08:42):
Can't hear you.

Amanda Huber (01:08:45):
Better? Ooh, way to hear your own voice. My name is Amanda Huber. I am a voter in Buncombe County and the campaign manager for Eric Gas for Congress. Unfortunately he couldn't be here this evening, but I'm just here as a private citizen voter myself. I don't want to take up too much time. I thank you all for coming out. I also noticed the pro gerrymander representation is pretty low in the room this evening. I just want to underscore. So I myself turned 18 in 2006, please don't do the math. But what that means is that I've never been able to vote in a local election that hasn't been ridiculously gerrymandered. I've never been able to vote not knowing what the outcome of that election was going to be already. And for the last decade and a half, I have voted for politicians who have promised a brighter future for future generations like mine. And I urge you all to consider that as your drawing lines, through the middle of universities and down the streets where we live. Thank you.

Senator Chuck Edwards (01:09:41):
Thank you Miss. Aaron Littlefield, and then after that we have John Johnson.

Aaron Littlefield (01:09:48):
Thank you. My name's Aaron Littlefield. I'm a local here in Jackson county. I moved up for college back in 2011. So this is 10 years that I've lived here. A class of 2014 for Western Carolina University in political science. I went in knowing two things. You can always count on death and taxes, but Dr. Cooper taught me a third and that's that anytime there's redistricting in North Carolina, there's probably a lawsuit right around the corner. So I think you actually might have written a book on one of those. Any who, so I am coming as a registered Republican. I'll go ahead and out myself here in the room. That being said, I can still, I think, voice some concerns that perhaps everyone else can agree with. I think that communities of
interest should be maintained. That includes every Western North Carolina county. I think each county essentially functions, I teach social studies now, it essentially functions almost like a city state.

Jackson county has Silva. You've got Franklin and Macon county and so on and so forth. It's actually quite simple. I went online and if you were to take just the Western 15 most counties starting with Avery Mitchell, McDowell, Buncombe, Henderson, and then everything over to Cherokee that puts us within 5,000 population of whatever the mean would be for 1/14th of the district. So I would suggest for a compact district that doesn't have this former cat amount having to drive all the way to app state of four hours, way to, to do political events, to be able to just have, you know, a district that goes from Cherokee over to McDowell, it would not include anything from Rutherford county and anything from Polk, unless you have to balance out that last 5,000 people in order to make it specific.

And if you have to prioritize for balance things out, it should be done in the way that minimizes the disruptions of those communities. For example, 5,000 votes out of Polk county would be a much larger impact than say 5,000 votes out of Rutherford or Buncombe county or even Henderson county in that case. So as far as prioritization and I would recommend don't split the counties, but if you have to split a county, go for those where the few votes that you have to split are going to have the least amount of impact of disrupting a community of interest. Thank you.

Jeff Grow (01:11:45):
Thank you, John Johnson. And then after that, I only have, looks like a first name, Ariel. John Johnson, and then Ariel. Welcome Mr. Johnson.

John Johnson (01:11:59):
Thank you. I'm a citizen of Buncombe county for 45 years and I'm here representing myself and my family. Basically. I've heard just about everything I wanted say. I think that the district is too large. I think that we should be having more meetings like this. I think they should be more transparency. I believe that we should be looking at the maps after they're drawn and talking again. And I would urge this committee and, and whoever else is involved to take these points deeply to heart. Thank you.

Jeff Grow (01:12:39):
Thank you, Mr. Johnson. Ariel, and then I have behind that Emmen.

Ariel Emmett (01:12:48):
That's me Ariel.

Senator Chuck Edwards (01:12:49):
Oh, okay. We're on two different lines. We'll then Miss Emmett behind you we'll have Rosalyn Storer. So.

Ariel Emmett (01:12:59):
Thank you very much. My name's Dr. Ariel Emmett. I'm a US Fulbright scholar. I served in Kenya, Indonesia, and China, before moving to this area. I'm here to talk about the cost of gerrymandering, which was part of the column that I wrote for the Asheville Citizen Times was published on August 29th. There are two things that are very concerning to me as an outsider. I was born in New York. I've lived in North Carolina for six years on and off between my Fulbright. And the two things that I have seen that are most disturbing are the state of our public education and the state of our working poor without
healthcare insurance. Our students, now we have nearly half of all North Carolina students are living in low income or impoverished families. Our education is now ranked 39th in expenditures for our fall enrollment because the Republican legislature, excuse me, is siphoning off this money for private schools.

What are legislators who represent the public? Thank you very much. What are you doing as public servants siphoning off public money to private religious schools. That goes against our democratic principles of separation of church and state. And it’s completely unacceptable. We have 61% of the black students living in low income houses or in poverty. We have 70% of Hispanic students. We have 660,000 working poor without health insurance. We've been offered Medicaid from the affordable, sorry, the Affordable Care Act. The rescue act from Biden and the Republican legislature has turned it down. My feeling about all of this, I live in Henderson county. I’d like to see that county be one county. We have 17,000 minorities in that county, and I can tell you that these people need to be heard, not just the rich people. Thank you.

Senator Chuck Edwards (01:15:12):
Thank you Miss [inaudible 01:15:18]. Rosalyn Storer. And next up would be Carolyn Kagle. Miss Storer. Welcome

Rosalyn Storer (01:15:42):

Senator Chuck Edwards (01:15:58):
Miss Storer, if you could speak into the mic, please.

Rosalyn Storer (01:15:58):
Since the Transylvania NAACP was formed, I became a member and I'm working for social justice and for protection of the bold of black people, Hispanics and another minorities. Redistribution of districts affects black people, all the minorities. So we need not to make redistribution and protect the minorities. Candidates, do not let the voters, the voters elect the candidates.

Council Room (01:16:51):
Yay.

Senator Chuck Edwards (01:16:54):
Thank you, Carolyn Kagle. And then we’ll have John Coulman Miss Kagle, welcome.

Carolyn Kagle (01:17:04):
Thank you. I'm Carolyn Kagle. I'm from Jackson county, my lifelong native of North Carolina. First, I'd like to thank you for your time and encourage each of you to do your best, to assure that we, as constituents are heard and their concerns considered in your endeavors to create equal and fair districts for Western North Carolina, I'd like to respectfully and specifically address North Carolina House redistricting and make suggestions as to how Western North Carolina counties can be grouped to best represent constituents who likely have common interest and needs. My suggestion is to group whole counties
since county governments address the needs of all constituents in each county. It seems grouping whole counties is the best way to more easily and fairly represent voters and help with similar needs within these groupings.

Here are the three groupings I would suggest. The most Western grouping would be Cherokee, Clay, Graham, and Macon, whole counties. Next grouping, the whole of Swain, Jackson, and Transylvania counties. Then this leaves the whole of Haywood and Madison counties for the last grouping. This approach would place neighboring counties together, provide good logistics and easier communication between legislators and constituents. This is, I'm sure we all agree, the primary goal of having elected representation in the democracy we know as America. Thank you again for your time and for considering my suggestions.

Jeff Grow (01:18:39):
Thank you. Thank you, John Coulman and then Jacqueline Jenkins. John Coleman, John C-O-U-L-M-A-N. John Coulman. Are you in the room? All right, then we'll invite Jacqueline Jenkins to the podium and behind that, we'll be Leslie Boyd.

Jacqueline Jenkins (01:19:17):
Thank you. Some of us are vertically challenged. Thank you all for having this hearing, but I, as someone else said, everybody said everything that I wanted to say, and I hope that means that you all are taking notes and listening because obviously it is a big, big priority to us that, especially during a time of pandemic, that we are able to have virtual experience. Like other people I'm questioning the whole process of the redistricting. It is not transparent. One thing that I wanted to mention that I think Rosalyn brought clear to us. There has been no accommodation made for translation for Spanish Cherokee speakers, nor for the hearing impaired. And I think that's unconscionable. Mostly, I want to say that I think this process as it is presented this time is a real slap in the face of democracy.

Senator Chuck Edwards (01:20:51):
Thank you, Miss Jenkins, Leslie Boyd, and then Darlene [Asarmi 01:21:02]. So Leslie Boyd, are you in the room? And if is Leslie Boyd in the room? And then if Darlene Asarmi is in the room, if you'd make your way closer to the podium. So you'll be ready when all on you I'd appreciate it. Leslie Boyd. Darlene.

Darlene Asarmi (01:21:24):
I'm Darlene.

Senator Chuck Edwards (01:21:31):
I've lost track. Darlene Asarmi and then Katie Dean. But do we have a Leslie Boyd here? All right. We're going to move on. Darlene Asarmi. You have the podium. Thank you for being here.

Darlene Asarmi (01:21:43):
Yeah. Thank you for the opportunity to speak tonight. My name is Darlene Asarmi. I am from Lincolnton North Carolina, went to school in Wilmington where I became a poll worker in my very first election. I currently reside in Swannanoa in Buncombe county, and I'm in the Buckeye Cove area. And crazy enough, my district actually shared a district with my mother who still lives in Lincolnton. I was in Patrick McHenry's district up until very recently, which just really made no sense to me and ever since getting involved in politics at a very young, in my first election, I've heard people say that "Does my vote
count?" Over and over again, all the way from Wilmington, all the way to Swannanoa. And it's commonly said that allowing politicians to draw their own maps is like letting a fox guard a henhouse. That's statistically proven to be the most effective way to explain the process to people.

So here tonight, I'm having deja vu remembering, driving out to the public hearings on voter ID. Those hearings that were held at the board of elections in Silva, and they were found to target a black people with surgical precision. And it is unacceptable. I am here tonight to echo many of the points that folks in this room have made, but in terms of the right redistricting criteria, there shall be no consideration of race in these maps when they are drawn. And you must consider communities of interest when you draw these maps, particularly folks mentioning the splitting of college campuses. It's unacceptable for college students. One dorm is one district and one dorm is another never again, never again, not in this process. We are here tonight for a reason, the fact that there were over 60 hearings in the last process and there's around ten tonight is unacceptable.

And we need to have a hearing after these maps come out, not just one in Raleigh, we need to have access. County commissions and city councils have gotten with the program. We need to have access via zoom, via phone, any other way. So folks can have their voices heard. Thank you.

Senator Chuck Edwards (01:24:05):
Thank you. We have Katie Dean. And after that will be Jennifer Kneip. Ms. Dean, you have at the podium. Welcome.

Katie Dean (01:24:19):
Good evening. My name is Katie Dean. I'm one of the candidates for the US House in Washington, North Carolina, against Madison Cawthorn.

Council Room (01:24:25):
Yay.

Katie Dean (01:24:28):
And all of the other people that are running against Madison Cawthorn. And it's clear that the desire for a government that is fair and well represented. It's a testament to the room that is completely full this evening. And what I'm about to say is continued sentiments that we've already heard. Here's a few things that we know to be true. We live in the most extremely gerrymandered state in our country. The history of gerrymandering in North Carolina is long and complex, and we know it knows no party. The bias continues to keep a heavy scale, a heavy thumb on the scale and gerrymandering and dark money and politics are unraveling our democratic process as we know it. And it's led to the extremism that we see today.

The stakes continue to escalate. Here in Western North Carolina, we suffer the consequences of gerrymandering and it's weakened critical economic function in our local economies with regards to lack of access, to broadband our crumbling infrastructure, access to affordable healthcare, including expanded Medicaid and very simple decisions like giving teachers the pay raises they deserve.

Today more than ever it seems like common ground is some distant memory. So let's find our footing on the core fundamental piece of our democracy and that is our vote. So my ask is this, draft the maps using a third party nonpartisan commission so that people with the most to gain from partisan divide are not the people drawing the boundaries. As a taxpayer that's an investment I'm willing to make. At minimum have a third party, check your work. Hold more than one review session for the
entire state and make your sessions accessible to the public via livestream. And we know that that still includes and disenfranchises the bulk majority. The people deserve accountability and transparency from our elected officials. Thank you.

Senator Chuck Edwards (01:26:28):
Thank you. Jennifer Knup. And then Jake Quinn, do we have Jennifer Knup in? All right. Thank you. Welcome. Yep.

Katie Dean (01:26:42):
Hi, I'm Jennifer Knep. I live in [Atoe 01:26:46] over in Macon county and I'm here on behalf of the Franklin First United Methodist church, Social Justice Committee. So I would just like to mirror the things that have been said before about keeping counties together, but,

PART 3 OF 4 ENDS [01:27:04]

Speaker 6 (01:27:00):
About keeping counties together. But consider the fact that North Carolina is a very physiographically and socioeconomically complex state. So we have the mountains. We have the coast. And in both of those locations, there's a lot of issues with a lot of tourist dollars, which drive up property values with low-paying minimum wage jobs. And the people who work in these places cannot really afford to live there any longer. So it's really important to keep these areas together. So these kind of problems can be solved.

And my other point is that I'd like to suggest that, overall, the redistricting plan needs to include a second phase. After the draft maps come out, we need to have these meetings again because we're all making comments about something we have not seen. So if we could have the draft maps come out and have additional meetings that would really increase the faith of the citizenry of North Carolina in the fairness of the maps and that their voices will be heard when we vote. Both in terms of making legislative decisions and all elections. Thank you.

Senator Chuck Edwards (01:28:21):
Thank you. That completes the folks that signed up online. We're going to now begin with the folks that are here in the room. Leila Tvedt, T-V-E-D-T, and behind that will be Sergio Fernandez, F-E-R-N-A-N-D, I think it's E, maybe a Z. All right. Thank you. Correct me at the microphone, if you don't mind. Thank you.

Leila Tvedt (01:29:03):
Thank you Mr. Chairman. My name is Leila Tvedt. I'm a resident of Bryson City in Swain County. My husband is Luke Hyde. He and his family have lived in Swain County for many generations. I have not. I was born in Asheville. My dad was an officer in the US Navy and we moved about every two years. After school in Saigon and Japan and Florida, I came back as politicians like to say, I got here as soon as I could.

Let's talk about Swain county. Swain is one of the poorest counties in the state. In 2019, our poverty rate was 17.5% out of a population of about 14,000 people, only 5,642 were employed, more than 8,000 were not. And that was before COVID hit us. But being poor does not mean we are uninvolved. There are about 7 million voters in Swain county. In 2020, 36% were registered Democrat. 30% were registered Republican. Note that 33% were registered as unaffiliated. In 2020, with 7%
registered with other parties. That means the unaffiliated and other vote outnumbers Democrats and Republicans.

In fact, according to this university's Chris Cooper and every year since 2014, the plurality of new voters in North Carolina are registering as unaffiliated. Taken as a whole Western North Carolina has more people who are registered unaffiliated than any other region in the country. In the country.

Luke Hyde and I are both active in the Democratic Party. We have been for years. We believe it was wrong for Democrats to gerrymander districts when they were in power and is wrong for Republicans to do it now. If you have to manipulate district lines to stay in power, it means your politicians are too weak or your policies are too unpopular to win a fair election. That's not how we want the world to see us. You have the opportunity to make it right with districts that allow fair representation of all voters, your constituents. Please don't throw that opportunity away. Thank you for listening.

Senator Chuck Edwards (01:31:14):
Thank you.

Sergio (01:31:23):
Don't worry.

Senator Chuck Edwards (01:31:24):
... tell us who it is. And then Tom Downing, if you'll work your way up.

Sergio (01:31:28):
Yeah, please. I think I can. I have myself heard all the way to the end, but let's do this. Thank you.

My name is Sergio Fernandez. I don't blame you for reading my name that way. I have a horrible handwriting. I'm here. I'm the executive director at the Latino Advocacy Coalition in Henderson County. We are a nonprofit. One of our job is to advocate in favor of the Latin community. In North Carolina is 1 million strong. The census will tell you that 1 million 25, 26,000. In reality, it's a lot more than that. And the reason is because most of our people are afraid to be counted. I believe that everybody in the state needs to be heard.

Everybody needs to do what they need to do. You guys have a job to do. When I look at, and I don't mean this in any disrespect form, I don't see the diversity. I would love to see somebody that looks like me with you guys. I believe that work can be done together. I don't believe that separating ourselves can be a good thing. Thank you. I believe that we are able to offer it something that many people has asked you. I starting tomorrow and for the nine left meetings you guys have, I can provide, no cost to you, translation and streaming live of these meetings. Can I have your commitment that I'm okay to do that with you guys for the next several minutes. Is that a yes?

Senator Chuck Edwards (01:33:06):
I'm listening.

Sergio (01:33:08):
I can have these meetings live streamed with translation into Spanish, no cost to you, so everybody in the state can see what’s going on here. Will that be okay with you?

Senator Chuck Edwards (01:33:08):
We appreciate that suggestion. Thank you.

Sergio (01:33:25):
I'll be there tomorrow. So you can let me know tomorrow. I have my cameras and everything with you. I hope that the redistricting of this is not affected. I know you guys do a lot of work, but also you have your personal agendas. For example, Senate Bill 101, it shouldn't be part of the decision making when the redistricting is happening. So I hope you guys do the best job. Thank you for doing this. And I'll be there tomorrow with my cameras, unless you tell me no for whatever reason

Senator Chuck Edwards (01:33:54):
We appreciate your feedback. Thank you, Mr. Fernandez. I'd just like to call to the audience's attention that I called a name while ago that I didn't recall. And the reason was I was working on a duplicate sheet, so I didn't skip over anyone. I also have a, what I think may be a duplicate name here, Cynthia Fairclaw Smith. Is there two of them in the room?

Cynthia Smith (01:34:27):
No.

Senator Chuck Edwards (01:34:28):
Just the one. Okay. Well thank you, Ms. Smith.

Tom Downing (01:34:49):
Well, thank you very much, Chairman.

My name is Tom Downing and my wife and I have lived here for 16 years, just literally, so and so down the road here in Cullowhee. When we move North Carolina was a progressive, wonderful state. North Carolina drew us here. It really did because of the people and because of the policies and because of the way that things were done fairly and squarely. My wife and I, when I retire, we're going to leave because of the BS that's gone on with this redistricting. So what I say to you is two things. Number one, change our minds. Do it fair. Do it square. Do it right. Do it the North Carolina way. The way that we thought North Carolina was that when we moved here.
And the second thing is, I would challenge each of you and every one of the general assembly on every side of the aisle. Everybody. Find a high school civics class, go to it. Explain what you're doing and listen to what they say. Find a middle school social studies class, go to it. Explain what you're doing and listen to what they say. Find an elementary school social studies class, explain what you're doing and listen to what they say and what they ask. Kids today are smart enough to understand what we're doing here. They understand division. This is a gigantic division problem. That's all it is. It's either fair or it isn't. Thank you.

Senator Chuck Edwards (01:36:39):
Thank you, Mr. Downing.

Catherine Carter. And then after that would be Brian Gastal. Is it Ms. Carter?

Welcome.

Catherine Carter (01:36:51):
Yes, thank you. My name is Catherine Carter and I live here in Cullowhee. And I would very much like to see the redistricting done, not by legislators, but by an independent commission.

And this is not a personal critique as others have noted. There's a long history of gerrymandering, not only by Republicans, but by Democrats. And this is a national embarrassment to all of us. It's an expensive national embarrassment and the quickest way to fix this is for the legislature to pass House Bill 437, the Fair Maps Act.

But that bill and none of the others like it, which have been filed this year, has not come up for a vote. And that is not happening. It needs to be happening. It is what we need in order to avoid more decisions like the 2013 decision that split Buncombe County between the 10th and 11th districts. It is what we need to avoid more maps, which split largely black cities and institutions with the effect of dividing and making worthless their votes. It is what we need to avoid the supposedly colorblind approach to redistricting, which dilutes the impact of black North Carolinians votes while claiming that it didn't do anything of the kind. And independent commission is what we need to draw new maps that can consider race and ethnicities, insofar, as is necessary to avoid violating any provisions of the Voting Rights Act, which currently stand to be violated. So thank you so much for your time.

Senator Chuck Edwards (01:38:33):
Thank you, Ms. Carter.

Next up we have Brian Gastal and then after will be Anjelica Wind.

Mr. Gastal, feel free to correct my pronunciation.

Brian Gastal (01:38:45):
That's perfect. Thanks.

Thank you for the opportunity to speak. My name is Brian Gastal and I'm a Jackson County voter. I've lived here for 23 years right in Cullowhee.

My hope is that redistricting will better reflect voter demographics, statewide, and privileged representation over partisanship. Drawing districts to reinforce partisan power within individual districts rather than to reflect statewide voter demographics, disenfranchises voters across the state. Since state representation, no longer reflects voter political positions statewide. Furthermore, such entrenchment of incumbents who are not worried about reelection because of partisan districting, does a disservice to...
the citizens of their own party as well. Since representatives can rely upon districting rather than upon representing their constituents well in order to stay in office.

I’m a proud citizen of the great state of North Carolina, but I am ashamed of the extent to which our state has in the past, and on both sides of the aisle, allowed partisan power to supersede the kind of representation we expect and hope for in American Democracy. Please consider redistricting as a chance to fairly, and I would say patriotically, address gerrymandering’s assault on the very core of the democratic process. Thank you.

Senator Chuck Edwards (01:40:06):
Thank you.

Ms. Anjelica Wind and then behind that will be Gail Woody.

Ms. Wind.

Anjelica Wind (01:40:16):
Thank you. Thank you to the Chairman and all of you who took the time of the day and evening to be here and continue to be here and have your voices heard. My name is in Anjelica Wind and I am here speaking on behalf of myself. I have lived in Buncombe County since 2007. I am a proud daughter of farm worker parents who picked the fruit that many of y'all probably ate when you grew up. And in your homes and families, continue to pick this fruit. And as a daughter, I remember being a child and recognizing that my parents and many other of the farm workers had no voice related to the policies that impacted them every day. And so therefore I'm here to stress the piece of voice. It is so important for us who live in this beautiful country, in this beautiful area, that we not forget that we all have a voice. Whether we can vote or not, whether we're in the process of getting legal status so we can vote. We still all have a voice. And one of the beautiful things of living in this country and why my parents chose to come here is because they knew that we had processes here that protected our voices. And as such, I come to you and advocate to not forget that all of you have a voice and all of us can stand up, but also part of that voice is transparency. And I advocate for fair transparency in this process. So that voices do not get left behind regardless of what political affiliation you have. Sometimes we as a community need to be reminded that together we're stronger. We have much of a stronger voice, we can speak louder, be heard with our voice and do not forget that. We must be heard in this process. We must be heard in this process. Thank you.

Senator Chuck Edwards (01:42:04):
Thank you, Ms. Wind.

Gail Woody (01:42:12):
Yes.

Senator Chuck Edwards (01:42:13):
And then behind Ms. Woody will be Tina Vas.

Ms. Woody, you have the podium.

Gail Woody (01:42:19):
Thank you. My name is Gail Woody. I live here in Dillsboro in Jackson County, and I have the privilege of serving on the Jackson County Board of Commissioners. As an elected official myself, I want to thank you all for being here, first of all, and then for all you do to serve the residents of North Carolina. I know it's a hard job and I appreciate what you do. I'm requesting that you all engage in an open and transparent process so that we know how and why each district is drawn. I ask that you keep county's whole. Free and fair elections are the foundation of our democracy. Thank you.

Senator Chuck Edwards (01:43:04):
Thank you. Tina Vas and then behind that, we'll have Chris Taber.

Christina Vasquez (01:43:12):
Hello. My name is Christina Vasquez. As we have discussed tonight, the state has attracted many more citizens and people, and there is a reason for that because with the quality of life. And we want to protect that quality of life. In order to protect that quality of life, we need to have fair representation. If you watch the news, the environment is probably about the most important issue at this time. And we want to make sure we get people in office that support our ideas and want to protect the environment.

Several years ago, I had an opportunity to run for the state House. I was the first Latina to run. Some people thought I had very good ideas. I was the only person who could promise a permanent budget surplus, which I think everybody in this state would like. Unfortunately, I didn't stand a chance because the area I ran was so severely gerrymandered. So please, at this time, we have a good quality of life and we want to keep it that way. We want to attract people to this state. And in order to do that, we must have fair representation. Thank you.

Senator Chuck Edwards (01:44:31):
Thank you.

Chris Taber and then behind that, we have Wilma Merlo.

Chris Taber (01:44:41):
Good evening. I'm Chris Taber. I'm from Sylva. I'm with the NAACP in Jackson County, as well as the Democratic Women of Jackson County.

I want to call gerrymandering what it is, political corruption. Plain and simple. It's a desperate and cynical bid to undermine democracy and to thrust minority war upon the people. We need to bring back integrity to the process and allow the people to hold their representatives to account. I, too, would like to second the motion to hold more hearings of this nature, put them on Zoom as well as public television. Thank you.

Senator Chuck Edwards (01:45:28):
Thank you.

Chris Taber and then behind that, we have Wilma Merlo.

William Merlo (01:45:37):
Yes. William Merlo. Good evening. My name is William Merlo. I'm a US born citizen, who's had the privilege and opportunity of being a part of the democratic process in a red state, a blue state and even
six foreign nations. I speak four languages and I pride myself in building bridges between different cultures, communities and political views. I currently reside in Buncombe County.

    I personally have always been an independent voter and do not wish to represent a party today, but rather I’m a very concerned citizen of North Carolina. As a nation and with it, this state, we have always said that we pride ourselves in the democratic principles and practices. The core heart and soul of our great nation and of our great state. We, the people of North Carolina, which include its representatives, must fight to end the gerrymandering going on in the 21st century America. This is shameful. It is corruption, and it is simply un-American.

    As representatives, you fight to uphold our values as Americans and North Carolinians, and what I’m seeing today in this process of redistricting in North Carolina today, more closely resembles the voting corruption that goes on in third world nations than the most beautiful and democratic nation in the world. I urge you and hopefully compel you to go back to your main purpose as representatives, which is to uphold our democracy and make it stronger by the day and not continue the process of corruption that gerrymandering brings to us Americans.

    To conclude, we need more of these events after the people and representatives have had a chance to review the maps, more virtual hearings, the end of gerrymandering throughout the entire state, and an independent nonpartisan commission to use the 21st century technology and its solutions, that are at our fingertips, to redistrict fairly correctly, and most importantly, democratically. I reiterate that it is your duty as political representatives to put democracy, sorry, democratic principles of our country and state first, at all stages of your day to day affairs. And end gerrymandering that puts us a century behind and makes our great state of North Carolina a mockery in our democracy. And if you don't do these things, you’re making a mockery of all of us Americans, all of us North Carolinians. Thank you.

Senator Chuck Edwards (01:48:02):
Thank you.

    David Road. Is David Road in the house?

David Road (01:48:10):
Hey Chuck. Over here.

    My name is David Road and I'm a proud resident of Henderson County. Proud Western Carolina University Alumni and proud ex Student Body President of this wonderful institution. I just want to say, I'm proud of North Carolina. We're a great and powerful state. We lead in business, education, quality of life.

    And I want to take a moment and thank the general assembly members here for their time and for your commitment to fair and free elections. A speaker earlier mentioned that gerrymandering was wrong when Democrats do it, but certainly wrong when Republicans do it. To that speaker, I say, it's wrong when anybody does it. Stop with a violent left, right pendulum swing of partisan politics. Get out from your telephone and your tablet screens and pay attention. There are Republicans and Democrats in this room right now. I see some very powerful ones and this room hasn't burned down yet. You're sitting next to each other.

    I would also like to draw to your attention to where we are today on a college campus. My generation is more connected and involved in the political process than ever before. Western Carolina University has won national awards for their efforts in getting the students to vote. Come early voting time, we have a polling station on campus. But on election day that polling location has moved off
campus to the local rec center. We are watching. We are listening and we are running for office or plan on running for office. I will say, I do not claim the current congressional representative. But I ask that this committee, while redrawing district lines, also legislate that all higher educational institutions, community colleges, and up have a polling location during the general election. If this makes any political party nervous, develop better ideas that cater your constituents and not to your donors. And finally, for the love of God as a catamount, please do not include Watauga County. I cannot fathom being in the same district as a Mountaineer, whatever might be.

Senator Chuck Edwards (01:50:17):
Michelle Woodhouse. Welcome.

Michelle Woodhouse (01:50:24):
Thank you, Senator Edwards. Thank you general assembly members for being here and thank you fellow Western North Carolinians for being here. There's a lot of other places that you could be tonight, but you chose to be here because you care about what's happening in our communities and our country. We all moved here because you know, it's hard to get from here to there. So we all drove far. We all drove over cliffs. Hopefully not literally, but we drove here because we care about what's happening.

One in five voters in North Carolina, in the 2022 election, will come out of Charlotte or Raleigh. It'll be the first election ever when the largest voting block in North Carolina is unaffiliated voters. We've heard Democrats talk about things being unfair. We've heard Republicans tonight talk about being unfair, but I will tell you, we have to get people to the polls. Not the courtroom, to the polls. Only 75% of eligible Democrats voted in 2020. We had only 81.6% of registered Republicans vote in 2020, and only 69.8% of unaffiliated. We can draw the lines and we will draw them in a way that's constitutional. I have great confidence in the members of our general assembly, but if people don't show up to vote, the map had nothing to do with it. The map had nothing to do with it.

So thank you for your time.

Senator Chuck Edwards (01:51:51):
All right.

That concludes the list of folks that have signed up either online or outside. Would anyone that is in the room, that did not sign up care to get one minute? Anyone else? All right, with that, I would certainly like to thank my colleagues, representative Fisher, representative Carney, representative Clampett, representative Pless, representative Gillespie. And it is really nice to have somebody else from the Senate help anchor things, Senator Mayfield. Thank you all for being here.

Speaker 7 (01:52:37):
[inaudible 01:52:37].

What is next in the process?

Senator Chuck Edwards (01:52:42):
Next in the process is that we are continuing the public hearings and the redistricting committees will reconvene. I certainly would like to invite you because I heard a number of comments from the
audience that suggested that we should have a website for the process. We actually have that on the
general assembly website. I invite you to visit it. Visit it often.

And then I also heard a number of folks may know people that had difficulty in being here for
one reason or another, and there's still plenty of opportunity for those folks to give us feedback. And I
invite them to do that on the general assembly website. We've got a particular portal to receive
feedback.

Speaker 7 (01:53:29):
Who is leading the portal?

Senator Chuck Edwards (01:53:32):
We will be consolidating all of those comments for the benefit of the committee afterwards. So if you've
got friends that couldn't make it or had difficulty in getting here, please send them to the general
assembly website. And then-

Speaker 7 (01:53:48):
What is [inaudible 01:53:49] website.

Senator Chuck Edwards (01:53:51):
The website is NCLEG.gov. NCLEG.gov. And there's a special redistricting section there. I also ask you to
invite your friends and neighbors to go into that portal and continue to give us feedback.

With that ladies and gentlemen, I thank all of you for your interest and participation in your
state government. And this meeting is adjourn.

PART 4 OF 4 ENDS [01:54:24]
Paul Newton (00:00:00):

We're going to go ahead and call this meeting to order. Welcome, everyone. If you are hoping to find the public comments on redistricting, you have come to the right place. If you were expecting something else, you might as well run out of here now, because you'll be bored for the next couple hours. So glad that you're here. This is an opportunity for the public to offer comments on the redistricting process, to members of the General Assembly. This is an opportunity in a forum for us to hear from you. This is not a Q&A session, so don't ask your legislator a question here. You can certainly follow up, at any time, with the legislator that represents you. And we're happy for you to do that, but this is an opportunity for us to hear your comments about redistricting. That's the purpose of today's meeting.

We are grateful to have you here. We look forward to hearing from you. I have been in these types of meetings where applause was forbidden because it slows everything down. It makes it more difficult on the recording. It makes it difficult for someone in the future to transcribe the meeting. I've been in meetings where applause was allowed. So what I'm going to ask you to do is use your judgment. If you feel like you have to applaud, do it quietly and quickly, but just keep in mind, that when you're applauding, the clock's running on the next person, and we don't want to shortchange anyone here. Just keep that in mind, as you do that. And no boos. We've had one of these sessions, where somebody said something that a group wanted to boo, and we're not going to do that here. Everybody's opinion is respected, period. Let's respect one another.

Let's see here. Every speaker will have up to two minutes. And you certainly should feel free. You do not have to, but feel free. If the person before you said basically exactly what you wanted to say, then you can echo that. Say, "I agree with everything that speaker said, I want to add this." Feel free to truncate your remarks if you want to. We are going to call two names at a time. So we'll have two mics. The person to my left will be the first. Of course, the first name I call will be next up. And then, the second person will go, at the conclusion of the first person's remarks. So that will help speed things up because we don't want to keep you here all night. Let's see. Before we do get started, I wanted to introduce several members. First of all, I want to introduce John Bradford, who is my co-chair here tonight from the House. And pleased to have John here in his leadership. We have several other representatives from Mecklenburg County, that I want to make sure are acknowledged. From the Senate side, we have Senator Salvador, who sits right behind me on the Senate Chamber. And we've had lots of good discussions. She's Mecklenberg District 39. We have Senator Natasha Marcus from District 41. Senator Joyce Waddell. And do be sure to wave, so folks can see you. Where's Joyce? Senator Waddell. Thanks. Good to see you.


And I am Paul Newton. I am a State Senator, District 36, so your close neighbor in Cabarrus County. And I'm pleased to be here in Mecklenburg this afternoon. All right. I also want to introduce folks that are helping us be successful today: our Sergeant at Arms, Terry Barnhart. There's Terry, over there to your left. The House Sergeant at Arms, Jonas Cherry and Stafford Young, are here to assist us today. And we also have two members of The General Assembly Police Officers. Officer [Barcofer 00:04:39] is here with us. I don't know if he's... there he is. And Officer Torres. So thank, everyone, for being here.
And we do have some staff members, hopefully, you signed in with them, who are also here to help things run smoothly. And had a question before we got started about a map, that somebody wanted to attach to their comments, that they've already submitted electronically. If you have questions like that, they can help you ensure that you get the information you want to convey into the record. John, anything else you want to cover?

John Bradford (00:05:11):
All set.

Paul Newton (00:05:12):
All right. Let's go ahead and get started, then. I'll call the first two names. I'm going to apologize in advance. I'll do the very best I can with pronunciations, but your grace is appreciated. So first... Wow. It looks like the first and last names have been run together on the sheet, just to challenge me that much more. Michael Jed? Michael Jed? And James [Ineld 00:05:47]? These were online submissions. They may or may not be here. Many people who submitted online do not make it to... Matthew [Rawla 00:06:04]? Matthew Rawla. Mike Anderson. Mike Anderson. Lucille Howard and John Lingle. Lucille Howard and John Lingle. We have a winner. We have two winners. So glad you’re here. All right, again, you have two minutes, and the Sergeant at Arms will help keep you in time.

Lucille Howard (00:06:33):
Good afternoon. I am Lucille Howard. For 50 years, I've been a member of a nonpartisan organization that seeks to protect democracy. And during most of those 50 years, I have seen our democracy in North Carolina eroded, as a result of unfair voting maps, no matter how much and how passionately the public speaks against it. Gerrymandering prevents the public from full participation in democracy and is wrong. It's time to begin a new era of nonpartisan map-drawing. It's time to design voting maps that are compact and contiguous without using political data or partisan objectives. And when those maps are drafted, it will be time to hear from your many citizens across the state, not just the lobbyists who can travel to Raleigh. You will need more than one hearing to do that.

Districts have been drawn in the past to protect incumbents and divide communities of interest. Public voices, in large majorities, cry out for huge state revenues to be used for unmet needs, such as adequate education. But proposals haven't been supported because too many legislators can vote against the interests of their constituents with little fear of being replaced. I want to choose my representatives. I don't want a very few legislators working behind closed doors, deciding who my representatives should be. You have the power to change this process. I urge you and your colleagues to seize the opportunity to do so, to restore public confidence in our system of government. Thank you for this opportunity.

Paul Newton (00:08:25):
Thank you, Lucille. John.

John Lingle (00:08:31):
Good afternoon. My name is John Lingle. I've been a resident of Davidson for the last 21 years. I first visited the town back in the 1940s, when visiting my grandparents. In '68, I graduated from Davidson College, before relocating back to Davidson. I'm here with other Davidson residents to urge the Committee to keep Davidson within a Mecklenburg County District. I believe Davidson's strong links to
Mecklenberg County and the towns of Cornelius and Huntersville, over the years, have created a strong community of interest. This is especially true of Davidson and Huntersville. For example, my church, Davidson College Presbyterian Church, like many other churches in town, have tutoring programs and other support programs for Huntersville Elementary School and other CMS public schools. In addition, our town library is part of the North Mecklenburg library system. Our time is further linked to Huntersville medically. Two of our town's healthcare facilities, the one at Ada Jenkins and Atrium Urgent Care Facility, were relocated to Huntersville. Finally, since many in the community commute to Charlotte, many people in Davidson do much of their shopping in Huntersville, as well as frequent their restaurants.

The North Carolina state legislation impacts each of these communities and their ability to cooperate, one with the other. If Davidson were suddenly in a district outside of Mecklenburg County, the complexity of communicating effectively with Raleigh, about our schools, our libraries, and healthcare, would increase greatly. This would prevent Davidson from having its community of interest fairly representative. Please keep Davidson within a Mecklenburg County legislative district. Thank you.

Paul Newton (00:10:21):
Thanks, John. Before I call the next two names, I did want to recognize Mujtaba Mohammed, Senator from Mecklenburg, who is here and has joined us. Good to see you. Linda Traum and Harry Taylor. Linda Traum? Harry Taylor? Yes. Welcome. Thank you for being here.

Linda Traum (00:10:48):

Paul Newton (00:10:52):
Yeah.

Linda Traum (00:10:52):
Good afternoon. My name is Linda Traum, and I live in Charlotte. I'm a retired professor of Early Childhood Education. And I'm also a member of the League of Women Voters in Charlotte-Mecklenburg. And today I want to just talk to you about my concerns regarding redistricting, gerrymandering, and its potential impact on education. The redistricting process, I believe, has the potential to affect many aspects of our life in North Carolina, and these can be both in positive as well as negative ways. When the practice of drawing electoral district lines to favor one political party or individual or constituency over another, when that happens, the principle of one voice, one vote is not achieved. A 2020 report from the Center for American Progress stated, and I'm going to quote this, "Gerrymandering has real world consequences across all issues that voters care about. One of these consequences could be an inadequate education for all students, especially low-income students."

In 2019, the North Carolina Senate budget included across-the-board cuts to programs that targeted children, and these included early education as well as childcare. And I believe that childcare is education. Additionally, the governor's budget proposed a 9% increase to teachers' pay and some investments in school construction, and yet, that budget, the legislature's budget, didn't fully fund these items. And so, we have an unfunded budget. The Annie E. Casey Foundation of 2021 Kids Count Profile for North Carolina found the following, and this is from 2017 to 2019: 56% of three and four-year-olds are not currently enrolled. Okay. So...
Paul Newton (00:13:02):
Thank you.

Linda Traum (00:13:02):
Thank you.

Paul Newton (00:13:03):
Thank you, Linda. Harry.

Linda Traum (00:13:04):
Sorry about that.

Paul Newton (00:13:05):
It's all right. Harry? You're up.

Harry Taylor (00:13:08):
I'm Harry Taylor with the League of Women Voters. We're here today to exercise our constitutional right to instruct you, as our legislators, regarding 2021 redistricting. First, we find the committee's decision to hold but a single hearing, after the maps are available, is grossly inadequate. And we ask that you change that immediately, to make a far more robust schedule than what's currently on the map. Secondly, I've lived in North Carolina, in the same district here in Charlotte, for 34 years, since 1987. The 2019 re-draw assigned me to new congressional and legislative districts. Last November was the first time in 34 years that the candidates I voted for won election. That means the first 33 years I voted, my votes were meaningless. And thanks to incessant political party mischief, that stuff doesn't change. From this point on, I want to see every voter in North Carolina given the opportunity to vote for candidates in the general election, where they have an equal chance to win that race.

On August 10, at the hearing in Raleigh, Senator Warren Daniel, one of the chairs of the Joint Committee said, "North Carolina's been the epicenter of redistricting lawsuits for decades. It's time to put the last 30 years of litigation behind us and begin a new era of nonpartisan map-drawing." To that, I say, "Hallelujah." But I hope Warren Daniels and the rest of the committee and the legislature are in earnest, because that's going to require the General Assembly to do the right thing, to flush gerrymandering out of the system and create fair competitive districts everywhere, for good. I've said this before for a dozen years: we can have gerrymandering, or we can have democracy, but we can't have both. And Mr. Chairman and Committee, 10 and-a-half million North Carolinians demand democracy. Make it so, please.

Paul Newton (00:15:18):

Suzanne Elsberry (00:15:41):
Okay. Good afternoon. Esse Quam Videri. "To be, rather than to seem." North Carolina's state motto, translated to the vernacular, means something like, "Don't be a poser. Don't fake it. Be true." In Lila
Ripley Barnwell's 1894 poem, Esse Quam Videri, she boasts that, within North Carolina's borders, there's no room for cunning, craft, or cold deceit and asked that we preserve the truth and honor reflected in our state motto. Sadly, we have failed to adhere to our motto, as North Carolina is the country's most gerrymandered state. An astonishing 87% of our districts being redrawn are non-competitive. The incumbents are shielded from accountability and cannot be voted out, no matter what they do to deserve it.

The continuation of this insidious manipulation of our voting maps will imperil voters' choices for another decade. Redistricting impacts every important issue, including jobs, education, environment, and healthcare. In redrawing our political maps, our legislators must act with honesty, integrity, and transparency. They need to assure democracy and fair play, even at the risk of their seats. If an end is put to gerrymandering, our elections will be, rather than to seem, democratic. Please end it now.

Paul Newton (00:17:25):
Thank you, Miss Elsberry. You represent the League of Women Voters, Charlotte-Mecklenburg?

Suzanne Elsberry (00:17:30):
I'm co-president along with Regan Aduddell.

Paul Newton (00:17:33):
Excellent. So with the speaker, if you represent an organization, after you introduce yourself, if you would introduce the organization you represent, that would be appreciated, for the record.

Suzanne Elsberry (00:17:42):
Thank you.

Paul Newton (00:17:42):
Thank you. All right. Terry Taylor-Allen.

Terry Taylor-Allen (00:17:47):
Thank you.

Paul Newton (00:17:47):
Welcome.

Terry Taylor-Allen (00:17:48):
Honorable committee members, I'll get to the point. Our topic is gerrymandering and the deep love for it, by politicians like you. Regular people, like me, are sympathetic. Don't we all have our addictions? Don't we all crave the insider advantage, the secret handshake that puts us above the fray? The allure of indifference to challenge and competition and accountability? No doubt, many people in this room have been hurt by the heart-wrenching illness of addiction. But folks like you are different because addiction to power is different. For you, the poison of gerrymandering is simply irresistible, and you are more than happy to let your addiction sicken our democracy.

The hard truth about addiction is that recovery is tough. Long periods of denial are not uncommon. That's why a politician addicted to gerrymandering might say things like, "I believe in
democracy," or, "I like a fair fight," or even, "Let's have a public hearing on redistricting without a real map." Oh sure, you all have kindly offered up one public hearing on the new maps, and I'll try to weigh in, in that sliver of opportunity. As for our democracy, sadly, all the indicators I see, suggest a North Carolina totally juiced on gerrymandering for the next decade. So my ask today is simple: please prove me wrong. Make maps fair in North Carolina.

Paul Newton (00:19:54):
Thank you, Miss Taylor-Allen.

Terry Taylor-Allen (00:19:55):
Thank you.

Paul Newton (00:19:56):

Paulette Keffas-Chassin (00:20:17):
Thank you.

Paul Newton (00:20:22):
Are you all switching it up?

Paulette Keffas-Chassin (00:20:25):
Oh, me? Okay. I don't know. Hope I didn't... did I lose any seconds just now?

Paul Newton (00:20:31):
Go score a touchdown now. You've got the ball.

Paulette Keffas-Chassin (00:20:35):
My name is Paulette Keffas-Chassin, and I reside in Cornelius Senate District 41, US Congressional District 12, which will be the focus of my comments. According to the Charlotte Observer, Dallas Woodhouse, a former GOP officer, reported that the Republican party would gerrymander new congressional districts to create a 10-4 advantage for the House of Representatives. I hope that is not true. I am here to urge you, instead, to draw districts which reflect the will of the people, districts, which correspond closely to the statewide preferences of the voters, which would mean potential for seven Democratic representatives and seven Republican. Why do I say that? Well, in both the 2018 and the 2020 Congressional elections, Democrats got well over half of the total votes, but Republicans won eight of the 13 seats. So the minority party is exercising majority power, and that is undemocratic. Similarly, Biden, 48%. Trump, 49. Tillis, 49. Cunningham, 47.

North Carolina is now a true 50-50 state, and our representation in Washington should reflect that. Please draw our 14 congressional districts to reflect today's preferences of the voters. Regarding my Senate District 41, due to litigation, it is a much more compact and reasonable district. The current lines serve our community well and should be maintained. Please do not redraw District 41 to what it used to be, a truly gerrymandered salamander. Please end time-consuming, expensive litigation...
surrounding North Carolina's redistricting, and create fair competitive districts, meaning either party could win. Districts must reflect the preferences of today's North Carolina voters. Thank you for doing this important work.

Paul Newton (00:22:41):
Thank you for those comments. Minister Mack.

Minister Corine Mack (00:22:45):
Good evening. I'm Minister Corine Mack. I am the President of the Charlotte-Mecklenburg NAACP, and I stand on the shoulders of every black person who fought to give me and everyone in this room the right to vote in the 1965 Voting Act. Sadly, we're standing here in 2021, and the same wicked spirit of racism, implicit bias, and bigotry is alive. My conversation is not for everyone in this room. What I'm about to say is for those who have been engaged in harming black people and brown people every single day, because they have their own agenda, and that agenda is rooted in white supremacy. Redistricting is something that should happen, not with racial precision, but in fairness. It should be equitable. It should use justice, and more importantly, integrity. That's not what we're seeing in North Carolina. I've been here for almost 14 years, and I'm embarrassed at some of the things that I'm seeing coming out of the legislation, specifically redistricting.

And so, here we go. I'm asking that we draw lines that are fair and do not split precincts, do not split towns, does not split cities, and does not divide the community interest. Because the community is one. It should be oneness, which we do not have now. I believe very strongly that everything we do should have the foundation of love. I'm not seeing that, especially in how we're mapping out our voting opportunities. For those of you in the room that I know, I know that you're fighting. For those of you who I do not know, I know what you're doing. And what I'll say is this: I'm very direct, I'm very honest, and I never give up. As a black woman, I'm resilient in my fight. I'm saying to you today, the same way I see four white men sitting on your staff and not one black person, I do not want to see a map that is helpful to white folks, especially white folks in the GOP and hurtful to those of us in the Democratic party. God bless you all.

Paul Newton (00:25:00):

Linda Levy (00:25:16):
Hello, Redistricting Committee members. My name is Linda Levy. I am a Charlotte resident and a member of the League of Women Voters of Charlotte-Mecklenburg and the Charlotte Chapter of the Carolina Jews for Justice. I am worried that the drawing of maps for US Congressional, North Carolina General Assembly, and North Carolina Senate Districts, will not be fair. That is, they will not represent the residents of these districts. In the past, this has reduced the importance of the general election, giving primary victors an unfair advantage in their gerrymandered districts. I am also concerned that once these maps are drawn, there will be only one scheduled hearing, for us to comment on their fairness. This deprives the right of the public to provide input. My earnest hope is that these district maps will be fairly drawn and not gerrymandered to the advantage of one party and disadvantage of the other party.
I have volunteered at a Title I elementary school in the Charlotte-Mecklenburg school districts, helping first grade students do their best in the three Rs. I'm concerned that, when these youngsters reach voting age, which would be at the end of this redistricting cycle, they will not have an opportunity to cast their vote fairly, and they will be discouraged enough to opt out of this most valuable right. One of the drivers of the work of the League of Women Voters is to promote informed and active participation in government. The most down-to-earth way to participate in government is to vote. But if voters realize that their votes do not count because of unfair districts, they will be turned away from participating in our democracy.

The principles of the Carolina Jews for Justice are guided by the need for human relationships to be just and to give opportunities for the powerful and those lacking in power. I am asking you to keep these guidelines in mind in your important redistricting work, so that the maps you draw will be fair and equitable, giving equal opportunities for all North Carolinians to participate in government and have their voices heard. Thank you for your attention. I look forward to your drawing of fair district maps.

Paul Newton (00:27:24):
Thank you, Ms. Levy. Armando.

Armando Cruz-Martinez (00:27:26):
Good afternoon, committee members. My name is Armando Cruz-Martinez. I am the Mid-Atlantic Civic Engagement Program Manager for NALEO Educational Fund, based here in North Carolina. NALEO Educational Fund is a national, non-profit, nonpartisan organization, that facilitates full Latino participation in the American political process, from citizenship to public service. Over the last two years, we worked tirelessly with partners across the state, to ensure a fair and accurate Census count. We are now advocating across the nation for redistricting processes that produce maps to provide Latinos and other underrepresented groups with a fair opportunity to elect leaders who are responsive and accountable to their communities.

To achieve this important goal, we first urge the legislature to conduct an accessible, inclusive, and transparent redistricting process. Now that the Census redistricting data have been released, we respectfully request the legislature continue hosting regional hearings and to discuss redistricting plans in public. Specifically, the process would benefit from the addition of hearings after draft maps are released and the opportunity to provide testimony virtually. Our communities deserve a meaningful opportunity to provide feedback and engage with the redistricting process.

In addition, it is critical that the maps that result from the process comply with the requirements of the US Constitution and the Voting Rights Act. To meet these requirements, we urge the legislature to take into account the growth of the Latino community over the last decade. According to Census 2020 data, Latinos now comprise 10.7% of North Carolina's population, up from 8.4% in 2010. In addition, Latino population growth outpaced overall increase in North Carolina's population, between 2010 and 2020. It is crucial that the maps reduced by the legislature reflect the growth of the Latino community and the need to ensure that Latinos achieve fair representation through new district lines. Thank you for your time and for allowing me to testify today.

Paul Newton (00:29:28):
Bill Fountain (00:29:48):
Hi, I’m Bill Fountain from Cornelius. Thank you for visiting us and hearing the concerns of the voters and taxpayers of our representative government. I wish the same could be said about the nanny state tyranny of our County Commissioners and School Board that deny parent-

PART 1 OF 4 ENDS [00:30:04]

Mr. Fall (00:30:00):
In the state tyranny of our county commissioners and school board that denied parent, students, teachers, their freedom as it concerns mass vaccinations. And of course the latest social fact of CRT.

It’s unfortunate that the demands of non-citizens in the tally delayed the 2020 census, especially since our task, your task is to draw voting district lines based on population ID voters.

I find you’re redistributing criteria, refreshing and fair abiding with our forefathers declaration that God created all men equal. For example, you rightly do not consider racial data in their redistrict. I particularly appreciate your consideration of the community connections. I live in Cornelius, where we share Lake Norman with Davidson and Morrisville. With that in mind, I suggest you consider these three contiguous Lake Norman communities as a voting district in one or more of your congressional house and Senate plans. I realized that Morrisville is in Iredell County, but since they are not tethered to the Iredell County school system, that should allow the community connection criteria more weight. I also hear that they have a thriving school district that could be a model for our Charlotte Mecklenburg County. Thank you.

Speaker 1 (00:31:34):
Thank you, Mr. Fall. All right. And Barbara [Profit 00:31:39]

Speaker 2 (00:31:40):
Good afternoon, ladies and gentlemen. My name is Barbara [Profit 00:31:44]. I’m a longtime chair of Matthews precinct 218 in Mecklenburg County. I have two requests. First, I ask that you keep all of Matthews in a single congressional district. Many of us workshop and play together in this area. We have similar interest and we don’t want our votes diluted as they are now. Matthew's precincts two 17 and two 18 are currently split and contorted between congressional districts nine and 12. In addition, three precincts are in congressional district nine. And another precinct is in congressional district 12. Not only do the splits, dilute our votes, but it also makes our grassroots engagement within Matthews more complicated, more than it should be or needs to be. We should be able to advocate together to one representative. I've included a map of the six precincts that constitute Matthews, and you will see how it's divided between the two congressional districts.

Second, I plead with you to draw North Carolina districts that make sense to the people who live in them. Draw the districts competitive enough so that every citizen has an incentive to vote. It’s an insult to our democracy to have districts where citizens know their vote is wasted. Such an un-gerrymandered North Carolina map has been drawn by Nathaniel Fisher, a UNC graduate and North Carolina resident. So, we know it can be done. He estimates that his map would likely favor Democrats in five districts and Republicans in seven with two true swing districts. His map did win a national prize, and I've also included a copy of his map to go with my statement. It's neither gerrymandered nor contorted, and it will serve the voters, not politicians. Note that all the counties are kept intact. Thank you for the opportunity.
Speaker 1 (00:33:51):
Thank you, miss [Profit 00:33:51], thank you for being here. Patricia Dumser and Jennifer Martin, Patricia Dumser and Jennifer Martin. Welcome, thank you for being here today.

Patricia Dumser (00:34:09):
I'm alone?

Speaker 1 (00:34:10):
No, no, you got help.

Patricia Dumser (00:34:11):
Okay.

Speaker 1 (00:34:12):
Reinforcement is on the way.

Patricia Dumser (00:34:14):
Good afternoon, ladies and gentlemen. Thank you for having us. My name is Patricia Dumser. I'm a voter and a citizen from Davidson and Cornelius for the last 23 years. I'm a retired history teacher who believes sincerely that citizen input is necessary for fair redistricting free from gerrymandering. I ask for process changes to avoid the mistakes of the redistricting of 2012. That cost us not only national prestige, but a tremendous amount of wasted tax dollars for court cases. One, I believe that more meetings are necessary not only in number, but especially being held after the draft document are ready for review. Also, why are there only one third the number of meetings as we're held for the last redistricting? When we are in a period of growth and involved with an additional congressional seat. Mecklenburg County has a population of one million 115 plus thousand equivalent to the 16th most populous city in the entire nation.

And yet, we have only one meeting scheduled and that at a very inconvenient time for most voters. Secondly, why in this age of COVID and electronic ability are these meetings not streamed online for those unable to attend? Third, I have some transparency concerns. Why is there not more publicity in very accessible media? Generally, legislative websites and sources like that are not used by the average citizen. Lastly, but most importantly, we have no idea right now of proposals or mappable possibilities. More meetings to explain that are surely necessary after the draft maps are drawn. One meeting in Raleigh for citizens across New York, North Carolina is not acceptable. Thank you.

Speaker 1 (00:36:26):

Jennifer Martin (00:36:31):
Hi, my name is Jennifer. I've lived in North Carolina for 15 years and I'm not with any organization. I'm a citizen here and I'm really nervous. First, I want to thank you all for being public servants, and I appreciate that. Second, I just want to say I love this great state. I think we can do better. I just think that core principle of our democracy is that citizens select their representatives, and I think it's backwards when representatives are drawing the districts and selecting their voters. So I would
encourage nonpartisan map drawing. I just think it's a really simple concept that we all get. We know that's the right thing to do. And let's be honest, this goes both ways. We know that there have been abuse powers by everyone who has held these powers, so this isn't one party or the other it's really the right thing to do.

So I hope you will, and plead with you to do the right thing and take that at power out of the hands of the elected representatives and put it in nonpartisan hands so that we can move forward in this great state with integrity and a democracy that is strong and based on people's votes and people's ability to convey their will through their votes. I appreciate your time.

Speaker 1 (00:37:58):
Thank you for being here today, thank you for those comments. Elise McDowell and Sam Smith Jr. Elise McDowell, are you here? Sam Smith Jr. Seeing non Susan Harden and Bill Georgio. Susan Harden, Bill Georgio. Is Bill here. All right, second Margie Storch. Yes, Margie is here. So Susan Harden, the floor is yours.

Susan Harden (00:38:32):
Good afternoon, good afternoon. My name is Susan Harden, and I am secretary of the Mecklenburg County League of Women Voters. I am also a former elected official and I am a professor who teaches civic engagement at the college level. So I want you to know that all my students want to be you. And I know that each of you cares deeply about the civic life of our community and that our young people, our college students continue to be engaged in the civic life of our community. So I'm here asking you today, please know more gerrymandering. It's such an issue, especially I hear from my students all, all the time, how they feel like it's, it goes against everything we believe in. That elections are fair and democratic. They want, I want nonpartisan map drawing. So please, do a nonpartisan process and please consider leaving communities of interest intact like universities. And please offer more than one meeting so that after the maps are drawn, so that I can bring my students and they can engage in this important action of our civic life. So thank you for your service and all you do.

Speaker 1 (00:39:58):
Thank you for those comments. Ms. Storch.

Margie Storch (00:40:02):
Thank you. I live in precinct 85 in the stone Haven neighborhood in Southeast Charlotte. First of all, new districts should not be designed by politicians who have a compelling interest in protecting their reelection and their party's political power. This process should be assigned to an independent nonpartisan commission, following fair criteria, free of partisan motivations. Voters want multiple opportunities for public feedback along this process. Voters want compact districts that do not split precincts communities, cities, and counties were possible with shared interests. For example, in a populous county like Mecklenburg, why split off the Southeast section of Charlotte into a separate congressional district from the rest of the city? Wouldn't it make sense to keep the city of Charlotte intact and split off the smaller towns in Mecklenburg into other congressional districts. When choosing precincts along district boundaries, consider which precincts feed into the same schools and consider grouping those precincts together. As those residents share and edgy educational community. Voters want an initial plan publicly shared online and additional hearings held across the state after the first draft is created. And before it is finalized. To solicit additional citizen input.
And in the end, the proportion of districts leaning democratic or Republican or competitive, should fairly reflect the proportion of voters, registration statewide. Democratic, Republican, unaffiliated, et cetera. Polls show over 65% of north Carolinians feel gerrymandering in North Carolina is an important voting issue, including 59% of Republicans. Thank you.

Speaker 1 (00:42:00):

Eileen Paroff (00:42:33):
All right. Thank you. I made the mistake of using technology rather than pen and paper.

Speaker 1 (00:42:38):
That's all right. You take your time. Sorry.

Eileen Paroff (00:42:41):
So if I stop speaking, it means that my phone ran out of juice. Anyway, my name is Eileen Paroff and I'm the first vice chair of the democratic women of Mecklenburg County and a precinct chair, formerly of precinct 69 here in Mecklenburg until March of this year, when I sold my home and moved to precinct 74. So I will speak from my greatest experience, which was in precinct 69. When I became chair of precinct 69, we had a precinct split between house districts 104 and 105. This was an artificial grouping, detrimental to getting out the vote. Then new maps gave us one representative for the entire precinct.

In addition, voters should get to know their political representatives in all their districts to create the confidence that those we elect have a genuine understanding of a district's needs. When the electorate sees a constant changing of boundaries for port partisan gains, it loses confidence in our two party system. When gerrymandering a word indicating partisan and cynically redrawn maps, is a term of art for drawing district maps. Our democratic Republic is at stake. I urge you to consider all voters and the erosion of confidence in our system when you draw North Carolina's maps. Please make them fair and transparent. Thank you.

Speaker 1 (00:44:33):
Thank you, Ms. Paroff. Angela.

Angela Lunking (00:44:39):
Can you hear me?

Speaker 1 (00:44:40):
We can.
Angela Lunking (00:44:41):

Good afternoon. I'm Angela Lunking, Senate district 37, house district 104 congressional district number nine. I live in Charlotte Mecklenburg County. I've lived here for over a decade. I own my own business, and like many, I had to reschedule clients in a hurry to be able to attend today's meeting. Nonetheless, thank you for today's hearings. However, this is not enough. If you just hold this one round of minimal public hearings, it smacks of perfunctory political optics. Thank you for holding these hearings, but what I really hope you do next is that you go and draw wonderful maps, maps to the best of your ability with all this great input provided by citizens. And then you post them on that great website of yours, ncleg.gov/redistricting, and not only that, but you make those maps available and easily portable to apps like Dave is, davesredistricting.org and others so that all of us can easily see what you have proposed.

Once we see them, we can understand how they affect us, we can understand the parameters you've used and we make, can make our suggestions at the second round hearings. Let there be no mistake. There must be second hearings. Give us a second round of hearings, give us a second round of maps takes the people's feedback into consideration. Let's produce the best maps we can, representing all of the people of North Carolina for the next 10 years. I understand that time is tight, and you're very concerned about getting the job done, but incumbency should be the last consideration.

There is going to be disruption, no doubt with North Carolina's phenomenal growth. There's going to be a 14th congressional district, and we have to re juggle. We're working in several million more people while still providing representation for all. But then, delay the primaries to May, give everyone a chance to adjust to the new lines, figure out who their new constituents are, and put together their campaigns. Please do not underestimate the importance of the process without the trust of the people restored and how you legislate more folks will feel the misguided need to take matters into their own hands, as some Americans did on January 6th. North Carolina legislature, let's do this, right. Thank you.

Speaker 1 (00:46:47):

Speaker 3 (00:47:17):
No.

Speaker 1 (00:47:17):
Is he coming? Is that Douglas?

Mark Taylor (00:47:17):
Taylor.

Speaker 1 (00:47:20):
Taylor. Mr. Taylor, welcome. And Mark Wilson, is there a Mark Wilson here? Believe that's a yes, welcome gentlemen.

Mark Taylor (00:47:29):
Yeah. My name is Mark Taylor. I raised a family in the same home in Charlotte for 27 years and I'm here like everybody else for gerrymandering purposes. My specific and suggestions-my congressional district is NC nine, that goes from where I live in Carolina's most populous city down to Carolina border east through the farmlands of Marshville, further east through Rockingham, further east through Lumberton, north to the outskirts of Fayetteville and Fort Bragg. My first suggestion, don't do that. The concerns of my city, slash suburban family, are very different from the farm communities around Marshville or the native Americans around Lumberton or the military families around Fort Bragg. My city, slash suburban community, identifies with Charlotte. Our economy, our jobs, our culture events, our educational resources, et cetera, center around Charlotte. Second suggestion, keep districts community centered. I'm betting the people just outside Fayetteville would love that too. Lastly, re criticize our enemies overseas for having corrupt preordained elections. Let's not do that in North Carolina. Let's not embarrass our ourselves again with another 10 years in court for gross partisan gerrymandering. Thank you.

Speaker 1 (00:49:15):
Thank you, Mr. Taylor. Mr. Wilson, you're out.

Mark Wilson (00:49:23):
Good afternoon, thanks for the opportunity to speak. My name's Mark Wilson, I live in Charlotte in state house district 102, Senate district 38. I'm speaking on behalf of myself. As a teacher of history at UNC Charlotte, I know that gerrymandering by both parties is a long tradition in North Carolina. Our politicians have been choosing their voters rather than the other way around. Our young people, such as the college students, I have the privilege of teaching, know that's not right. The current system undermines their belief in the very legitimacy of politics and government. That's the reality of our past and present, but it doesn't need to be our future. We can do better. And the short run our legislatures can build on the work, some of them have been doing over the last couple of years to work across party lines and make the upcoming redistricting process fair and more transparent.

But this short run solution won't suffice. In the coming months, we need to work fast to create a new better system for redistricting. North Carolina needs to join a growing number of states that are giving the work of redistricting to an independent nonpartisan commission. Technically that won't be hard to do, there are plenty of good models out there which can be adapted to our needs in North Carolina. But to get there, we need our leaders in Raleigh to put aside their short run, personal and partisan interests in favor of creating a new better system, which will help restore our citizens' faith in politics and government. Thank you for listening.

Speaker 1 (00:51:05):
Thank you, Mr. Wilson. Jane Whitley, Jane Whitley and Camerica Lawrence, Jane Whitley and Camaria Lawrence. Is there a Camaria? I may be pronouncing that incorrectly. Ms. Lawrence? No? Meko McCarthy, Meko McCarthy. Yes. All right, Ms. Whitley, the floor is yours.

Jane Whitley (00:51:31):
Thank you. My name is Jane Whitley, I am serving my third term as chairwoman of the Mecklenburg County, democratic party. And I am also a longtime resident of precinct 44, Shamrock Gardens Elementary, where I vote every time, and I've lived there since 1994. I chose my neighborhood based on many factors, including the yard signs and bumper stickers that I saw of my neighbor's boarding. It's a quirky area, older homes, we have a lot of gentrification going on, and since I've been in my
neighborhood, I have been in both congressional district nine and 12, I'm sort of in the middle, so it goes around there. I've been very close to congressional district eight. I was in congressional district 12 when it was shaped like a snake going up I-85. And until recently, I was in, after 2010, when things changed and the Republicans took over the general assembly and we had the 2010 census. I found myself from being in a state Senate district, that was a blob of east Charlotte area of this east Charlotte area, where I felt very comfortable to being into a district that was shaped like Puff, the Magic Dragon. So I have been in a district shaped like a snake and Puff, the Magic Dragon. NoDa was the ear, Steele Creek was part of the district, it was a tail. I think there were arms around South Boulevard, and I was in the fire breathing snout of the dragon.

This is not what democracy looks like. We need to, we choose our neighbors we choose our elected representatives. We need districts that look more like blobs and less like cartoon animals. So I would hope that we all can agree that we can keep these communities of common interest together and make our maps look normal with blobs, and not cartoon animals. Thank you very much.

Speaker 1 (00:53:36):
Thank you, Ms. Whitley. Meko, Meko, do I pronounce that correctly?

Meko McCarthy (00:53:37):
It's Meko McCarthy,

Speaker 1 (00:53:39):
Meko, welcome.

Meko McCarthy (00:53:41):
I'm a stakeholder on the west side of town and I've seen too much gentrification, so I hope we aren't really do this mapping, y'all really be, really considerate, because I've seen too much change in my community and a lot of us have gotten underserved on a lot of levels. So I want y'all to be mindful. I like the representatives that I do have, although we have some hiccups with some district reps, that's a different story, but I like the relationship that I do have with the ones that are representing various communities. There's a lot of good input that's in here. I hope y'all really considerate and take people's input that they're putting out here and really take it to heart. That's all I got to say. Thank you.

Speaker 1 (00:54:16):

Mark Allen (00:54:16):
Mark.

Speaker 1 (00:54:46):
Mark Allen (00:54:58):
Honorable committee members, my name is Mark Allen. I'm from Charlotte. The courts have made it clear that gerrymandering is unconstitutional in North Carolina and the public overwhelmingly wants nonpartisan redistricting to avoid illegal map rigging. The redistricting process in 2021 must be nonpartisan with full transparency and robust public input and be completely free from gerrymandering. Let's think about congressional maps. The work has been done by Nathaniel Fisher, a 24 year old UNC C graduate from Boone. He's self-described as a redistricting nerd. His proposed map for North Carolina's new congressional district is the overall winner for The Great American Map-Off, a national contest, excuse me, a national contest sponsored by Princeton University in the effort to promote fair redistricting. The challenge like yours, was to draw 14 district North Carolina, congressional maps, that best preserve communities of interest, groups of people in the area who have common political social or economic interests.

The result was a map of neatly formed districts without tortured extensions, and convolutions that characterized gerrymandered districts. People who live in these districts can look at those and say, that makes sense. We talk about stuffing ballot boxes or fraudulent vote voting or voter suppression, but no one accounts for impacts you see just by who draws the maps. That's the will of the people being drowned out by the will of the people drawing the maps. The more gerrymandering political maps are, the less they reflect the will of the voters. It's time to establish fair redistricting that puts people above politics and create a system that best serves North Carolina. My ask, use the winning map created by Mr. Fisher as a basis for North Carolina 14 district congressional maps. Thank you.

Speaker 1 (00:57:06):
Thank you. Thanks for those comments. Ms. Robinson.

Janice Robinson (00:57:10):
Thank you for the opportunity. My name is Janice Robinson and I'm secretary of the Mecklenburg County democratic party and chair of precinct 148 in Valentine for almost the last five years. I've had lived in Valentine area for almost 12 years. Valentine is in South Charlotte off I-85, I-485, and sits between Pineville and Matthews. Valentine has grown tremendously since I first moved here. We have become a diverse community of residents that make up almost every race and ethnicity, age, sexual orientation, religious beliefs, and those working to increase their economic status. Lots of young families now live in our community, and with that, our schools are feeling the brunt. Novant is building a satellite hospital within walking distance from my home CNPD also recently built this South Charlotte division. I will walk past on my way, walking to the new hospital. In the past, several of our precincts have been bounced back and forth between congressional districts at the whim of those drawing maps for their own personal political benefit.

Many of us who live in Valentine want to see Valentine continue this growth in diversity, and with that, ensure the opportunity for affordable housing for our teachers, MCDP officers, the hundreds of residents who make up, also make up Valentine the hundreds of residents who want to also make Valentine their home, and those who will be employed at the new Novant hospital. I will ask that keep all of this in mind, as you work on drawing fair maps for the entire Charlotte community. As a matter of fact, it makes sense to me that we should have a nonpartisan citizen committee and take gerrymandering out of the equation totally. Thank you for the opportunity.

Speaker 1 (00:59:04):

Greg Finnegan (00:59:16):
Greg Finnegan from Charlotte. I'd just like to make a few observations. Having been involved with politics almost 50 years ago, up in New York state, it's just my observation that gerrymandering has never been a hot button issue with the average voter. Can't imagine someone voting against somebody because they were for a nonpartisan committee. So that would, I think it should be an easy decision. It's the right thing to do. That's all I have to say.

Speaker 1 (00:59:48):
Thank you. Thank you for that comment. Ms. Walker,

Mark Allen (00:59:52):
My name is Lisa Walker, I'm a resident of the Union County and the chair of the Union County democratic party and I work in the city of Monroe. And for my comments today, I just want to say what they said, cause

PART 2 OF 4 ENDS [01:00:04]

Ms. Walker (01:00:00):
For my comments today, I just want to say what they said, but I have a little bit more to say. I wanted to specifically talk to you about the city of Monroe. The math that's being used today for the house districts, has a pocket that dips down into Monroe and comes back up. Effectively splitting Monroe into two house districts. House district 55 and house district 69. This is confusing to residents and to voters. The city of Monroe is a strong community of interest. We go to the farmer's market on Saturday morning, we eat at the same restaurants, we go concerts at Belk Tonawanda Park. It's a strong community. Our students attend the same high school, Monroe High School, and like many high schools in the community, our community centers around our high school. Our high school, Monroe High School is also used as the location for early voting. I've spent a lot of time volunteering during early voting and see the confusion that people have when they don't know who's on their ballot because we have different districts. My specific request is that you keep the city of Monroe in one contiguous house district, specifically precincts one, two, three, four, 10, and 43, which make up the core of downtown Monroe. It's just common sense to keep this community together. Like everybody else, the comments that were stated today, I urge you to create nonpartisan maps that keep communities of interest together and provide time for people, the public, to give real feedback on the impact of those maps. I thank you for all you do.

Speaker 4 (01:01:43):
Thank you. Thank you for those comments, Ms. Walker. [inaudible 01:01:46]. Okay.

Speaker 5 (01:01:48):
Lawrence Tolliver and James Lee. Lawrence Tolliver and James Lee. Are you James or Lawrence?

Lawrence Tolliver (01:01:48):
Lawrence.

Speaker 5 (01:01:59):

Lawrence Tolliver (01:02:13):
I am Lawrence Tolliver, just representing my opinions, which I think highly of. I want you to ensure the integrity of town and city voting districts. I want you to make districts like my own more competitive. Increasing numbers of black and brown people will never undermine democracy. What you do to redraw voting districts will either demonstrate that you value democracy in America or demonstrate that you do not have the moral upbringing to be guardians of democracy. Stop permitting your fears to continuously weaken your confidence in healthy democratic values and principles. By courageous and faithful belief in democracy, black, brown, red, and yellow Americans have lived under Caucasian majority rule for hundreds of years. Yet, we persist in our thirst for democracy. Our faith in democracy has persisted even while your knees were on our necks. Have you really ever thought about that?

Speaker 5 (01:03:49):
Thank you, Mr. Tolliver. Mr. Munger.

Lance Munger (01:03:58):
Good afternoon. Thank you for hosting this event. It's good to see some familiar faces around here. My name is Lance Munger, I am a Huntersville town commissioner, I have lived in Huntersville since 2012. In 2011, there were 63 public hearings, but only 14 this time around. Many of them similar to this held in the middle of the week day in what appears to be an effort to limit public input. Additionally, the fact that we do not have any draft maps to review only furthers this confusion. The Northern towns of Huntersville, Cornelius and Davidson, excuse me, are interconnected in many ways. I would hate to see them divided in any of the redistricting maps either by dividing the towns or our county. In conclusion, I ask the committee to make the process more transparent, inclusive, and fair possibly by appointing a nonpartisan committee to draw maps based solely on logic and not political parties so as to not waste taxpayer dollars on any excessive litigation to come.

Speaker 5 (01:05:08):
Thank you, Mr. Munger.

Lance Munger (01:05:09):
Thank you.

Speaker 5 (01:05:10):
Lisa Ellsworth. Lisa Ellsworth and Celia Grey. Is Lisa Ellsworth here? Celia Grey? Are you-

Celia Grey (01:05:24):
Celia Grey.

Speaker 5 (01:05:25):

Celia Grey (01:05:37):
Hi, my name is Celia Grey and I'm in Senate district 41 and North Carolina House district 101. I live in precinct 150 and I was going to be the whimsical one, but Jane Whitley beat me to it. I moved to Charlotte in 2003 from Alabama and I'm right off Mount Holly-Huntersville Road, close to Gastonia, but still in the Charlotte area. When I first moved here, I went to vote at Cook's Memorial Church and, probably around 2009, they moved me so I would drive by Cook's and I have this long, snakey precinct that looks kind of like a worm with maybe a mouth at the end that crosses Brookshire Boulevard and continues on to right next to the church where we vote, which was very confusing for the people in precinct 150, having to go across there.

It seems like there could be some easier lines drawn. Like you've you got the 485, now, that's cutting through, so why are we on both sides of 485? Why are we on both sides of Brookshire? If you want to look at our school district where we have the elementary school and follow those boundaries a little bit closer, that seems like it might make more sense than just split us up like that. Just wanted to share my local concerns. Thank you.

Speaker 5 (01:07:06):
Thank you, Ms. Grey. Before we go on to Nelda Leon, we have a distinguished guest here I want to recognize. Representative Kelly Alexander is here. Give everybody a wave. There. All right. Ms. Leon floor is yours.

Nelda Leon (01:07:21):
Thank you. Good afternoon. I'm Nelda Leon, and I'm a lifetime voter. I'm a person of faith. I'm an active person in my community registering voters, particularly Latino voters and I am a taxpayer. I've also lived in Charlotte and recently have moved, but I've lived in the fourth ward and precinct 11, my 27 years in Charlotte. I think I've had four different representatives, including the honorable Mr. Alexander, Ms. Logan, Becky Carney, probably half of you. We kept getting moved around and I echo what others have said about just the confusion that that causes. As a person of faith, I want to know and see a just, fair, and equitable plan without regard to partisan affiliation and that protects minority voters as well as majority voters. I think the faith community often is misrepresented and I want to be one to say that I am for voters rights and doing what is right and just.

I am a person active in community and registering voters, especially Latinos, as I mentioned, and I want to be able to look people in the eye and say, "Your vote counts. It truly counts." It's not just the representative has figured out a way to get you to be their representative, but rather that you get to select your representatives. As a taxpayer, I'm tired of paying for lawsuits over gerrymandering that we know better. I would like to echo what some have said. Just given human nature, it's hard if you have a dog in the fight to make it a fair and partisan and totally impartial kind of plan, I think we need that nonpartisan committee to do that work. Is that me? Okay. Thank you very much.

Speaker 5 (01:09:27):
Thank you, Ms. Leon. Thank you for those comments. Jonathan Miller. Jonathan Miller and Steven Justice. Jonathan, looks like you're coming up, Steven-

Johnathan Miller (01:09:37):
Yep, I'm here.

Speaker 5 (01:09:38):
... on the way. All right. Very good. Jonathan, the floor is yours.

Johnathan Miller (01:09:41):
All right. Well, thanks everybody. Good to see you today. I know this is probably my first time at one of these rodeos. I'm not a long time voter. I've probably been voting maybe 15, 20 years, something like that. I kind of stayed away from it early on. I'm here representing myself only. I know when I left the house, my wife gave me the side eye because she doesn't like the way that I dress. Anyway, I'm kind of one of those take it or leave it people. If you like me, fine, if you don't, that's okay, too. Certainly a lot of folks have said what's on my mind. That idea of a nonpartisan set up is certainly the way to go. We've heard, I think, plenty of evidence about that already. I think one thing that's not been mentioned is the whole term limit issue.

I honestly think that if races were more competitive, that term limit issue might take care of itself. I can still remember when Sue Myrick ran in '94, up one side and down the other, "Oh, I believe in term limits," but she stayed in office till what, 2013? I don't know if she was really speaking the truth there or not. Certainly if races are competitive, I think that would result in more voter interest, even. I know for me, at least, I felt like Mr. Taylor, I think, for many times I voted, I don't know that my vote mattered all that much in a race where it was really decided in the primary rather than in the general. Thanks everybody. It's good to see folks. Again, would definitely like to see that nonpartisan commission.

Speaker 4 (01:11:20):
Thanks Mr. Miller, and we all wish we were dressed like you are.

Johnathan Miller (01:11:22):
All right. Thank you.

Speaker 4 (01:11:23):
Just for the record.

Johnathan Miller (01:11:24):
I feel comfortable.

Speaker 4 (01:11:26):
Mr. Justice.

Steve Justice (01:11:29):
Good afternoon. My name's Steve Justice. I grew up in the mountains of North Carolina and I've lived in Davidson for the last 21 years. As a native North Carolinian I've been represented in the United States Senate by Sam Irvin, Terry Sanford, Jesse Helms, and John East. I know what it means to live in a tossed up state, and I'm proud I've lived in a state that is, for the most part, navigated its division civilly. An important way to navigate divisions is for bodies such as yourselves to make districting decisions that
recognize communities of people who share interests and day to day experiences. Communities can be defined by jurisdictional boundaries, such as municipalities in counties, and it's important to recognize that the three municipalities in north Mecklenburg county share boundaries in the county and they share institutions such as hospitals and schools. Perhaps more importantly, communities form naturally. After the tragedy in Charlottesville and Virginia in 2017, people from Cornelius, Huntersville and Davidson came together to reach across racial divisions and form an organization called Unity and Community, which remains active today.

It's only one of many community organizations made up of people in Cornelius, Davidson, and Huntersville working together in common purpose. This is community. Community with shared interests merit shared representation. I urge the redistricting committee to keep the municipalities of Cornelius, Davidson, and Huntersville with 93,000 people in the same district. If, for reasons related to number ceilings, that people currently in this district must be moved to another district, I suggest you look at the Southern borders and unincorporated areas and leave the north Mecklenburg community of Cornelius, Huntersville, and Davidson in the same district. Thank you.

Speaker 4 (01:13:16):


Speaker 6 (01:13:32):

Yes.

Speaker 4 (01:13:33):

Kendrick, whenever you're ready.

Kendrick Cunningham (01:13:34):

Hey, thank you. My name is Kendrick Cunningham and I live in a gerrymandered corridor, which is what we stand in today. The historic Southwest corridor in Charlotte, North Carolina, which is enclosed by the Brookshire Freeway, I-85 highway, I-77 highway and this is the Billy Graham Parkway is all enclosed. Thanks to the work that all the line is doing with us across the state to make sure that we understand what our community of interest is. My community interest is historic Southwest corridor, which is a working family community of interest. Many of us share the same public spaces. We share the same grocery stores, which is only four. We live in food deserts. Most of our schools are also tied in one schools and we have a very hard time with getting all of our state, our corridors separated into four district districts.

A lot of people have talked about partisan gerrymandering, but I'm here to talk about how to prevent socioeconomic gerrymandering. When we don't take into the accounts of working family communities, it really creates the situation that we see today with an increase in violent crime, increase in displacement, increase in homelessness. That's just not how we create sustainable communities for our city, our state, or our country. My ask for you today is to one, make sure that in redistricting, that you are taking into account the characteristics of communities and that we keep those communities whole, and that we don't separate communities based off of income and dilute those interests of working family communities. Thank you.

Speaker 4 (01:15:10):
Thank you, Mr. Cunningham. Ms. Campbell.

Rotrina Campbell (01:15:13):
Yes. Hello, thank you for having me today. My name is Rotrina Campbell. I am a redistricting organizer for common cause and see, but I'm also a resident of Charlotte. I've been in Charlotte for 19 years since attending that great university of John C. Smith University in 2002. I'm asking the committee to keep communities of interest together when drawing the maps. I'm asking for transparency in the map drawing process in terms of live streaming the map drawing process and having additional public hearings throughout the state after the maps are drawn. In the past, there have been maps created that split neighborhoods in the city of Charlotte, literally dividing neighbors. Representation such as in the community of Catawba Cove, which was affected by partisan gerrymandering. This divide has caused confusion and misrepresentation when citizens are working to resolve issues within their community and splitting the power to vote for representation who will fight for their issues.

This has not only happened in Charlotte, but it's also happening in cities and towns throughout the state. There should be more public hearings throughout the state. This public hearing schedule left out two of the largest counties, Wake and Gilford. I'm from Gilford. That's where I was born, in Gilford county. These public hearings are also not live streamed or give the opportunities for citizens to attend virtually, which I believe is needed in this current state of COVID. I urge you to change this and have more public hearings throughout the state once the maps are drawn, that allow citizens of North Carolina to attend and view virtually. It is imperative that you hear and consider the voices of the citizens of North Carolina during this map drawing process. Thank you.

Speaker 4 (01:16:51):

Betty Gunns (01:17:12):
Thank you for this opportunity to speak. My name is Betty Gunns. I'm a retired psychotherapist and a full-time grandmother now. I live in Charlotte near Freedom Park. I came to Charlotte a few years ago because my grandchildren are here and it's for their future that I come to speak today because the way you draw redistricting maps will affect their lives. I'm not bringing specifics about what to do. Lord knows you have heard some great information from other speakers about what to do. My request is that you apply democratic principles and fairness. That means, don't draw maps to get yourself elected or your friends or someone in your own party. Use the guidance that the experts give you. Maybe even get somebody else to do it who's an expert and keep us informed. Keep us in the loop. Fairness and transparency. For our democracy, for my grandchildren, and for yours.

Speaker 4 (01:18:36):
Thank you, Ms. Gunns. Ms. Wells.

Beth Wells (01:18:43):
Good afternoon. My name is Beth Wells and I have lived in Charlotte for almost 75 years. I am an unaffiliated voter who always votes and encourages others to vote as well. For me, the redistricting process is a key component of our democratic system because when done in a fair, inclusive, timely, and transparent manner, it results in each of our votes having equal weight, each of our voices having equal
value, and each of our communities having equal resources. Because of the vital importance of redistricting I am very disappointed by our lack of transparency in your committee's procedures and the very restrictive opportunities for you to hear from the public. In my opinion, these hearings have been poorly publicized with insufficient details as to exact place. In some instances, many of the larger counties have been overlooked and accessibility to the hearings as time, language, safety, and physical challenges have not been considered.

We can do better. The redistricting criteria also presents a problem because of the lack of prior public notice and therefore little public input. Communities of interest that are unique and have common policy concerns should be considered. Your committee should avoid cracking or packing districts to diminish the influence of certain groups of voters. The North Carolina Constitution commands the state legislature to draw districts for the good of the whole. We can do better. I am looking forward to the time when elected officials see themselves as true public servants and, as such, focus on improving life for all North Carolinians and not just those at the top who are already doing well. Thank you.

Speaker 4 (01:21:00):

Tanya Mosier (01:21:13):
I'm not Sergio, but-

Speaker 4 (01:21:15):
You're for Sergio. I got you. Stand in. You are welcome. All right, let's start with Ms. Colter.

Lee Colter (01:21:23):
Good afternoon, chair and members of the committee. My name is Lee Colter and I'm a resident of Stallings in Union County. Currently I volunteer as a precinct vice chair, and for a number of years I volunteered and worked with cooperative extension and the countywide farmers' markets in Caberis County. Stallings is a tiny town of about 17,000 that lies along the Mecklenburg County line and adjoins Caberis County. We are exurbanites as our subdivisions have been constructed over time, just beyond the suburbs of Charlotte. My comments today address the redistricting criteria of communities of interest. Over the past few years, through my volunteer work, I became aware that my precinct and several other small voting districts adjacent to me have been, for some time, scooped into the Caberis County Senate district 36. I find this quite odd because my Caberis neighbors and I have very little in common.

In Stallings, our concerns are rapid overdevelopment, overcrowded schools, crumbling and inadequate infrastructure, and lack of community amenities, and zero walkability. My friends in Caberis County, all of whom are farmers, are mostly concerned about supply chain issues, commodity prices, production issues, equipment maintenance, and insurance cost, and how in the world their kids will be able to stay on the land and make a living. These are entirely different sets of concerns and could need redressed by state legislators. Therefore, I would like to ask the redistricting committee to draw the district boundary along the county line, defining these two disparate communities of interest. Thank you very much for the opportunity to speak today.
Speaker 4 (01:23:23):
Thank you for those comments. If you will share your name, so whoever you're affiliated with, thank you.

Tanya Mosier (01:23:32):
Yes. My name is Tanya Mosier and I'm here on behalf of Sergio Fernandez. He is the executive director of the Latino advocacy coalition of Henderson county, and he couldn't make it today. He had a family emergency.

Speaker 4 (01:23:47):
Thank you for standing in for him. You're welcome.

Betty Gunns (01:23:49):
Yes, thank you for hearing me.

Speaker 4 (01:23:51):
Mm-hmm (affirmative).

Betty Gunns (01:23:52):
Then also I wanted to say really quickly that I want to reiterate what Mr. Cunningham? Yes, and Ms. Campbell said that to take into iteration the socio economical boundaries when you're drawing them and not just the political parties and stuff like that. The Latino advocacy coalition, also called El Centro, is a nonpartisan nonprofit. We serve all of Western North Carolina. According to the most recent census, Henderson county alone, counts the Latino population at more than 11,000. We calculate it as more than 19,000 or so. There's a large Latino population. We are working with over 50 plus agencies across all of North Carolina to help educate and organize voters and registered voters, which we have over 80,000 registered voters, that are following everything that's going on closely. We are helping them to feel that their votes count, to really watch what's going on, and watch how things are being changed, how the district viewing is being done.

If it's not helping them, they need to vote and say what they need. We are making sure that they're doing that and that they are able to choose on their own. Again, we're nonpartisans, so whatever they need, but we are asking and encouraging you to keep our communities together so that the resources go to the people who specifically need them, especially minorities. We appreciate your time. Thank you for hearing me, instead of Sergio, and hope that your personal and political agendas will not interfere with your responsibility to do what is best for everyone in North Carolina. Thank you.

Speaker 4 (01:25:59):
Thank you for being here today. Carolyn Eberly and Matin Sans. This is Carolyn. Is this Matin? Is that close enough?

Speaker 7 (01:26:17):
[inaudible 01:26:17] are good, but it's fine.

Speaker 4 (01:26:16):
Welcome. Thank you for extending some grace. All right. Miss Eberly.

Carolyn Eberly (01:26:22):
Hello members of the North Carolina general assembly. Thank you for holding these public hearings. My name is Carolyn Eberly. I'm a resident of Waxhaw and Union county. I'm a precinct 20B vice chair, and also the director of the community organization, Indivisible NC district nine. I've made it a priority to be here today because the new maps drawn during this redistricting process will impact my community and all the communities within North Carolina for the next 10 years. My community, we like to call the tri-W community. Waxhaw Weddington, Wesley Chapel. We mainly work and commute to the Charlotte area. The tri-W community shares a hospital, a library, schools. We have concerns about the rapid growth in our area and significant increase in traffic and need for transportation solutions for access to the Charlotte area. Our sewer capacity has limited new housing development, and we have little to no affordable housing.

My asks are two things. One, that Waxhaw, Weddington, and Wesley Chapel community not be split in either the House, Senate, or congressional redrawn maps. Two, as a Charlotte suburb, my ask is that our tri-W community be included in a congressional district, which represents a significant portion of the Charlotte area. As a suburban community we have more issues in common with Charlotte, so we should have representation that reflects that commonality rather than inclusion in a congressional district that reaches 120 miles east of us to the borders of Robeson county. In addition, I am adamantly requesting more public hearings be held after the initial maps are drawn so that the public can specifically weigh in on their potential new maps and the effect on their communities. I'm advocating for fair maps, equal representation, and complete transparency during this public process. Thank you.

Speaker 4 (01:28:32):
Thank you. Ms. Sans, floor is yours.

Maite Sans (01:28:38):
Hi, my name is Maite Sans. I am the state liaison for indivisible North Carolina district nine. I'm a former commissioner for the North Carolina complete count commission. I am a Latina and I'm a business owner. I live in zip code 28270, congressional district nine, in the city of Charlotte in Mecklenburg county. The reason I am here is because of our congressional district. Mecklenburg county has two congressional seats, district 12 represented by Congresswoman Elma Adams and congressional seat nine by Congressman Dan Bishop. The twelfth congressional district is located in the city of Charlotte and the surrounding areas of Mecklenburg county, but the ninth congressional district, where I live, has the Southeast portion of Charlotte and also the following counties, Union, Anson, Richmond, Scotland, Robeson, and parts of Laden. I understand that because of population size, the city of Charlotte and even Mecklenburg county, can't be kept on its own congressional district, but the Southeast Charlotte has very different needs than its rural neighbors. Having such an expansive congressional district serves as a detriment to its constituents, not only during elections, but only with its resources. South Charlotte-
us. Incumbents should not choose their constituents, and also please keep Latino growth in mind. Thank you for your time.

Speaker 9 (01:30:36):
Thank you. Folks that exhausts the online sign-ups. The rest of the sign-ups happened here on site, and so we're going to start on that list with Cynthia Wallace and Tanya Moser. Is Tanya here? Tanya Moser. Stephanie Stenglein, Stephanie. Welcome Stephanie. Cynthia, the floor is yours.

Cynthia Wallace (01:31:07):
Thank you so much. Good afternoon. I'm Cynthia Wallace. I live in Southeast Charlotte where I've lived for over 15 years. I'm also the executive director of the New Rural Project. We support Union, Anson, Richmond, Scotland, Robeson, Hoke, and Moore Counties. And as you can see, we haven't heard from anyone in many of those counties because they don't have a location close to them. Our goal though is to reduce the barrier to specific engagement with rural residents. I am advocating for the joint redistrict and committee to host a public hearing schedule after maps are released to the public for people in rural places, and specifically Richmond County. The closest public meeting to them during this pre-map drawing time is at least one hour East or West of them. This creates a barrier to their participation in this important effort that will define our districts for the next decade.

Richmond County doesn't have public transportation, and they have some of the highest poverty and unemployment rates of the 100 North Carolina Counties. We all want maximum engagement between our residents and elected officials, and their voices deserve to be heard. I urge you all to have a public meeting in Richmond County after the maps are drawn. This would be more accessible to people in Anson and Scotland as well. They know their communities best and would be able to provide the most helpful and impactful feedback to legislators after viewing draft maps. In addition to a public meeting occurring in Richmond after the maps are drawn, I urge you to offer live streaming as well, and give people the opportunity to speak both online and over the phone as we know there are broadband issues. Our democracy only works when public speaking opportunities are accessible for all, and a full cross section of voices are heard. Thank you.

Speaker 9 (01:33:06):
Thank you, Ms. Wallace. Stephanie.

Stephanie Stenglein (01:33:10):
Hi, good afternoon. I'm Stephanie Stenglein, and I am president of the Historic Camp Greene Neighborhood Association right down the street off Wilkinson, and I want to echo everybody's comments on gerrymandering. They've said everything that I agree with, and I want to echo those and just highlight a few things. I want to highlight districts should be compact. We are a neighborhood, we want to stay together. Communities should be kept together and not divided. Do not split precincts, we feel strongly about that. And I hope this one meeting is truly informative and not just performative. Thank you.

Speaker 9 (01:33:45):
Thank you. [Eileen Perloff 01:33:48] and Aimy Steele, Eileen Perloff.

Eileen Perloff (01:33:52):
[inaudible 01:33:52].

Speaker 9 (01:33:51):
Aimy Steele. What's that?

Eileen Perloff (01:33:56):
I already spoke.

Speaker 9 (01:33:56):
You already spoke, and you are?

Eileen Perloff (01:33:58):
Eileen Perloff.

Speaker 9 (01:33:59):
Eileen, thank you. Aimy Steele is here. Catherine Whitmire. Is Catherine Whitmire here? Yes, welcome. Aimy, the floor is yours.

Aimy Steele (01:34:11):
Thank you. I'm Aimy Steele, former candidate for the North Carolina House District 82 in Cabarrus County in 2018 and 2020, and the new executive director of the New North Carolina Project. As a former North Carolina school principal, I'm no stranger to redistricting as we did this in public schools often. It's simple, draw the lines within natural boundaries that don't divide communities, or neighborhood streets, and that are not in the best interest of the person running for office, but rather the best interest for all people, all neighbors, and all constituents.

Election day, 2020, phone call number one, Aimy, I don't see you on my ballot this year, but you were on my ballot in 2018, what happened from '18 to '20? Phone call number two, Aimy, my neighbor has you on her ballot but I don't, why? Phone call number three, Aimy, my polling location leader said, although I voted here in 2018, I have to go somewhere else to vote in 2020. North Carolina General Assembly please don't continue confusing the public, draw fair lines. Diluting our voting power and making it difficult for communities, particularly communities of color to advocate for our needs is simply inhumane. We need to be kept whole inside of any legislative and congressional districts. Do the right thing, and make right choices that do not require surgical precision. Thank you.

Speaker 9 (01:35:51):
Thank you, Ms. Steele. Ms. Whitmire.

Catherine Whitmire (01:35:57):
My name is Catherine Whitmire. I live in the South Park area of Charlotte, in the Foxcroft East neighborhood. I am represented by Dan Bishop in the ninth Congressional District. The ninth Congressional District as currently drawn does not reflect my community. My church, my volunteer work, my children's schools, our hospitals and recreation activities largely all take place in another district. As currently drawn, the ninth district extends all the way through Rockingham to Fayetteville,
both nice towns with lovely people, but not the Central Charlotte community in which I and Dan Bishop live.

How can he or any congressperson representing the ninth know the concerns of the people out in Rockingham the way someone in Charlotte would? I do not get to vote in a primary for the candidate that is realistically representing me, ever. My vote does not count. My teenage children aged 17 and 19 are both disillusioned by the sad fact of our system. My elderly parents have said for years that they often don't vote because "It doesn't count." Please change the congressional district maps in a thoughtful way. Please try to map in a way that supports the needs of the people connected by the community. It is here that we live our lives together every day regardless of our political party. Thanks.

Speaker 9 (01:37:16):
Thank you. Meredith Ritchie and Michael Evola. Welcome both of you. Miss Richie, whenever you're ready.

Meredith Ritchie (01:37:31):
My name is Meredith Ritchie, and I was born in Charlotte, and I love this city, and I live close to the center of it. But my affiliation today is none of those. It is a friend of Catherine Whitmire, who you just heard speak. She and I can walk to each other's homes. Our children went to the same elementary schools and middle schools. Our kids were on the same cross country team, and yet someone took a crayon and drew a line between our homes and made the craziest shapes I've ever seen, so I would like for that to stop, and she's part of my community. I would like to keep Charlotte a community, and not a big pie that all these politicians get to divide and get a piece of. Thank you.

Speaker 9 (01:38:24):
Thank you, Michael.

Michael Evola (01:38:28):
Good afternoon. My name is Michael Evola I'm a resident of the town of Waxhaw in Union County, and I'm chair of the Disability Issues Caucus. I agree with many of the sentiments of the previous speakers, especially those of Miss Eberly. As a young person I often believe I'm part of an underrepresented demographic, and as someone with a disability I know the issues of the disabled community often overlooked. I believe in a North Carolina with proper representation, and truly represents the people of which the districts will be drawn. In my opinion, gerrymandering of any kind inhibits accurate representation. North Carolina must draw maps that accurately represent the people in which these districts will be drawn. I believe an independent nonpartisan commission would accomplish this. Other states have adopted similar measures successfully. We must take divisive partisan politics out of this process for a more representative democracy. I would also ask that meetings like this provide an ASL interpreter, so people like me who are deaf or hard of hearing can participate without difficulty due to any lack of reasonable accommodations. Thank you.

Speaker 9 (01:39:34):
Thank you Michael for being here. [Eddie Aarons 01:39:40], I believe, is it correct?

Speaker 10 (01:39:44):
[inaudible 01:39:44].

2021-09-22_Public-Hearing_Mecklenberg Transcript by Rev.com
Speaker 9 (01:39:46):
[Iddie Ivans 01:39:46]

Speaker 10 (01:39:47):
[inaudible 01:39:47].

Speaker 9 (01:39:48):

Speaker 10 (01:40:00):
Thank you for being here today, and thank you for allowing me to speak. And I want to speak to you
today as an unaffiliated independent voter. I've lived in Charlotte now, my daughter is now 44, which
means I've been here for 48 years, and I've watched people of both parties, people of goodwill behave
in their own self-interest when it comes to drawing the lines. Consequently, my request today is to ask
that we can have an independent nonpartisan commission draw the lines for our districts to vote. It is
the only fair way. It's simply humanly impossible to ask of you all to ignore your own self-interest. It's
not possible for human beings to do that all the time. What I would ask of you is to do the right thing,
and turn this job over to an independent commission so that our voters can trust that they are being
fairly represented. Thank you so much.

Speaker 9 (01:41:06):
Thank you. Mr. Moore.

Rodney Moore (01:41:11):
Good afternoon. My name is Rodney Moore. I am a former member of the North Carolina House, and
today I speak to you as the political action chair for the Charlotte-Mecklenburg branch of the NAACP.
And we have, I've listened through this session and you've heard a lot of different opinions and
suggestions, and so I will not bore you with regurgitating those particular comments.

What I will say is that, I know this process. We know basically that unless we have an
independent redistricting committee, and we've tried that legislation many times while I was in office
and before and after, and so I would just ask publicly that we know this process. We want the process to
be equal. We want the process to be fair, not taking in partisan consideration, but you also have to
realize realistically, and just in reality, is that when you talk about partisan redistricting, you also talk
about racial redistricting. Because, if you look at the numbers, most African Americans and minorities
are parts of the Democratic Party, and so that's the challenge that you guys will face. Me personally, I
will be keeping an eye on what you're doing, and thank you guys for coming out. God bless you.

Speaker 9 (01:42:50):
Thank you. Thanks for being here. Ro'shaun McClendon and Steve Martin. Ro'shaun McClendon is here.
Steve Martin's heading up as well. Ro'shaun, whenever you are ready, it's all you.

Ro'shaun McClendon (01:43:10):
Firstly, thank you for your time. Sir, can you hear me?
Ro’shaun McClendon (01:43:13):
I rarely have to ask that question. But, I am here representing Gaston County. I am originally community organizer, one of the founding members the Gaston County Freedom Fighters, and I was just recently elected to be the first vice chair Gaston County Democratic Party, so do a lot of running around to say the least. And a lot of the things that I’ve wanted to touch on have been regurgitated, of course, and I want to keep this brief and not beat down the point. But one thing that really stuck out to me speaking to my community organizer was Mr. Cunningham, speaking about the underpinning factors of socioeconomic problems. And as someone who has done numerous voter registration drives, and as someone who wears my a Democratic Party hat well, canvassing recently, and one thing I have to confront with every individual voter is apathy.

Voter apathy is a very serious issue, especially in my county. And when I come to this person, I have to not only legitimize, not only the party, not only my credibility, but also the system that really we ought to participate in. And as someone who is a political nerd, I guess you could say, I really love the underpinnings and the details of something I obsess over. So going and speaking in front of all of you, I really do appreciate your time, and just consider all the outcomes and suggestions of those who have spoken before me. One solution I’ve recommended, of course, I think is the best is the nonpartisan drawing. I think that is something that's the most effective. And at the end of the day, I would like to think all of us are coming from a common place of wanting to see our democracy thrive, and I will continue to do my part. Thank you.

Steve Martin (01:45:02):
Thank you committee. I appreciate you being here. My name is Steve Martin and I’m a lifelong North Carolinian, life long resident of Mecklenburg County. My family goes back to the middle of the 1800s, at least that we know of, but we were still immigrants before there were quotas a while away. I was a registered and very dependable straight ticket Republican voter until 2016, and some things that happened that opened my eyes to what was going on, and I volunteered for the first time ever in my life to walk in District nine, where a lot of folks are here from that. And I want to, I'll first of all, support everything folks are saying here about non-partisan districting and so on, but if I can take you, this is a metaphor of what's going to happen here. It's both a metaphor of honesty, which is important to me.

My dad was an honest, therefore, poor mechanic. That's what we learned. And so a couple of things that I learned is I knocked on doors. This is what I heard. This is tough to hear mate, but it's probably not news to you. I heard that Democrats want to kill babies. I heard that LGBTQ children should commit suicide. I heard that migrant refugee families should be machine gunned at the border. And I just heard today on the radio coming over the disinformation about the vaccine and masks. So I don't know you folks from, as my dad used to say, Adam's house cat, but you've got an opportunity to not only in this redistricting here to do the right thing, and I think we've heard all that, that would be the right thing to do.

It's also a metaphor for what's going on in our democracy today. The misinformation that is being spewed today is horrendous. As I just referenced what I heard from what I call hate talk radio,
people are making tens of millions of dollars spreading disinformation in our society today. So please do the right thing, not only for this, but daily, if you would. You got to fight these lives that are coming out, please. Thank you.

Speaker 9 (01:47:16):
Thank you, Mr. Martin.

Steve Martin (01:47:18):
All right, [inaudible 01:47:18]

Speaker 9 (01:47:21):
Sangria Noble and Melissa Vandenberg. Welcome, Sangria.

Melissa Vandenberg (01:47:31):
I'm Melissa Vandenberg.

Sangria Noble (01:47:32):
I'm Sangria Noble.

Speaker 9 (01:47:36):
You're up. Thank you for being here both of you.

Sangria Noble (01:47:44):
I want to thank you for having us here, and thank you for coming here. And my name is Sangria Noble. I am the organizer, or criminal justice reform organizer and coordinator for Second Chance Alliance for Guilford County and Mecklenburg County. We have some concerns, but I will only address a couple of those today. One is, the times, dates, and postings for these hearings. As this hearing is held now I'm coming to you as an organizer, as a citizen, and as a mother. The dates and the times are at times where our children are at school. So for me, I had to scramble to get here, to get the kids out of school, because I am a single parent, and I'm very active in my children's education, and I don't really trust the bus system, so I'm here in Charlotte. I'm from Guilford County, but I'm here in Charlotte. And so those were some of our concerns, as far as these meetings are not accessible times for working people, normal working people.

Then when it comes to transportation, our black communities, our undeserved area, areas that are undeserved, we have a hard time getting here. This location here is a little far off from the bus stop, so if we want to voice our opinions we can't get here to do that. And then the other thing that we want you all to consider when making this decision for the mappings are the racial data. There's history of racial data that shows that North Carolina has a problem with gerrymandering, of course, as others have said, and we don't want our votes to be diluted. Thank you.

Speaker 9 (01:49:34):
Thank you, Melissa.

Melissa Vandenberg (01:49:41):
Hello everyone. Thanks for being here. I'm Melissa Vandenberg with NC Counts Coalition, nonpartisan. NC Counts Coalition we got out and got individuals counted for the census, worked hard to make sure that was done. I've lived in Charlotte, North Carolina for over 45 years, yes, I'm telling my age. And gentrification is running rapid through Charlotte. And that goes to the next level when you start drawing maps that's nonpartisan, and you start making choices, then you start finding people pushed out. I know as a Charlottian at first we was all in the center of Charlotte. Black people, Brown people, we were all in the center, Pamlico, Dalton Village, Roper, we was all in the center, now you're finding them pushed out to Cabarrus County, other areas where transportation is not there. We went, we counted the individuals for the census.

These individuals want to vote, and remember the voters get to make the choice who they vote for. You all don't get to vote, who's going to vote for you all? You all don't get to make that choice, but drawing these lines like this will divide the neighborhood and create pockets where North Carolina will have more gentrification and look worse to the rest of the country. So I'm asking you all to please think about everything that's been said here, and make a positive change. There's enough already going on negative.

Speaker 9 (01:51:27):

Collette Alston (01:51:44):
Thank you. I'm Collette Alston. Again, my name is Collette Alston. I live in precinct 102 here in Mecklenburg County. I'm the vice chair, used to be the chair of Precinct 102, Matthews, North Carolina, but I have Charlotte City Council representation, I'll get into that in a second. I'm also the president of the African-American caucus of the Mecklenburg County Democratic Party. The main challenges that the African-American caucus experiences within the Black community of Mecklenburg County are access to healthcare, housing affordability, criminal justice reform, Charlotte Mecklenburg school system, and voter education.

Voter education ties back directly to each of these issues. Your precinct number determines which hospitals, urgent care facilities, and pharmacies are in your area. Your precinct number is indicative of if your area has affordable housing or not. Your precinct number is the tie to the number of Black bodies in the jails and prisons in your county and state. Your precinct number determines if you are in a school district with less than adequate educational enforcements and standards. For all of the representatives in the majority of the elected offices on our ballots here in Mecklenburg County and all counties throughout the United States of America, your precinct is tied to your representative.

These representatives are tied to districts. The determination of these districts is why we are here today. Districts must be drawn that are compact and do not split precincts. Districts should share similarity in area, for example, a city, town district should be similar to a county district, a state senate district, a state house district, a U.S. congressional district, a state superior court district, a district attorney district, you get the picture. Smaller cities and towns should not be divided to protect the incumbents or any particular political party. On behalf of the African-American caucus of Mecklenburg county, I thank this committee for your attention.

Speaker 9 (01:54:06):
Thank you. Ms. Warren.
Tabitha Warren (01:54:12):
Hi everyone. Thank you so much for having this hearing. I hope to see more of you. I wasn't planning on speaking, I'm dressed rather casually, but I've felt like I had to, I'm very fortunate to be able to even be here on a weekday during business hours, and I don't take that for granted. I live in Congressional District 12, NC Senate District 39, and NC House District 88. I voted in precinct 50, and I voted in every election, national, state, local, since I moved to North Carolina many years ago, I won't tell you how many. Sorry, I'm a little nervous. I only have three things to say really. Just because the Supreme Court says that partisan gerrymandering is constitutional, it doesn't make it right.

I ask you to please use the efficiency gap, which calculates, thank you, a formula to minimize each party's wasted votes when drawing your district lines. And instead of lawmakers choosing voters through gerrymandering and stoking culture wars, try winning hearts and minds instead, through thought out ideas and policy. The people behind me know where I stand on this, and when I turn around, you will too. Thank you.

Speaker 9 (01:55:47):
Thank you as well. Our last signed up speaker is Bill Georgio. Bill, is there a Bill Georgio here? Yes. Welcome. Your pit.

Bill Georgio (01:56:15):
I want to thank you guys for your public service. It's an honor to have the opportunity to speak in front of you. So my name's Bill Georgio, I live in Precinct 51. I have had the distinct honor of training and becoming a chief judge this past election. Why that was significant to me is, because I'm Greek-American. My ancestors created this idea of democracy and justice and we've all perfected it throughout the years through many different democracies. Right now the most important thing is when people consider voting in their civic duty, that they don't approach the game if you consider it, because I call it a game, because to me I'm a political activist. To me this is, it's embedded within me to participate civically. So when they approach the game and they say, hey, my map is gerrymander, or there's no reason to run because you can't win that election.

My previous, I grew up in Cabarrus County, and Aimy Steele has a great point, and the previous person had a, there was another speaker that spoke about District 36, why are these going over county lines? This doesn't make sense, and it turns voters off. And so it also adds this addition of, now after on election night we have to check the two different county stuff. And with technology it's not a big deal, this is first world problems, but why complicate things? And you want to keep things transparent. You want to provide maps, and you need to have more public hearings to get input, because that was great input. I now live in Precinct 51 in Mecklenburg County, it's great, but I grew up in Cabarrus County, and I specifically saw incumbents when year after year, when they didn't represent the true geography and demographic of the area.

And finally, so no splitting of precincts, precincts, are we serious? And then you want to, like we were saying about Senate District 36, you don't want to go across county lines, you want to simplify things. And finally, people want to approach voting and sincerely feel that they matter, not that they're participating, and maybe in a crap shoot they might win and feel like they have democracy provided for them. Thank you for your time. Please consider everyone's comments, because I feel like there's been many powerful arguments made. Have a great-

Speaker 9 (01:58:33):
Thank you Mr. Georgio. So I'm just going to ask, if there's anyone here who did not sign-up, but they have been moved to come speak because something that you wanted to say really was not said, we have one. If you'll give me your name and affiliation, you're welcome. And if there's anybody else who would like to come up, you're welcome to do that as well.

John Highfill (01:58:57):

My name is John Highfill, I'm affiliated with myself. And I just have three words in addition to, I appreciate you all service, every one of you. I'm in Precinct one for 41 years, ever since I've lived in Charlotte. My three words are, keep districts compact. Thank you.

Speaker 9 (01:59:21):

Thank you. Everybody, thank you for coming out. We so appreciate your participation, your presence. It means a great deal. Thank you. Have a great night. [crosstalk 01:59:31]. We're adjourned.

PART 4 OF 4 ENDS [01:59:37]
Joyce Krawiec (00:02:21):
... all for being here. Welcome to the Joint Redistricting Committee.

Speaker 2 (00:02:27):
[inaudible 00:02:27]

Joyce Krawiec (00:02:30):
How about this? Is that better?

Audience (00:02:32):
Yeah.

Joyce Krawiec (00:02:32):
Yay. Okay. Welcome to the Redistricting Committee of the joint House and Senate meeting. We’re glad that you’re all here and we are here to hear from you. First, I want to introduce our sergeant-at-arms and thank them for being here. From the Senate side, we have Rod Fuller. Thank you, sir. And the House sergeant-at-arms is Thomas Terry. He's outside. Thank you both for being here and taking care of us. We appreciate your service to the committee very much.

And I am Senator Joyce Krawiec. I represent Forsyth and Davie County just down the road. And I'm going to introduce my colleagues here with me. We have a Representative Wesley Harris from Mecklenburg, Senator Natasha Marcus from Mecklenburg, Senator Vickie Sawyer represents Iredell and Yadkin. And Senator Harry Warren from Rowan County.

Natasha Marcus (00:03:24):
Hi, everybody.

Joyce Krawiec (00:03:26):
Representative Jeff McNeely from Iredell.

Jeff McNeely (00:03:28):
I'm from here.

Joyce Krawiec (00:03:32):
Your hometown boy. And Senator Vickie Sawyer represents Iredell and Yadkin. And Senator Harry Warren from Rowan County.

Harry Warren (00:03:41):
I'm actually a representative.

Joyce Krawiec (00:03:44):
Did I call you senator?

Harry Warren (00:03:46):
You [inaudible 00:03:46], yes.
Joyce Krawiec (00:03:49):  
He's a dear friend. He's so close. I think he is definitely a good friend. Representative Harry Warren from Rowan County. Thank you all for being here. And we are here to hear from each of you. We are anxious to hear what you have to say. And I also want to let you know that we do have a website. This is being recorded, so you can go back and take it in as you wish and not listen to the questions again when we're finished. But we're going to go through the list of those who signed up online. And then, we'll go through those who signed up here today.  

So welcome to all of you. And our first speaker is John [Lingle 00:04:29]. And each speaker will have two minutes. And thank you, Mr. Lingle, for being here. Thank you.

John Lingle (00:04:56):  
Good afternoon. My name is John Lingle. I've been a resident of Davidson, North Carolina for the last 21 years. I'm retired, but have spent the last four years working with various groups fighting for fairer elections. I'm here to urge the committee to make this redistricting process more transparent and inclusive.  

The 2011 redistricting process had many flaws that cost North Carolina citizens national prestige and more than $10 million in litigation, most of which the state lost. Improving the process this round will result in fair maps and better use of tax dollars. All North Carolinians need a reasonable chance to participate that requires more public hearings and virtual access for immunocompromised individuals. In 2011, there were 63 public hearings, but only 14 this round.  

Only one inconveniently scheduled meeting is set for comments about draft maps. This is clearly discriminatory perhaps with surgical precision as it'll be much more difficult for frontline workers to participate at such an inconvenient hour during their work day. Allowing public comments only in the absence of draft maps clearly reflects an unfair, non-inclusive and secretive process. It may be too late to fix the confusion surrounding the 13th meetings with their late notifications, conflicting addresses on the legislative website and no virtual access.  

It's not too late to schedule more meetings to allow public comments on draft maps. In conclusion, please make this process more transparent, inclusive and fair so we don't spend millions of our tax dollars on excessive litigation this round. Thank you.

Joyce Krawiec (00:06:55):  
Thank you, Mr. Lingle. Thank you very much. Next we have Arthur [Sho 00:07:03]. Next we have Craig [Adurb 00:07:12]. Joe [Kloniger 00:07:20].

Joe Kloniger (00:07:39):  
Committee members, thank you for the opportunity to speak to you this afternoon. And I'd like to thank those members that are wearing masks to help conquer COVID. My name is Joe Kloniger. My name is Joe Kloniger and I have lived in one of three towns, Davidson, Cornelius or Huntersville over the last 25 years. And currently, I'm an unaffiliated voter.  

For over 20 years, I have worked for the Charlotte Mecklenburg schools as a teacher, assistant principal, and principal. I'm a parent of four children and a grandparent to six. In my days in education, and now as a volunteer, I have always believed in doing what is right and best for all. Meaning, children and adults. I am here today to talk to you about the redistricting process and what is right and best for all citizens, and especially for our young people.
I ask, number one, that the redistricting process be transparent, because that is what is right and best for the citizens you represent. Number two, I ask that the draft maps be available before these hearings. Number three, I asked to schedule public hearings in the evenings after work hours. Number four, I ask you to share the redistricting criteria online. Number five, I ask you to provide the opportunity for virtual viewing and public testimony during pandemics and to allow for four-minute public testimony as done in Texas.

Number six, I ask you to offer at least 50 locations for the public hearings across our great state of North Carolina. Number seven, I ask you not to gerrymander, and number eight, I ask that the entire public hearing mapping process be transparent and be right and best for all. Thank you for your service and I look forward to demonstrating to us that this hearing was informative and not performative.

Joyce Krawiec (00:09:53):
Thank you, Ms. Kloniger. Patricia Dumser. And after Ms. Dumser will be Diane Hamby so she can be prepared. We need a new mic I do believe. Someone's coming to take care of the mic. Thank you for your patience. We could get with this one for now. (silence) Probably battery. It's working.

Patricia Dumser (00:11:34):
It should be okay. Okay. Thank you. Good afternoon. My name is Patricia Dumser and I have been a voter in Davidson and Cornelius for 23 years. And we'd like to thank you all for your service to the state and for giving us the opportunity, the citizens, to [inaudible 00:12:06] use my time to speak to you from [inaudible 00:12:19] appeal to you [inaudible 00:12:21] said. I'm not a native North Carolinian but I am by the grace of God [inaudible 00:12:31] for the last 48 years. I think it's wonderful. I want to be [inaudible 00:12:38] in the eyes of us, the nation, and my grandchildren [inaudible 00:12:44]. They need to see that going [inaudible 00:12:50] and all the districts are really without depending upon gerrymandering. North Carolina [inaudible 00:12:56] now and in the future, I hope a state is admired by the rest of the country and not locked up in court litigation costing of millions of Carolina tax dollars because we have not been open and transparent in past redistricting. I hope we will [inaudible 00:12:56] and see that, although you give us a chance to [inaudible 00:12:56] before a final decision is made. I thank you for your [inaudible 00:13:43].

Joyce Krawiec (00:13:43):
Thank you, Ms. Dumser.

Diane Hamby (00:13:44):
Thank you. [inaudible 00:13:52] Hamby.

Joyce Krawiec (00:13:55):
Ms. Hamby, we'll take just a minute because that mic wants to work part of the time, but not all of the time.

Speaker 11 (00:14:01):
[inaudible 00:14:01]
Speaker 12 (00:14:00):
Waiting for the governor's signature. Should we just share a mic?

Joyce Krawiec (00:14:19):
We could. Well, it's got a cord. I don't think it'll go that far.

Speaker 12 (00:14:28):
[inaudible 00:14:28]

Joyce Krawiec (00:14:28):
We'd have to pass it back and forth. He's getting us one.

Speaker 12 (00:14:40):
You might want to stay down here.

Joyce Krawiec (00:14:43):
Yeah. Now it's working. While we're waiting for the mic, I want to recognize or addition to our panel. Senator Joyce Waddell from Mecklenburg County has joined us. Thank you, Senator Waddell, for being here.

Diane Hamby (00:15:15):
Thank you for having these hearings. I am Diane Hamby. I've worn many hats in this community. So let me just address a few things. I had wish that you would have some sort of maps, either current or proposed so people would understand why you're having these hearings. So there's just some things I want you to consider.

Don't divide precincts. Don't divide municipalities when you draw the maps. Don't divide counties. I have lived where I have lived for a long time and I have been in four congressional districts. In Iredell County on Election Day, the poll workers have 34 different ballots to handle. I want you all to understand what a nightmare that is when we try to find poll workers. And when people get the wrong ballot they get very angry. And they don't understand that you have 34 different stacks, especially in early voting.

It is really important when you draw these maps. The notion of politicians picking their voters has got to stop. All of us want fair maps and fair elections and true choices. We don't want somebody sitting, "Well, I know this block will vote for me and this block will vote for me, so let's put them in my district." That's got to stop, folks.

I think people all across this country are tired of it. We want honest, fair elections, and fair maps. And we hope that at some time, you will post some ideas so we know what we're talking about. And again, thank you for having these, because I don't ever remember a redistrict hearing in Iredell County. Thank you.

Joyce Krawiec (00:17:04):
Thank you, Ms. Hamby. Next we have Todd Scott and following Todd will be Lisa Moser.

Todd Scott (00:17:13):
I need a flashlight.

Joyce Krawiec (00:17:20):
Welcome, Mr. Scott.

Todd Scott (00:17:22):
Hello. Thank you all for coming to Iredell. My name is Todd Scott. I'm the president of the Statesville NAACP. First off, I'd like to say that both parties have done this redistricting the wrong way at certain times. One party took it to a different level. After the maps come out, we need hearings to discuss the maps, proper time. Last time we had one of these I had to go to Lenoir. And they did bring the maps out like it was after midnight, so we had no time to look at the maps when it was up there for the meeting.

The NAACP believes race needs to be a part of this criteria. We don't want any partisan data like if you are a Democrat, and we know most African-Americans vote Democrat so you go through that whole area of a place and just pick, make that a partisan area. We don't want to pack any districts. Don't sped up the counties in three or four districts.

Joyce Krawiec (00:18:21):
Thank you.

Todd Scott (00:18:22):
People in our communities and neighborhoods have the same policy needs and need to be together. Keep neighborhoods in interest together is critical for those who are regularly left out, just like we have food deserts here. So we want everybody to have a voice and just not one side of the town or one side of the district. I want everybody to have their first shake and I agree on what a lot of people said here today, and hope y'all can come back again next time. Thank you.

Joyce Krawiec (00:18:53):
Thank you, sir. Lisa Moser, and she will be followed by Douglas Reed.

Lisa Moser (00:19:11):
Good afternoon, representative, senator. I want to put a face on the concern that without the proper representation for our community, we want the concern for our community to be there. Just because something is done, legislation passed, doesn't make it right. It might be legal. On the way over here tonight, I heard two women talking about how wonderful of a campus is and I think everybody can agree, it's so nice to walk across the campus of Mitchell, but there was a time when my mother would have loved to have gone to this college and it wasn't legal for my mother to do so.

Also, you might remember Representative McNeely, we had a conversation not too long ago about how beautiful downtown is. Many of the buildings here in downtown Statesville are over 100 years old. It's a very historic, several hundred years old when we look at the entire community. We're an old community. We're a proud community. We used to call ourselves the city of progress, do you remember that?
Well, let me just tell you that less than a mile from the downtown beautiful clean area is my old neighborhood that I grew up in as a child. And it looks like a third world. You can't get sidewalks fixed. There's no curbing, no retainer walls. When we talk about legal representation, let it be fair. Thank you.

Joyce Krawiec (00:20:36):
Thank you. Douglas Reed. Is Douglas here? Next will be Charles Quivey. Charles Quivey is not here. Next will be Deborah McGivern. And following Deborah will be Brian Duncan.

Deborah McGivern (00:21:11):
Let's see if I can stretch up. You know I'm very tall. Thank you. Thank you. I'm Deb McGivern. I'm president of the women voters of Catawba Valley. So I'm from Catawba County, which borders Iredell County. Thank you for the opportunity to speak.

The North Carolina constitution states all persons are created equal. I want all votes to be created equal. We ask for a transparent process like many of those that have spoken before that includes meaningful input from the public both before and after draft maps are drawn. What we appreciate this public hearing, the number and coverage for our state is not enough. Where are the virtual meetings? Where are the meeting's post-draft maps?

One meeting in Raleigh does not constitute public input. This past decade has seen North Carolina make the news in redistricting in ways that we should all be embarrassed by transparency in the redistricting process is a low bar to meet, yet it was a challenge. Public comments submitted through the portal should be available to all. Communities should not be divided. Partisan data or knowledge of how people vote has no place in drawing district lines. Predetermined elections do not help our communities or our state.

Our state is fortunate we're growing. We have an additional US representative, which means redistricting is broad. It's a big deal to redistrict Denada District. North Carolinians deserve to have their voices heard through input into the maps, map drawing, and an outcome that results in fair elections. Thank you for the opportunity.

Joyce Krawiec (00:23:27):
Thank you, Ms. McGivern. Brian Duncan, and following Mr. Duncan will be Robert Nim.

Brian Duncan (00:23:36):
Hi. Good afternoon. And thank you for allowing me an opportunity to speak. I'm Brian Duncan. I'm executive director of I-CARE Incorporated, which is the local community action agency here in Statesville. We serve Iredell, Lincoln, Catawba, and Alexander counties as well.

So as an agency purposed with speaking on behalf of those who have lost their voices or been disenfranchised, I just felt compelled to speak today. Redistricting is a very critical process that should be void of politics. When done fairly, district lines are redrawn to reflect population changes and racial diversity. In 2018, there were four states where the party that won less than half the votes won more than half the seats. That was the obvious result of gerrymandering.

According to my research, North Carolina was one of those states. As a citizen of one of the most gerrymandered states in the country, I'm here today to voice opposition to any redistricting met that disparately impacts communities of color, low-income communities or any vulnerable population for that matter. When maps are drawn unfairly issues that matter most to the majority of citizens in the state are not prioritized.
I'm here today to unequivocally request fairness. As a legislator, it is not your role to pick your constituents. It's the role of constituents to pick legislators. So the rule of this problem is in the process. Our current process is really a fox in the hen house exercise with little regard for fairness. This process clearly needs to be changed to one where independent experts redraw district lines based on fairness. In the current process, as I close, I do want to remind you and the public of the rules that require adherence to the Voting Rights Act and constitutional rules on race and that extreme partisan gerrymandering is prohibited. Thank you for your time.

Joyce Krawiec (00:26:00):
Thank you, Mr. Duncan. Robert Nim. Scott Huffman. And following Mr. Huffman will be Tom Watson. Welcome, Mr. Huffman.

Scott Huffman (00:26:26):
Thank you. Hello. My name is Scott Huffman and I'm running to represent North Carolina's 13th congressional district. The right to have one's voice heard is one of the most fundamental rights held by the American people. Many have made great sacrifices in order to protect it including my family and I who have given over 150 years of military service defending our constitution in North Carolina. Unfortunately, elected Republicans continue to disregard these sacrifices by drawing gerrymandered maps.

Former state Representative David Lewis once said, "I propose that we draw the maps to give a partisan advantage to 10 Republicans and 3 Democrats, because I do not believe it's possible to draw a map with 11 Republicans and 2 Democrats. That take some brass." Our democracy should not be a game played by people who only believe in cheating to win. Governance means holding responsibility for the well-being of one's fellow American, not stealing power from the people.

Politicians shouldn't be choosing politicians for the voters, voters should choose who they want. This shouldn't be a partisan issue. We need elections that people can trust and feel confident about. Ted Budd was my opponent during the 2020 election cycle and he voted against certifying the presidential results, because of the big lie, yet he accepted his gerrymandered results that gave him a third term. Cramming people of color into one district when they should have two is a deliberate and racist action, which dilutes the voices of Americans who deserve equal say. It hurts all of us.

Look, I'm not naïve. I hate to disappoint everyone who is here today. These hearings are for show. Elected Republicans have already drawn the maps in a back room without the people having input, however, let me say this to each of you. I am still hopeful that you will do the right thing for our state, our country, and draw fair maps not for the politicians, but for the people who grant you the power to govern for us. Look, we also need to stop acting like the pandemic is over. Every 43 seconds an American dies from COVID. Wear a mask and get vaccinated.

Joyce Krawiec (00:28:52):
Tom Watson. And following Mr. Watson will be Reverend Marcus Williams.

Tom Watson (00:29:03):
My name is Tom Watson. I moved to Davidson in 2014 together with my wife to start the Cedars-Davidson Bed and Breakfast. We operated this traditional bed and breakfast successfully in Davidson until age and COVID persuaded us to retire in 2020. But before we moved to Davidson, we lived in the
University City area of Charlotte, and finally moved, and when we moved here, we retained many ties to Charlotte, Cornelius, and Huntersville.

We are members of Saint Mark's Episcopal Church in Huntersville where my wife is very active in the Flyin' Lions Culinary Ministry. A program that teaches commercial kitchen skills to people in need of employment. I serve on the board of trustees of historic Rosedale, a federalist era house situated on eight acres of woods and gardens on North Tryon Street in Charlotte.

Like any older person, my wife and I have various medical needs and most of our doctors are in Huntersville, thus our shopping, church, social, and charitable connections all face towards Davidson, Cornelius, Huntersville, and ultimately Charlotte. These towns and city divine our community of interest. It only makes sense to us to remain within a Mecklenburg County political district. Please do not cut our political ties with the rest of the county.

I wish I could make specific suggestions or criticisms for your consideration, but the redistricting criteria are opaque and a draft map has not been presented. All I can do is urge you to keep Davidson within a district that includes Cornelius, Huntersville, and the rest of Mecklenburg County. To act to protect all persons and groups fairly and to work transparently so that all can see and understand the process you followed to reach your decisions.

Joyce Krawiec (00:30:52):
Thank you, Mr. Watson. Reverend Marcus Williams. Crystal Guindo. Beth Kendall. And following Ms. Kendall will be Elaine Hewitt.

Beth Kendall (00:31:16):
Thank you. Hi. I'm Beth Kendall. I live in Davidson here in Iredell County. I want to thank you for taking time to go across the state and really listen to our voters from our communities. We should all be able to agree that our democracy is stronger when voters are engaged and our politicians are much better when voters hold them accountable. That becomes increasingly difficult when you're in a different voting district than your neighbor.

For example, let's say Ronda, a voter in precinct states full six who incidentally lives in Statesville ward number three talks to her up the street neighbor, John, who's also in Statesville ward number three, but precinct stays full three. Their kids play together, they go to the same school, they all go to the same church, but they're in two different NC State House Districts.

Let's say that both are really concerned about the lack of good quality affordable housing in their area and they want to act. It's a lot harder for Ronda and John to organize to put pressure on their reps. They're having to talk to two different staffs, go through two different processes. They have to identify which of their neighbors is in which reps district. And then, on top of all that their voices are diluted because they have several neighbors, although they have several neighbors organized they make up two different districts and are a much smaller percentage of each rep's constituents. Communities, neighborhoods, and municipalities should be kept whole.

Also, districts should not look like snakes or ducks or earmuffs. North Carolina is very close to a 50-50 state, so no way should 8 of 13 representatives be from one party. Representatives shouldn't get to choose their voters, not only is that not the way democracy should work, it makes any party weaker. If an elected Democrat or Republican is always going to win a district because of the way it's drawn, they don't even try to reach out to the other side. Their only fear is someone farther to the extreme than them.
That doesn't bode well for working together and it doesn't make our state or our country stronger. It leads to cults of personality, divisiveness, and wasting time arguing about wedge issues instead of actually making people's lives better. Voters lose their power and that's not democracy.

Joyce Krawiec (00:33:37):
Thank you, Ms. Kendall. Elaine Hewitt, and following Ms. Hewitt is Sergio Fernandez.

Elaine Hewitt (00:33:52):
Hi. I'm Elaine Hewitt from Rowan County. Thank you for this opportunity to speak to the redistricting joint committee. First, I know that the legislature has numerical rules beyond their control that they have to follow. If possible, please have no precinct that is split during redistricting. And if possible, no counties that are split.

Second, I want to thank the legislature for the 2011 redistricting work. I lived in the Democratic legislature's drawing District 12 when it snaked down interstate 85, the position was filled by Representative Mill Watts. That District 12 was the definition of gerrymander. Third, as a citizen, it is sad to me that no matter what the Republican legislature proposes the opposition will file lawsuits. The liberal court mandated redistricting that created the current District 13 for the 2016 election led to an out of cycle special primary. To me, the last minute second primary on a date voters were unaccustomed to created significant confusion among voters and was a form of vote suppression.

The Democrat party claims that voter photo ID suppressed the vote, but they give no evidence that any specific vote has been suppressed. They asked for specific vote court cases to back up voter fraud, but they offered no court cases where specific people have had their votes suppressed. Again, thank you for the opportunity to speak. I wish the North Carolina legislature the best in their redistricting efforts.

Joyce Krawiec (00:35:31):
Thank you, Ms. Hewitt. Sergio Fernandez. Geoffrey Hoy. And following Mr. Hoy is Rosanna McDonald.

Geoffrey Hoy (00:35:52):
Good afternoon. My name is Geoffrey Hoy and I am the chairperson of the Rowan County Democratic Party. My hope is that you would share my goal of each district having enough demographic diversity so that in competitive campaigns, we would have a vigorous, healthy debate of issues, strengthening our democracy. Specifically, I would ask that, number one, you draw district lines, maintaining precincts without splitting them up, and maintaining counties if at all possible as well.

I agree with my Republican friend, Elaine Hewitt, who just said the same thing, which is kind of fun. And number two, that the next step in this process be conducted in a transparent manner, observable by all the citizens of North Carolina. Three, that the proposed new maps be presented soon enough for public comment and input. My bottom line goal would be to have elected representatives in North Carolina reflect the overall balance of the electorate as evidenced by the election of both Republicans and Democrats at the statewide level in the last election. I thank you very much and best wishes in your process.

Joyce Krawiec (00:37:27):
Thank you, Mr. Hoy. Rosanna McDonald, and following Ms. McDonald is Lisa Jewell.
Rosanna McDonald (00:37:45):
Good afternoon, everyone, who's here on behalf of drawing fair maps. My name is Rosanna McDonald. I'm from the city of Lenoir in Caldwell County. I'm the vice president of the Caldwell County NAACP. And I'm here to represent the interests of minority voters.

Redistricting is essential to voting rights and electoral representation for historically underrepresented groups. It's extremely important that transparent process is conducted that values all communities' interests. It's also important that the general assembly complies with the Voting Rights Act and other laws in the process. Between 2010 and 2020, federal courts found that North Carolina's redistricting plans discriminated against voters of color by diluting minority votes.

The general assembly failed to include the consideration of the history of discrimination in North Carolina, which is necessary to ensure compliance with section 2 of the Voting Rights Act. I strongly oppose the exclusion of the history of discrimination in the redistricting criteria. I urge the general assembly to consider the history of discrimination in voting and redistricting so the general assembly does not again violate section 2 of the Voting Rights Act.

Redistricting needs to be about equal votes, equal voices, and giving all communities equal voices, not about politicians. Thank you.

Joyce Krawiec (00:39:08):
Thank you, Ms. McDonald. Lisa Jewell, and following Ms. Jewell is David Parker.

Lisa Jewell (00:39:24):
Good afternoon. I'm Lisa Jewell and I'm the chair of Democratic Precinct 127 in Davidson. I've been a resident in Davidson for 13 years. My husband and I have raised our daughter there and sent her to public Charlotte Mecklenburg Schools. We both work in Davidson and in Charlotte. Living in Davidson is a blessing with its quaint downtown and friendly neighborhoods. Davidson is a unique blend of people with Davidson College students, families who lived there for generations, and people like me who hail from different places across the country.

We've always considered ourselves part of the North Charlotte area of Mecklenburg County that includes Huntersville, Cornelius, and Davidson. That is where we center our lives around. That is where we dine, shop, and use our tax dollars. Driving our exits 23 to 30 is how we go about our day, keeping our district reflecting how we live is vital to us. Redistricting without a fair reflection of how communities function and gather is moving from representation of the people to politicians moving to represent their own interests. I urge you to make the process of redistricting more transparent, more inclusive, and fairer. Thank you.

Joyce Krawiec (00:40:51):
Thank you, Ms. Jewel. David Parker, and Mr. Parker will be followed by Lynn Puma.

David Parker (00:41:05):
Thank you. Good afternoon. I'm David Parker. I'm the former chairman of the North Carolina Democratic Party, but I come today to commend the Republicans among you for being so honest about your objectives and your goals in this redistricting and election law revision process in stating that your goal is to protect the incumbents. But I don't think that that's what we had in mind as a country.
The hallmarks of protecting incumbents are fairly simple, the conserving and protection of the wealth and power for the few against the many. The use of redistricting and election laws to reduce the meaningful vote of many of the citizens, using rhetoric to inflame good, honest, decent people. Concealing facts such as maps in order to make it impossible for people to respond intelligently.

The Republican majority in the general assembly is proudly, loudly, honestly, and vigorously championing protecting their own power. How are you doing this? It's redistricting of the incumbents by the incumbents and for the incumbents. That's directly contrary to our Declaration of Independence and our North Carolina constitution. I commend you for being so open about it though. You're very open about the fact that you want to make it harder to meaningfully vote for the poor and easier to cheat for the wealthy.

Hundreds of millions of dollars are poured into your campaigns in order to maintain your power. You appeal to the founding fathers who made enslaved people only worth three-fifths of a person and didn't give them the right to vote. So what are you doing? You're disenfranchising so same folks. Your appeals to racism, the Republican Party proudly maintains symbols of Republican disenfranchisement that have gone over 100 years and in both parties, but you want to maintain those.

So I commend you for being forthright, but this is tyranny and this is madness, and I believe it is. And I do believe that the time is up for this kind of abuse of the Democratic rule. Thank you.

Joyce Krawiec (00:43:46):
Lynn Puma. And following Ms. Puma will be Henrietta Witty.

Lynn Puma (00:44:02):
Good afternoon. Hi, there. Thank you. I do not have a title except for a busy mom of three kids, but I felt it in my heart to come speak today to you all to remind you that North Carolina has become a textbook of what not to do when it comes to voter suppression in the US. We have a stain on our flag because of the things that have continued to go on to suppress voters, people of color. This is ground zero for gerrymandering, voter restrictions, ID, limiting voting sites, limiting the time frame. What that does is limit the people who can have access to what they need, to have a voice.

North Carolina, we have the most recent documented voter fraud case in the country right here, going all the way back to the Wilmington Massacre. Voter suppression has been going on in this state since it existed. So as a resident of Iredell County, who work and commute to Mecklenburg every day, please consider including our district with other districts outlying other counties who may have large populations commuting into Mecklenburg or other large cities.

Currently, we are districted with Surrey and Stokes County. And in Iredell County where I live, right outside of Davidson, we don't have the same issues, the same needs. I need my, whoever represents me, needs to understand the area which I live, including infrastructure, roads, transit, light rail, my environmental concerns like Norman, and land develop around me. I need that representative to understand where I live.

So I ask you, I implore you to dig inside yourself, examine your values and integrity when it comes to drawing these maps. Make them fair and make the process transparent. Thank you.

Joyce Krawiec (00:46:40):
Thank you, Ms. Puma. Henrietta Witty. Before we start on the speakers... Oh. Sorry. Is that Ms. Witty? No? Before we start on the speaker sheet that has signed up today, is there anyone here who signed up
online that we have not called? There are some registrants on here that don't really have a name. So I think we got everybody who signed up online. Okay. Thank you.

The first name on our speaker sheet for today is James Mallory. And following Mr. Mallory is Doris Allison.

James Mallory (00:47:31):
I'm James Mallory. I'm the chairman of the Iowa County Board of Commissioners. And I want to thank the joint committee for taking the time to hit the road and get some feedback from citizens. From the county perspective, I'll just say that maintaining political subdivisions is an important deliverable in your process. It's been talked about precincts being split, the difficulties that presents to our board of elections in terms of administering the election and the confusion that engenders among voters is to who this year is their representative.

Finally, you've been given, you've got a number of different squares to circle and circles to square as far as guidance from different entities, whether it's federal or state constitution or the courts. And the most recent court decisions from the three judge panel laid out some markers. And I'd say whatever you do, and however you do it, let's try to avoid litigation for the next 10 years, because that just brings pain to the whole process and brings the process into disrepute. And what we have today is a significant amount of distrust and mistrust by voters about the electoral process itself and we don't need that.

We have a very efficient and effective and accurate process, but perceptions can create realities all their own. People have spoken about gerrymandering and all that, we know it's a political process and you can't take politics out of redistricting. It just is what it is, but there was a Supreme Court justice in the '60s that was wrestling with a definition of pornography. And he said, "I can't define it, but I know it when I see it."

And so, when you set back at the conclusion of having maps presented to you, just take a quick look and if it looks wrong, it probably is. So thank you for your service and your commitment to the people of North Carolina.

Joyce Krawiec (00:49:56):
Thank you, Mr. Mallory. Doris Allison, and following Ms. Allison is Keaton Brower.

Doris Allison (00:50:13):
Good afternoon, everyone. My name is Doris Allison. I'm councilwoman of [inaudible 00:50:24] Ward 3. Ward 3 is one of the largest ward within our community, within our city, but we're also diversified, we're the most diversified. Our houses range from 85,000 up to 400, and maybe 400,000. We now are experiencing the fact that we're having houses built in our community and Larkin will be having inclusive of maybe 400 housings with Larkin, and also with Willow Spring Road in the future.

The rezoning that you all are embarking upon affects all of us, especially my community. We have been a food desk for over 20 years, and the only stores that we have is provided by states for housing authority, which is a Family Dollar, and Dollar General. We have no sidewalks, but what I'm saying to you as a representative, when you took your oath it was, should have been for the greater good of the people. And I hope it's not for your future reelection, but I can't be concerned about that right now, because I have a community that wants to be divided and we cannot afford to be divided.

We need this re-zone to be fair and transparent, because if you take out what we need, then we're going to be a desert again. And we refuse to be that way and it's not going to be about the color
of one skin or politics, being a Republican or Democrat, you're going to have people coming together, being able to say, "Enough is enough." And we will not stop until you understand, we're the people for the people and by the people, because we have a right and I say we, I'm saying we is in poverty and prosperity. So when you sit down and you leave from here, remember ward 3, because we will remember you.

Joyce Krawiec (00:52:25):
Thank you, Ms. Allison. Keaton Brower is next, and following Mr. Brower is Helen Chestnut.

Keaton Browwer (00:52:41):
Hello. My name is Keaton Brower. I'm a young grassroots organizer theater artist filmmaker currently working for Scott Huffman from North Carolina who spoke earlier working to flip the 13th District. I've been a young organizer off and on for the last 10 years, and one of my big passions is driving up young people to vote, even people who I know are voting differently than me. It brings me joy when I see someone of my generation participating in our democracy, because we're the ones who are going to inherit it.

And the most disheartening thing in my time has been other young people telling me, it doesn't matter, the maps are rigged anyway. And they point out Asheville and it's cracked like a walnut and it's obvious to anyone with a mind to see what's being done there. It's not right and I know that the people who are doing it know that it's not right.

And it's especially saddening when I think of all the sacrifices people have made from the Revolutionary War, to the Civil War, to World War II, to the Civil Rights Movement for that right and when their daughters, sons, grandchildren inherit it, they don't believe in it because the maps are rigged. And unfortunately, these days I see the general assembly doing the exact same things it did 10 years ago. And it just hardens my resolve and I hope that those who are fighting for fair maps will keep fighting no matter what happens and we're going to see a better democracy. Thank you.

Joyce Krawiec (00:54:01):
Thank you, Mr. Brower. Helen Chestnut, and Ms. Chestnut will be followed by Karen Parker.

Helen Chestnut (00:54:15):
Good evening to the committee. First, I want to say thank you for having this hearing, giving us a chance to speak. My name is Helen Parker Chestnut, I'm a retiree from GE for 26 years of which 21 was in management. And I retired from the state of North Carolina Department of Juvenile Justice and the Department of Agriculture. I served as an administrative officer.

I have been a lifetime resident of Alexander County. I was born, I lived most of my life except for the 11 years I worked in Raleigh. In 2014, I retired again and returned home. Since then, I have been very active in the community of the Democrat Party, vice president of our NAACP, the 957 Mobile Café, we feed the homeless. Also, the Western Piedmont Council Governments, the Hiddenite Center and the historic preservation committee for elders in the county.

I am seeking and looking for something to help our young people to grow and be a part of. It was not easy as a black woman working for GE in the first, from the floor. It has not been easy trying to raise three children and go to college at the same time from Gardner-Webb and CVCC. Today, Alexander County only has a population of around 36,000 folks. That's what the census said in 2020, which was a 2% decline.

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We do not have a local hospital. We only have one high school, two middle schools, and seven elementary schools. Because we are a small community, we have to work together regardless to our party affiliation. But today I stand to say, "It has not been fair." It's not been fair as far as the districting of our precincts. There is not a chance for a minority to be elected.

I ask that you would please consider being fair and transparent in this redistricting to make it fair to all. We do care. Thank you.

Joyce Krawiec (00:56:37):
Thank you, Ms. Chestnut. Karen Parker, and following Ms. Parker will be Fred Foster.

Karen Parker (00:56:48):
I got it. Thank you. I'll leave my mask on, so pardon me if my voice is muffled. But I'm pretty sure the political system in North Carolina is designed specifically for that effect. I'm here to promote constitutional amendment creating an independent citizen-led redistricting process. The process can be done using computer algorithms creating, easily creating fair districts.

In the past 30 years almost 40 lawsuits have been pressed over districting in North Carolina. These are routinely settled using millions of taxpayer money, because we are one of the most gerrymandered districts or states in the nation. Both parties have had their turn in power and both engaged in gerrymandering when it was their turn to redraw the maps. Each party cries for reform when it is in power, but when is out of power, but not when it is running the show and has the power to make change.

Gerrymandering means some votes count less in North Carolina. It takes three Democrat votes to elect a House member for every one Republican vote. It's almost like voting Democrat makes you one-third of a person in the eyes of law. That it seems to be a considerable step down from previous legal views on the subject. Last century, I was registered, first registered to vote unaffiliated. To this day, I am still unaffiliated, because I vote for policy, not party, not people.

More voters in North Carolina are making the same choice. Republican political consultant Paul Schumacher from North Carolina said recently, "I actually believe next year will be the first time in history, in the history of the state that unaffiliated voters will outnumber Democrats and Republicans by the November 2022 midterm elections. This creates a bizarre situation where an unaffiliated voter may vote a split ticket and have a portion of their votes carried three times the weight than the rest of their vote, in practice, it means one specific group of voters has more representation than another effectively nullifying the greater will of the people."

The founding of our country began with a kerfuffle over an idea which included the slogan, "No taxation without representation." Think you, sir. In an ideal world this would still be true. End unequal representation by ending gerrymandering. Thank you.

Joyce Krawiec (00:59:14):
Thank you, Ms. Parker. Fred foster, and following Mr. Foster is Skip McCall.

Frederick Foster (00:59:27):
Hello. My name is Frederick Foster. I am a councilman for the City of Statesville representing ward 6. Today, I ask that y'all be more transparent. As a council member, I believe in transparency. I believe in keeping my constituency informed. I personally try to do community meetings and post stuff on Facebook to keep my constituents informed.
And today, I was not able to allow my constituents to be informed to be here so they could have a voice and opinion in this matter. I understand things can't go your way all the time, but this could have been set up a lot better. And I also feel that you should have media here, more media, TV media to cover this for the ones that not able to come. Right now I'm doing a Facebook live so my constituents can see what's going on.

All I ask is more transparency so people know what's going on. A lot of people don't trust us no more. A lot of people don't trust government. I hate to say it. They don't trust me, but I'm not a politician. I'm just a concerned citizen that ran and that cares about this community. All I ask is be more transparent. Let people know what's going on. Thank you.

Joyce Krawiec (01:00:41):
Thank you, Mr. Foster. Skip McCall, and following Mr. McCall is John Allen.

Skip McCall (01:00:59):
My name is Skip McCall. I want to thank you for allowing us to have this hearing. I'm a former school board member, I'm former president of the states for branch NAACP. And I'm also a Vietnam veteran. A gerrymander is defined as a manipulation of the boundaries of an electoral constituency so as to favor one party or class.

In other words, a gerrymander involves a purposeful effort to skew the system to the advantage of one party, group or interests. Following the election of Barack Obama, the Republicans took gerrymandering to a whole new level, utilizing the technology that we have today. And that technology has enabled the Republicans to take gerrymandering all the way to the White House, to the Senate, to the Congress, and certainly work elections in their favor.

Gerrymandering is really to me unlawful and unconstitutional, however, I was disappointed that the Supreme Court did not deal with the issue when they had the opportunity. So I think that we must deal with this issue during redistricting. We must if we're talking about fairness, talking about transparency, and all of those good things about redistricting, the first thing that we have to do is deal with gerrymandering, and the best way to deal with it is to eliminate it completely, because we cannot and will not have fair elections, honest elections until gerrymandering is eliminated and partisan politics is eliminated from redistricting and from voting in not only this state, but throughout America. Thank you.

Joyce Krawiec (01:03:21):
Thank you, Mr. McCall. John Allen, and following Mr. Allen is Kaye Richie.

John Allen (01:03:34):
Good afternoon. As a farmer in Harmony and long-time community member, I know it's important to Iredell County to remain as intact as possible. These last drawings of the legislature have been more productive for Iredell residents since we actually have Iredell residents that represent us. We have rarely been able to know our representatives very long since Eric Holder, former attorney general continues to sue until he gets his way.

This is a disservice to all voters. We need continuity and stability in who represents us and what district we live in. Constantly redrawing over lawsuits by people that are outside North Carolina is unreasonable. One party drew lines for over a hundred years and gerrymandered always, but there
were no complaints then, why is it only under a different party control for only 10 years are we now sued every year by outside interest groups from outside the state?

People basically district themselves based on where they choose to work and live. The results from the last election did not change who won. Let's stop the frivolous lawsuits by outside interest groups and keep our elected officials in charge, not random judges that are not given those powers to draw districts by our constitution.

Joyce Krawiec (01:04:55):
Thank you, Mr. Allen. Kaye Richie, and after Ms. Richie is Alejandro Garcia.

Kaye Richie (01:05:13):
Kaye Richie from Stokes County. Full to closure where I'm chair of the Democratic Party there. I agree with the previous speaker that we need to stop frivolous lawsuits, and the way to stop frivolous lawsuits is to draw fair maps. In Stokes County, as a whole county, we've been in the fifth district, we've been in the sixth district. Now, we're in the 10th district, which is why I drove an hour and a half to come to this panel meeting, because this is the congressional district that I'm in.

We have been moved districts to change the vote, to add more for predominantly Republican county, add more Republican votes. In one instance that was supposedly done by personal vendetta from a representative who wanted to not have an incumbent elected. If we have fair maps, we don't have to go through the constant judicial cases. If we have fair maps from the beginning, if we are transparent, if we keep communities together, don't divide in trying to protect incumbents or to oust incumbents, then we can go on and improve our country, our democracy, and work together to do so. Thank you for the opportunity to speak.

Joyce Krawiec (01:06:48):
Thank you, Ms. Richie. Alejandro Garcia.

Alejandro Garcia (01:07:23):
Thank you for taking the time to listen to everybody here. My name is Alejandro Garcia. I'm actually coming from Alamance County. Had to drive almost two hours from here. And I'm just here to highlight the need of fair and transparent maps, maybe possibly asking the community how to draft, how to draw those maps.

Fair and transparent maps are needed in order for communities of color to stop being segregated. As a Latino, I don't want to continue to see neighborhoods, bus stops or schools segregated in order to fulfill elected officials of political agenda. And this is why I joined everybody in this group, I mean in this room to ask you to draw these districts so my kid, neighbors, and everybody else in my community have representatives who look like them and we're tired having individuals in power who don't look like us or have our best interests in heart.

I ask you to allow the public to help you draw these maps and have a before and after meeting for us to review and edit this maps as needed. Thank you again.

Joyce Krawiec (01:08:48):
Thank you, Mr. Garcia. Those are all the names that we have signed up, but we are happy to listen to anyone who is here that did not sign up that has something that you would like to say. You're welcome to come to the microphone and identify yourself and speak. No takers?

Well, I want to remind you, again, additional information is available at nclegg.gov, and go to the committee page redistricting site. There's a wealth of information there. It's updated regularly, so there are any updates that come out, you will know about them by checking there. There is an open portal that you can enter additional comments. And we thank you all so much for being here and our meeting is adjourned.
Speaker 1 (00:00):
Okay. He can just come in.

Carl (00:02):
All right.

Speaker 1 (00:02):
Let's just make sure we got a chair for him. Who do we got up here? You got me. Who's here? Yeah. Carl, come on. You may need to help me.

Carl (00:12):
Okay.

Speaker 1 (00:13):
And we got Danny right here.

Carl (00:13):
That's fine with me.

Speaker 3 (00:20):
Yeah, he's already gone past it and on his way back.

Speaker 1 (00:21):
[inaudible 00:00:21] here got lost.

Speaker 3 (00:22):
He did.

Speaker 1 (00:27):
He got lost coming here. Went the wrong place.

Carl (00:27):
Really?

Speaker 3 (00:27):
Yeah, he did.

Speaker 4 (01:09):
Yes, sir. Thank you.

Carl (01:09):
There's some important things for you to sign.
Speaker 4 (01:09):
Okay. I have one. Thank you. I don't know if it'll help.

Speaker 1 (01:10):
[inaudible 00:01:10]

Carl (01:10):
Yes, sir.

Speaker 1 (01:12):
The committee on redistrict will come to order. I'd like to thank you all for being here. I am representative Brendan Jones from Columbus and I represent Robeson County as well. Thank you on behalf of the house and Senate redistrict committee for being here. I want to thank my fellow house and Senate members. We've got Senator Clark, Senator Ford, Representative Pierce, Representative Graham, Representative Penny and hometown proud Senator Danny Britt running a few minutes late and he will be joining us here shortly. I also want to take a minute and thank our general assembly staff for being here, our serjeant-of-arms, our general assembly police and the local police and the PI Brook staff are being here to help as well.

If you would now, for every speaker, we ask that you please state your name, for the record, and any organization that you are feel affiliated with also. And for the sake of moving on, you will each have two minutes to speak. Serjeant-at-arms will be there to notify you when you get to the one minute mark, at the two minute mark, he will be cutting you off for the sake of time. I will make sure that everyone does get the opportunity to speak that has signed up. If you haven't signed up, we will make sure the end that we get you recognize. So moving on our first speaker, we have Ms Crystal Gwendo. Ms. Gwendo. Okay. Manuel Mejia Diaz. Please state your name, who you represent. You have two minutes when you start.

Manuel Mejia Diaz (02:50):
We good? All right. Good afternoon. Thank you for allowing me to speak. My name is Manuel Mejia Diaz and I'm the Southeastern regional organizer with democracy North Carolina. I also grew up in Robeson county and I'm a proud graduate from the University of North Carolina at Pembroke. What happens to Robeson County concerns me at a personal level as I considerate my and my family's home. I like to emphasize things that I'm sure everyone here heard multiple times in the last 10 years. I'm asking for transparency in the redistricting process, and I'm specifically asking for communities of interest to be kept together. Robeson County as a whole is a community of interest due to our cultural uniqueness. It should not be split when drawing federal congressional maps. There are many examples for North Carolina representative districts that are not compact.

I also urge legislators to place Robeson county in a federal district with our Southeastern sister counties. Right now we are a place in a district that stretches all the way into Charlotte. And I fear that the interest of those two communities are too different. I don't want Robeson County to be overlooked due to the interest of wealthy Charlotte donors. I want to of highlight how disappointed people across the Southeast are through the current process. We don't have enough public hearings, these hearings are not being advertised enough. And I fear online public comments may be ignored. Most concerning of all is that the public cannot make comments after maps are finalized.
The people of North Carolina should be able to respond to the final maps as we have the controversial history with districts. I’d hope State leaders would’ve learned from the past 10 years. Bad maps will likely lead to litigation that will take money and resources away from other pressing matters across our State. Thank you.

Speaker 1 (04:57):
Thank you, Mr. Diaz. Serjeant-at-arms, Representative Jamie Boles has joined us, can we make a seat for representative... You don’t want to join us up front? You're good. Okay. Well, Representative Jamie Boles has joined us as well. Next speaker. We have Ms. Caroline Sumpter. Please state your name for the record and who you’re represent. Please, Ms. Sumpter, you have two minutes.

Caroline Sumpter (05:17):
Thank you. My name is Caroline Sumpter. I am a resident of Red Springs, North Carolina, serving on the town on council for the town of Red Springs, also chairperson for the Democratic Women of Robeson County. First vice chair for North Carolina Democratic Party Congressional District Nine. Thank you for hosting this meeting. My points have a very brief, lot shorter than what I’ve been sketching and wooing over. This meeting, as a speaker before me has stated, well, I am very thankful for the opportunity to address the redistricting committee. I would like for you to think about where we are in Robeson County. Most of our labor force are hourly workers. I myself have two small children that just got out of school at 305 and it was hustle and bustle to get here.

It would’ve been great to have this meeting just a little later in the afternoon, evening. So for future reference, I would ask that you would take that in consideration, rural area and the timing, kids just getting out of school. There’s some educators that I know that would have loved to have been in attendance today, but they’re just getting out of the classroom. I’d also like to say since been engaged in politics since about 2011, but active in my community most of my adult life, we’ve been in three different... When I say we, Robeson County been in three different congressional district since about 2012. We were in Congressional District Seven, Eight, and Nine.

I would like to see us in a stable, compact district as well. I would also love to see the town of Red Springs in Robeson County with the same state representative. Right now we have Representative Jones, representing part of Robeson County, which is also Columbus County, which is a stretch of the way the district lines. I would love to see our community stay together so our interest and our constituents and our voices can be maximized. Thank you.

Speaker 1 (07:11):
Ms. Sumpter, thank you for your comments. If you would hold applause, we’re having a committee meeting. Ms. Ann Torack. Please state your name and who you represent please.

Ann Torack (07:25):
Hello members of the commission on redistrict-

Speaker 1 (07:30):
If you would state your name and who you represent, please.

Ann Torack (07:30):
... I'm sorry.
Speaker 1 (07:32):
You're fine. Thank you.

Ann Torack (07:33):
My name is Ann Torack. I appreciate the opportunity to speak to you. I'm a registered voter in Southern Pines, Moore County. My husband and I retired to Moore County in 2001. As my husband says, "We were not born in North Carolina, but moved here as soon as we could." Here are my suggestions concerning the serious business of redistricting. Please make more county whole for US congressional and NC Senate districts. Do not split Moore County up into more than one legislative district. Currently the residents of whispering Pines golf course, community is in two different districts. Having two districts in Moore County is so confusing. Citizens do not know who to vote for even.

My second request, after the maps are drawn, we need many opportunities for public hearings. Thank you. Not just one in Raleigh. And also the third point, since COVID and the Delta variant are raging, please have online opportunities for the public to view and participate in further public hearings about redistricting. In fact, some of my friends today did not feel safe coming out to this in-person meeting because of COVID. Thank you for your attention to this matter. I hope the legislative maps are drawn fairly for all voters. The legislative maps will be in effect for 10 years. So be very fair and conscientious. Thank you.

Speaker 1 (09:18):
Thank you so much. We appreciate you. Mr. James Davis. If you would state your name and who you represent, please.

James Davis (09:33):
James Davis, and I represent the 9th Congressional District here in North Carolina. My name is James Davis. I live at 239, Aggies Lane in Raeford, North Carolina, Hoke County. I'm here to express my concerns regarding the North Carolina redistricting process. While I want to advocate for transparency and fairness in the entire process, I also want to discuss Hoke County and the North Carolina, Sandhills region. Over the past 10 years, we in Hoke County have enjoyed a senatorial representation shared with Cumberland County. Also, we would like to retain this county cluster relationship. We have also enjoyed a legislative representation shared with Scotland County and would also like to retain this county cluster relationship.

However, over the same 10 year period, Hoke County congressional district representation have varied between the 7th, the 8th, and now the 9th congressional district. While I have had honor of being elected to lead both 8th and the 9th district as the chairman, I'm here today to advocate for a congressional district established for the North Carolina, Sandhills. I want to strongly advocate for a central county cluster of Cumberland, Hoke, Scotland, and Robeson counties for this newly created congressional district. I believe our population demographics will support this configuration with additional Sandhills counties, such as Moore and Richmond. Nevertheless, a central core county cluster of Hoke, Cumberland, Scotland and Robeson counties are requested for the Sandhill congressional district. Thank you for your time and consideration in this battle.

Speaker 1 (11:31):
Thank you very much. Thank you. Mr. Gary Locklear. Mr. Locklear, if you would state your name and who you represent, please.
Gary Locklear (11:41):
My name's Gary Locklear, I represent my two grandchildren.

Speaker 1 (11:43):
That sounds like a handful.

Gary Locklear (11:47):
No better reason than the world. They're futures at stake here. I'm retired now. I do work part-time. I live in the town of Pembroke. Albert Einstein once said, "The definition of insanity is doing the same thing over and over again and expecting different results." Well, we're all adults in this room and I really don't think none of us are insane. So we expect different results this time when you redraw the lines. It's your obligation to do it. You do it for us. You work for us. Gerrymandering is wrong on all levels. And yes, both parties are guilty. But as my mother taught me, two wrongs totally don't make a right. We got to start somewhere and we got to start some time. Why not here and why not right now?

Gerrymandering limits competition. Most seats are predetermined. You already know who's going to win the seats. There are very few seats that are close anymore. That results in very few policy debates. It's a dirty trick also, but a profitable one. If you go back and look at the numbers. That turns democracy on its head. We're taught better in our 9th grade civic class. Let's prove that we learned what we should have back then. You've all heard it before, but gerrymandering lets politicians choose their voters rather than voters choose their politicians. That's wrong. When lines are drawn, whose interest do you have in mind? The voters or your own? We all know what the answer should be. And that should be the voters.

How ironic. Today is National Voter Registration Day. Folks who registered to vote and who do vote should feel confident that their single vote is equal to everyone else's single vote. As a long as we got gerrymandering, votes will never be equal. Stop gerrymandering and create an independent commission to draw the lines. We got no business in the district with Charlotte. Simple as that.

Speaker 1 (13:46):
Thank you Mr. Locklear.

Gary Locklear (13:47):
You're welcome.

Speaker 1 (13:48):
Wesley Alderman. Mr. Alderman, if you would state your name for the record who you, please.

Wesley Alderman (14:00):
All right.

Speaker 1 (14:01):
Turn it... There you go. Yeah.

Wesley Alderman (14:06):
I am Wesley Alderman of the [inaudible 00:14:08] fraternity incorporated, and a student at UNC Pembroke. I’d like to emphasize that Robeson County needs to be better kept together. But in order to do that, there needs to be a change in the redistricting process. I fear that the maps of this County have been made without the input of the public. So that I ask that after the maps are finalized, that you give easier access for the public to see these maps so the public can provide necessary feedback.

This is necessary for voting purposes so that everybody can easily give their input and be able to better keep their community together and make it easier for everybody to advocate and make sure that the right policy and things are putting together. Because I feel like there is, due to restrictions and the maps in this county, the way they’re drawn up, that certain people aren't allowed to vote in certain areas. And because of this, I ask that you give us more, make it easier for the community to see the feedback of these maps so that we can give our feedback like how other people have said, so we’re able to build this community and work with you so that you may work with us. Thank you.

Speaker 1 (15:04):
Thank you, Mr. Alderman. Carl, one more time because a few folks have walked in. Crystal Gwendo. Crystal, did you walk in? Okay. Mr. Tim Heath. Mr. Heath, for the record, if you would state your name in any organization that you may represent, sir. Mic is yours.

Tim Heath (15:28):
My name is Tim Heath. Good afternoon everyone. Again, my name is Tim Heath and live in Red Springs here in Robeson County. I service the first vice chair of the Democratic Party here. Robeson County is about the size of the State of Rhoda with a population around about 132,000 or more people, with a unique population being broken down of about 40% Native Americans, 28% White, 26% Black. And there are other races, the Hispanic and Asian-American others that comprise of the other 6% or so. Our community is a rural community that has suffered two 500 year storm. And that’s in the last five years. And as a result, our population has been decreasing. Among the challenges are low tax base that negatively affects the funding for our schools, healthcare, job opportunities, recreation opportunities, and our infrastructure and other issues that contribute to our quality of life.

I stand before you to advocate for Robeson, Hoke, Scotland, Cumberland, and Richmond to be a cluster that you would strongly consider being that we share so much as it relates to the challenges that I just mentioned. Electing a leader from this cluster will ensure that that person will understand the needs and be responsible, and be held accountable to the constituents who share the same values and concerns as they relate to having a better quality of life for our citizens. I would strongly urge and I would recommend that you would consider this cluster as we’ll be of this kind of leadership for the next 10 years. And we know where we stand now. We have some changes that we have to make. Thank you for your time and your attention today.

Speaker 1 (17:30):
Thank you, Mr. Heath. Ms. Mary Storms. Ms. Storms, if you approach, will you please state your name and anybody that you represent? You have two minutes.

Mary Storms (17:39):
Thank you. My name is Mary Storms. I represent myself, although I am a member of the League of Women Voters in the Southern Pine Hills area. Not big enough to have a whole membership there for ourselves. I do live in Lumberton. I moved to Lumberton from Charlotte never thinking I would be in the...
same congressional district. Having lived in both towns for several years each, I can tell you that they're so different that us just having one representative for both constituencies seems personally ridiculous to me. I would also like to say that I generally agree with every speaker. Although I can't speak for the specific areas they are.

I just have a general statement, which is to say, our redistricting our district should have nothing to do with politics or party and everything to do with the fairness of every individual being encouraged to vote, able to vote and represented fairly. So as y'all make your decisions in whichever way you do it, I would ask you to not speak, not make decisions as Republicans or Democrats or as whatever else you have on your own personal plate, but to vote for our democracy to make it fair and encourage voters, whether they are educated voters, uneducated voters, whatever ethnicity. And forget all of that as you make your decisions about what is the right way to redistrict for our democracy to thrive. Thank y'all for being here and for letting me speak.

Speaker 1 (19:37):
Thank you, Ms. Storms. Christina Davis McCoy. Ms. McCoy. Ms. McCoy, if you would state your name for the record and anyone that you may represent. You have two minutes.

Christina Davis McCoy (19:57):
Good evening. I'm Christina Davis McCoy and I have many affiliations. Particularly this evening, I would name the Hoke branch of the NAACP. I'm a 9th Congressional District officer, Hoke County Democratic Party officer and Democratic Women of Hoke County. I've lived in the Sandhills region for the past 27 years in the community of Hoke County. During this time I have witnessed and experienced redistricting several times that has had significant impact on the voting strength of this region. As this redistricting can consideration is underway, I strongly submit my interest in advocacy for our district to remain a distinct Sandhills construct comprised of Moore, Hoke, Scotland, and Robeson Counties, unsplit, undivided.

These counties share similar histories in the region, as well as the evidence related rural characteristics in transition. In the interest to achieve the maximum miracle mix of eligible voters, I would further ask that the counties of Cumberland and Richmond complete our cluster of communities of interest for the as newly created district. Thank you so much for this opportunity to speak. And I look forward to you taking seriously the concerns of all of the voters who have spoken before me and who will come after me. Thank you.

Speaker 1 (21:43):
Thank you, Ms. McCoy. We appreciate your comments. Kara Pearson. Ms. Pearson, if you would state your name and if you represent anyone please, and you have two minutes.

Kara Pearson (22:04):
Thank you all for allowing us to speak. My name is Kara Pearson. I live here in Pembroke, North Carolina. My family has been here for five generations. My neighborhood includes retirees, working families and professionals at the university. Overall, Pembroke is a working community located in one of the most impoverished counties in the State. In the past few years, as a result of climate change, we have dealt with two hurricanes, at least at the onset of last year due to COVID. It became very obvious that broadband is a major issue in the area due to lack of access for the local students who were unable to attend classes, which was a domino effect for the educational system.
Also, we need more industry in the area to provide jobs so that residents have access to affordable housing and food. In the current congressional district map Robeson County is clustered with Mecklenburg and Union counties. Potential flooding, internet, and jobs are not in the top 10 issues and concerns for Mecklenburg and Union counties. Our cultural has historical and economic interests are in total contrast to those particular counties, which make it difficult for a congressional representative to advocate for our particular needs. Our interests are aligned with Scotland, Hoke, and Cumberland counties. We should be in a district where our congressional representative will be accountable to us as voters. Fair maps are crucial to ensuring that every vote counts equally and not in favor for a few, but to put counties like Robeson County at a disadvantage. I’m here to ask that fair, balanced district maps are created in North Carolina for the next 10 years. Thank you for your time and consideration. I represent Precinct 22.

Speaker 1 (24:10):
Thank you, Ms. Pearson. It appears that we have exhausted all those who have signed up. But it is the care's intent to let anyone who would like to speak on this matter that has not spoken, that's here in the room to speak on this matter because it's of great importance to the State. So is there anyone who has not signed up that wishes to speak at this time, please approach the microphone. No one? It's your opportunity. Okay. I would like to thank everyone who came out and participated. I would like to remind everyone that there is an online redistricting portal that can be accessed on the State's legislative website, ncleg.gov. So no further business before the committee. The committee's adjourned.
Bill Raven (00:00:00):
(silence) Wow. Thank you for coming.

Speaker 1 (00:00:57):
[inaudible 00:00:57] grandchildren where I am. Where is the public speaking spot? Way over there?

Bill Raven (00:01:08):
There's a speaker over there.

Speaker 1 (00:01:10):
Oh, they're waving to you?

Bill Raven (00:01:14):
I guess they were.

Speaker 1 (00:01:19):
I'm working for my [inaudible 00:01:20]. Oh, there's mine.

Bill Raven (00:01:20):
Ncleg.gov, right?

Speaker 1 (00:01:41):
Yes. They're not letting people out the front. Maybe they don't want to go [inaudible 00:01:41].

Speaker 2 (00:01:41):
I don't blame them.

Speaker 1 (00:01:41):
I'm good. How are you?

Speaker 3 (00:01:41):
Good to see you.

Speaker 1 (00:01:41):
Thank you for being here.

Bill Raven (00:02:30):
It's five o'clock. Hey Bob, how are you?

Bob (00:02:36):
How are you?
I'm well, good to see you.

Bob (00:02:38):
[inaudible 00:02:38] I understand, Tuesday you're going to be meeting. Is that right? Tuesday, y'all are going to be meeting? [inaudible 00:02:42].

Bill Raven (00:02:45):
Oh, you're ahead of me. Thank you.

Speaker 4 (00:02:45):
I don't know if that mask will go over, right?

Bill Raven (00:03:09):
Well, that's why I wore it because I'm a wolf pack. I'm an NC state guy. I just thought I'd put it on and I'd see if I could ...
We're going to get started. Are you ready? Ready on the left?

Bob (00:03:47):
I'm ready.

Bill Raven (00:03:48):
The meeting will come to order. Good evening and welcome to the New Hanover County redistricting meeting. We want to introduce our Sergeant at arms to begin the meeting tonight from the house. We have Jonas Cherry from the Senate. We have Linda Matthews and Shere Hedrick. Welcome. And thank you for coming down and helping us out tonight.

Our general assembly police officers are Sergeant Kane and Sergeant Cook. Thank you for being here and helping us tonight. Again, welcome. This is a fact gathering meeting. We want to hear from all of you and we have a list. If you are not on the list and we go completely through the list and someone would like to speak, we're going to let everyone here, have an opportunity do so. I would like to tell you all as well that you can get a lot of information about redistricting from the legislative website, ncleg.gov.

So please go there. Visit that site. I think this meeting will be recorded and probably on that site as well all of the other meetings. We appreciate you coming and we look forward to your input. So does anyone hear care to speak?

Speaker 1 (00:05:20):
You want to introduce everybody?

Bill Raven (00:05:24):
Then we will get into the-

Speaker 1 (00:05:25):
I mean, the panel. You want to introduce the panel?

Bill Raven (00:05:28):
Oh, let me introduce the members of the panel. I'm sorry. That's sort of important. We have representative Deb Butler, New Hanover, representative Becky Connie, representative Charlie Miller and representative Carson Smith and I am Senator Bill Raven. So again, welcome to them and welcome to you all.

Speaker 1 (00:05:52):
And I got the medal for coming the farthest.

Bill Raven (00:05:56):
You got the medal and I'm sure you lost the most money. And that's how they came in.

Speaker 1 (00:06:04):
I'm from Charlotte.
Bill Raven (00:06:04):  
She came all the way from Mecklenburg. Very good. Let's get into our speakers, quite a number of them. If you get a little lengthy, the Sergeant at arms may notify you, but we want to hear what you have to say. We just want to respect everyone and make sure that everyone has time to speak. So let's get into it. And we will start at the top with Joann Levitan, if you would come down. Until we get this down pat, the Sergeant at arms will help you and explain. First is always the toughest and welcome.

Joann Levitan (00:06:51):  
Thank you. Good evening. And thank you for the opportunity to speak to you tonight. My name is Joann Levitan. I live in Leland, North Carolina in Brunswick County. I'm speaking today as a private citizen. Brunswick County consists of a mix of rural areas with economic challenges and residential communities with relatively affluent retirees.

I have two issues that I would like to address today. The first issue is North Carolina house district 19, which was redrawn in 2019. Prior to redistricting, the entire district was in New Hanover County. It was a competitive district as evidenced by the fact that in 2018, the two top candidates were separated by only a thousand votes.

In 2019, the district was redrawn. The new configuration spans the beach towns in New Hanover and Brunswick counties, which are separated by the Cape Fear River. The new district is far less competitive as evidenced by the fact that the same candidate who lost by only 1000 votes in 2018 lost by over 9000 votes into 2020. Having a district that spans two counties violates the criteria of keeping a district in one county. I'm asking that the commission consider redrawing district 19 to keep it in one county and make it more competitive. Voters should choose their representatives, not the other way around. My second issue is the fact that these hearings are being held before the maps have been drawn.

How can the public comment on maps they haven't even seen? I urge you to consider holding public hearings again after the maps have been drawn to give the public an opportunity to address any concerns. Thank you for your consideration.

Bill Raven (00:08:38):  
Thank you, ma'am. Our next speaker is Esther Murphy. Esther Murphy. Evidently not here. The next speaker, Ronald Sparks. Mr. Sparks? Not here. Next is Theodore Fuller. Mr. Fuller. Welcome. And you have the floor when you get to it.

Theodore Fuller (00:09:18):  
Yes, that's good. My name is Theodore Fuller and I live here in Wilmington. North Carolina is heavily gerrymandered. Republicans have deliberately gerrymandered the votes to magnify their own political power. In 2016, the chair of the North Carolina House of Representatives Redistricting Committee testified that, "I propose that we draw maps to give a partisan advantage to 10 Republicans and three Democrats, because I do not believe it is possible to draw a map with 11 Republicans and two Democrats."

In the election of 2016, the gerrymandered congressional maps did indeed create a congressional delegation that included 10 Republicans and three Democrats. The North Carolina Supreme court insisted that the legislature redraw the maps before the 2020 election. The maps were a little bit fairer, but still gerrymandered with eight Republicans and five Democrats, even though more
people voted for democratic members of Congress than for Republican members of Congress. This is profoundly undemocratic.

Gerrymandering also leads to expensive litigation. The Winston Salem Journal has reported that over the past 10 years, that our state has had to spend roughly seven million taxpayer dollars defending indefensible gerrymandered maps. At this point, draft maps have not been drawn and there are no plans to allow public comment at forums such as this, after the maps are drawn, that is unacceptable.

The public has a right to see the maps and comment on them before the Republican controlled legislature adopts the maps. You simply can't ask the public to trust the legislature after a clear history of gerrymandering. Thank you.

Bill Raven (00:11:13):
Thank you, sir. David Smith.

David Smith (00:11:18):
Hi, my name's Dave Smith and I live in New Hanover County. And I want to thank you for giving me the opportunity to speak. Clearly, voting is the essence of a democracy and being able to speak our opinion is extremely important. With that in mind, I would like to ask you to stop gerrymandering and to go along with that, to let the public comment on the new districts before they're voted on.

And then along with that, to also publish and make available a list of the people that are on the committee that draw up the maps such as attorneys or people that are working for a particular institution so that we could see who else is involved in this. And again, thank you for allowing me to speak.

Bill Raven (00:12:29):
Thank you, sir. Frederick Bingham. Welcome.

Frederick Bingham (00:12:46):
Yes. Hello. My name is Frederick Bingham. I live here in Wilmington and I represent only myself. Thank you for are listening to the citizens of Wilmington and New Hanover County and taking our views into account in your work on redistricting. You have an awesome responsibility. Your work will determine the direction of North Carolina politics and policy for the next decade. I would like you to understand that elections for general assembly and Congress in our region are currently foregone conclusions.

They're decided ahead of time by politicians in Raleigh, who carve up the districts in a way that make elections completely one sided. Often the party out of power in a district does not even bother to field a candidate. This naturally feeds people's intuitions that elections don't matter and that elected officials do not represent them.

Our state is currently almost evenly divided into Republicans, Democrats and independents and votes for general assembly are almost evenly divided to democratic and Republican candidates. I would urge you to make it your top priority when you draw your maps to make as many seats as possible competitive with similar numbers of each affiliation. The people benefit when elections are a genuine contest of ideas and when they understand that their votes really do matter. I would ask you to consider why you are up there doing the task you are doing. Is it to benefit the people of the state of North Carolina, or is it to perpetuate you and your party's grip on power? Partisan gerrymandering is a cancer on our democracy. You have the power to stop it. Thank you.
Bill Raven (00:14:28):
Thank you, sir. Mark Johnson. Mark Johnson? Sue Marsh. This doesn't bother me. Does it bother you?

Speaker 1 (00:14:28):
Do what?

Bill Raven (00:14:57):
I said, it doesn't bother me for people to pull [inaudible 00:14:58].

Speaker 1 (00:14:58):
[inaudible 00:14:58].

Sue Marsh (00:15:04):
Hello. I'm Sue marsh. I'm from Southport. Thank you for letting me speak. I've lived in North Carolina for many years and out of North Carolina for more. North Carolina is known as the poster child for gerrymandering. And I'm asking you to be the first legislature to end that and give us fair maps.

It's not just the Republicans. The Democrats have always been guilty of this as well. So I'm not pointing fingers at either party alone. That said, I'd like to discuss one of your criteria and that's the member of residents criteria. I know these have been decided, but I would ask you to think about how you apply this criteria. As written, its member residents may be considered in the formation of legislative and congressional districts. This is ambiguous and it leads to a wide variety of outcomes. One is that you draw the maps so that the incumbent stays within his or her district giving the unfair advantage of being the incumbent. And as we know, that's always an advantage.

Another way to interpret this criteria is to enable the maps to be drawn to eliminate possible strong candidates that are opponents of the person in the seat. And the maps can be drawn to eliminate that strong candidate. These maps are being drawn close enough to the primaries so that there's a good idea as to who the candidates are going to be.

The third is that the maps could be drawn using this criteria to absolutely eliminate people who were now in the seat, eliminate them from their seats by taking those legislators, those candidates who are incumbent, but are against what you believe or against your political theory and redistricting them so that they're no longer in their incumbent seat and therefore do not have the power of the incumbency. So I'm asking you to change this criteria so that it does not consider residential areas for incumbents. Thank you.

Bill Raven (00:18:02):
Thank you. Leslie Wishman. Leslie Wishman.

Leslie Wishman (00:18:21):
Yeah, I [inaudible 00:18:22]. Excuse me. She needs to throw a light on this for me. I'm sorry.

Bill Raven (00:18:29):
There you go.

Leslie Wishman (00:18:29):

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Can you put the light on?

Speaker 1 (00:18:29):
I'm turning it on.

Leslie Wishman (00:18:31):
All right. We're waiting for a light because I have very low vision. I'm very sorry about that. Thank you for this opportunity to express my concerns about redistricting in North Carolina. My name is Leslie Wishman and I live and Holly Ridge. To begin my comments, I'd like to ask you all a simple question. Do you know your nine digit zip code?

While this may seem weirdly irrelevant to you, it became an important piece of my life following the 2010 redistricting process. In 2010, the North Carolina legislature split my town, Holly Ridge, in half. They split my zip code 28445 in half and they split my island, Topsail Island in half. As a result unless I know my nine digit zip code, I cannot contact my US Congressman through the Thomas System. I am here to implore you not to divide my community again. The 2020 census clearly shows that Onslow, Pender and New Hanover counties are all experiencing rapid growth, which is creating common problems. For many of us in this area, our lived communities stretches from Jackson to Wilmington. This is where we shop, recreate, engage in civic activities, socialize, attend cultural events and obtain medical and other professional services.

We share concerns about our natural resources, excuse me, our rapidly growing communities and the strains on our infrastructure. Therefore, I ask that when you group the counties, you group Onslow, Pender and New Hanover together, and please do not split my town again.

Please do not split my zip code again. And please do not split my island again. When you disregard municipal boundaries and communities of interest and draw random arbitrary boundaries for legislative and congressional districts, you create situations where the average citizen cannot even write their Congressman without looking up their nine digit zip code. Thank you for your attention.

Bill Raven (00:20:52):
Thank you. [inaudible 00:21:00] don't have glasses. Thank you. Sonya Beniton Patrick. [inaudible 00:21:17] my glasses. I can't see.

Sonya Beniton Patrick (00:21:25):
Thank you. Good afternoon. My name is Sonya Beniton Patrick. I reside in New Hanover County. I can trace my family's history back to the late 1800s to the Bellamy plantation. On behalf of the congressional seventh district of the North Carolina Democratic Party, I would like to thank you for your contributions citizens of North Carolina.

The congressional seven includes Bladen, Brunswick, Columbus, Harnett, part of Harnett, Johnson, New Hanover, Pender and Sampsons counties. For centuries, African Americans have been victims of voter suppression and Wilmington in 1898, took place in only successful government takeover in this nation's history.

Passing laws of voter suppression clearly impacted African Americans. In 2021, it is the same dance, different music known as gerrymandering. My father was a disabled veteran. He voted in W29. My mother, who is 90 years young, still votes in W29 along with many of her classmates from Williston, the greatest school under the sun.
Speaker 1 (00:22:38):
That's what they call it.

Sonya Beniton Patrick (00:22:42):
Where W29 precinct is located, Meadowlark Lemon, Avia Gibson and other famous historic people attended there until the school closed in 1968. However, the passion for love unity and social justice is alive and well in the community. W29 and W3 are predominantly African American precincts.

They were taken out and placed in another congressional district and later ruled unconstitutional. We ask that our municipalities and precincts not be divided into separate districts. As for UNCW, we ask that W24 not be divided and remain an NC Senate nine district. Regardless of our party affiliation, backgrounds, we are Americans.

A divided house cannot stand. We must dwell on what unites us rather than what divides us. Voting is our constitutional right shared by all citizens and our right to vote is not up for compromise and it can't be impacted by gerrymandering. We ask for fair maps that will represent all registered voters of the district, not just a select few. This is the United States of America with liberty and justice for all. Thank you for listening.

Bill Raven (00:23:56):
Thank you. Richard Pool. Thank you.

Richard Pool (00:24:16):
Thank you. Thank you for coming to New Hanover County to receive public input. I'm sure everybody in this room appreciates that. Some of my comments were already covered. I agreed with the comments made by Sonya Beniton Patrick. My first two comments are going to be aimed at please don't repeat the mistakes of the past.

In 2019, in common cause V Lewis, New Hanover districts were found to be extreme gerrymandering and intentional gerrymandering. Two items. Number one, and Sonya Beniton Patrick mentioned this, the city of Wilmington, two precincts were pulled out of New Hannover County and added to Senate district eight, which is Brunswick, Pender and some other counties.

So basically according to the court in common cause V Lewis, the intent and effect of including those voters in the Wilmington notch was to waste their votes. Thank you. Number two. Another item that came up in common cause V Lewis is the splitting of precinct W24, that's the UNCW precinct.

It was cut in half. Confusing for the students, dilutes their representation, and again, weakened their representation in the North Carolina house. In the common cause V Lewis, caused those district, two different parts of the precinct, to be rejoined in a single district.

Item three, and this will be my last one, house district 19 currently spans the Cape Fear River. Now a preceding speaker, Joann Levitan mentioned that and I want to concur with her remarks, but I have another point to make it's, the Cape Fear River running through it is a natural boundary that prevents the two different sides of this district from being a single community of interest.

Holden Beach and Curry Beach are only about 10 miles distant as the crow flies but the drive between them requires a 52 mile drive that at this time of day takes an hour and 11 minutes. I just checked on Google and we urge that whatever district ends up in the Southern part of New Hanover County, not span to the other side of the Cape Fear River. Thank you very much.
Bill Raven (00:26:57):
Thank you. Barbara Garrow.

Barbara Garrow (00:27:21):
Thank you for giving me time to speak today. I'm Barbara Garrow and I live in New Hanover County. And I want to speak today at the need to look at the Wilmington region and its lifeline, the Cape Fear River. The counties of New Hanover, Pender and Brunswick have about a half a million residents.

The economic thread of this region is the lower Cape Fear River. It supplies fresh water, agricultural lands and commodities that feed the growing population, its beach and inland communities and is the lifeline of the diversity and culture on which this region thrives. I am suggesting a congressional redistricting that focuses on the needs of this river ...

PART 1 OF 4 ENDS [00:28:04]

Speaker 5 (00:28:00):
... national redistricting that focuses on the needs of this river basin. Clean water, resource management, and economic development are tied to this water body and coastline. Unsustainable development will ruin the quality of life, our estuaries, and fisheries, farmland, and food it produces to feed us and other resources need to support our urban and suburban populations. Focusing our congressional district on these resources in the lower Cape Fear River is paramount to the future of this region and its sustainable development. Thank you.

Speaker 6 (00:28:39):
Thank you. Monica DeAngeles. Monica DeAngeles. Marsha Morgan.

(silence). Welcome.

Marsha Morgan (00:29:10):
Thank you all for being here. I appreciate the opportunity to speak. I'm Marsha Morgan. I live in Carolina Beach. And I don't want to repeat the arguments that have already been made in the interest of time, but I do want to readdress one in particular, and that is that I ask that you consider the guidelines that are used to make up the different districts in the case of House District 19, and I was the candidate that ran against representative Miller. I think that we both would agree is a very rugged district to work in.

That river, I guess, on a map, looks like a black line, but it is really a very huge navigable river and it's very difficult to get from one side to the other. I would argue it from the standpoint of the representative of this district, that it's very hard to handle both sides of the river. You can't have a meeting and encourage all of your voters to come unless you meet in Wilmington or in Leland. To get from one side or the other, you pass through two different districts. Again, I encourage you to look very carefully at what the guidelines are for creating a compact, cohesive district. Thank you for your time.

Speaker 6 (00:30:31):
Thank you. Herb Harton.

(silence).

Herb Harton (00:30:56):
Thank you. My name is Herb Harton and I represent the North Carolina Democratic Party Labor Caucus and the Southeastern North Carolina Central Labor Council. Both of these organizations serve thousands of hardworking North Carolina families. The citizens of North Carolina want an electoral process where they can fairly choose representatives from their area to represent them. They don't want their votes nullified by sectioning them off into areas with the sole intent of disenfranchising voters, as was done during the last decades when Republicans shamed themselves and stained the North Carolina election process. It's time to end the possibility of partisan gerrymandering once and for all, so that no one, Republican or Democrat, can subvert our democracy.

Although, I'm making comment in a vacuum because you've not provided any maps for review, it is clear that historically, you have unnecessarily divided New Hanover and Brunswick County in order to maximize the number of solidly Republican districts. The map you created next should not split New Hanover County nor Brunswick County. Rather, each county should have two House Districts wholly contained their in, and one Senate district per county. The census data supports this approach, and that way, the districts would be compact as required, and communities of interest, as well as counties and municipalities can all remain intact. I implore you not to blend the districts with the sole purpose of diluting votes in order to win legislative seats. Please allow the citizens of New Hanover County to determine their representatives and the people of Brunswick County to do the same. In a democracy, legislators should not be able to choose their voters.

Speaker 7 (00:32:57):
Yes.

Speaker 6 (00:32:59):
Thank you. Jake Smith.
(silence).

Jake Smith (00:33:20):
Hello and good evening. My name is Jake Smith and I was born and raised in Wilmington. I recently moved back here after living in Raleigh for a couple years for college. As many of you may know, North Carolina has been extremely notorious for racial and partisan gerrymanders over the years for many decades. And I believe that New Hanover County's current statehouse district lines do not represent New Hanover County as a whole. Never in the past decade, in my opinion, has New Hanover County had fair lines. My first qualm is with the current lines of House District 19. This district combines our county's beach communities with places such as Southport and Oak Island and Brunswick County, also beach communities with heavy retiree populations.

This sounds like the two places would go together, until you realize that there are miles of the Cape Fear River that separate the two counties. Just because the precincts are next to one another on a map does not mean that the move geographically makes sense. I'm also asking you to redraw House District 18 and 20. The way these districts are drawn completely eliminates any competitiveness that may have existed before, sorry, before 2019. In a county as competitive as New Hanover County on the federal, state, and local level, a two to one Republican advantage in the seats that last for the entire decade is not representative. Thank you for your time. And I appreciate you to being here.

Speaker 6 (00:34:44):
Thank you. Marlene Barney.
(silence).

Marlene Barney (00:35:07):
Hello. I’m Marlene Barney. My husband and I live in New Hanover County, north of the bridge that goes over to Carolina Beach. We’re presently in State House District 19, Senate District 9, and Congressional District 7. Our community includes a wide range of housing options, from trailer parks to very large homes, as well as a very diverse population that includes working class people, teachers, and other professionals, small business owners, veterans, and retirees, and consists of just about every race, ethnicity, religion, and political party. I’m celebrating my birthday here with you this evening because democracy is so important to me. You see, I was raised by an immigrant mother who, as a child, fled with her family under frightening circumstances to escape the beginnings of communism and fascism in Russia. They eventually made it to the United States, their adopted country. My mother became a citizen and voted in every election. Free and fair elections are the foundation of a free society and a vote of a democracy.

This includes fairly drawn districts. Fairly drawn districts should be bordered by contiguous geographical and man-made landmarks and represent the demographics of the population and the common interests of the communities within them. Communities who have a common interest, such as the recent closing of our local park, should be kept together. Presently, House District 19 winds around into part of Brunswick County, a different community with different demographics, different interests, and issues, and a different local government. This is not fair representation. Political candidates should win elections based on their qualifications, character, values, and ideas, not on some built in handicap provided to them like a game of golf. To this day, Russia is ruled by an authoritarian dictator who stays in power by giving himself unfair advantages. On behalf of my mother and all Americans whose families have escaped authoritarian governments, please don't Russia North Carolina. Thank you.

Speaker 6 (00:37:30):
Thank you. Lawrence Jansen.

(silence).

Lawrence Janson (00:37:47):
Thank you. My name is Lawrence Jansen and I live and vote in Holly Ridge in Onslow County. I want to emphasize two priorities when determining voters districts. One, to keep municipalities together. And secondly, to include communities of interest in the same district. I live just off Topsail Island, midway between Jacksonville and Wilmington, just north of the Pender County line. Current district team splits the towns of Holly Ridge and Surf City. Topsail Island, a wholly discreet community is similarly divided. Organizing communities of interest together will more effectively represent the citizens sharing these common interests. This fear of my regular life activities extends from Jacksonville, to Wilmington, and over to Topsail Island. This describes a coastal community. Our services economy, interests, and challenges of growth differ from those of the inland agricultural communities currently included in our district. Recognizing the common interest of each community will encourage effective representation of each community. Thank you very much.

Speaker 6 (00:39:08):
Thank you. Katherine Hedgepath.

(silence).
Katherine Hedgepath (00:39:36):
Good evening. I'm Katherine Hedgepath and I live in New Hanover County. Many people tonight will talk about the need for transparency and keeping everyone informed about the general assemblies redistricting work, but I wish to speak on behalf of North Carolina's 2.3 million unaffiliated registered voters, about one third of the total number who voted in the 2020 election. I recognize the elections are partisan by nature, but we are part of your electorate too. Remember your first election, the passion that pushed you to run for office, the need to introduce yourself to the voters? Voters needed to know who you were and why you were asking for their support. That exchange between candidate and voter, that vibrancy is essential to our democracy. It does not happen in districts so secure that only the incumbent is on the ballot.

Candidates without viable opposition have no incentive to participate in candidate forums or even to post information about their positions in voter guides, like the League of Women Voters' VOTE411 online guide. Gerrymandering may ensure their victory, but our democracy and we, the voters lose. You now have the ability to give North Carolina many more competitive districts. Races where all the candidates have to persuade voters to support them. That's all the candidates. Races where information is exchanged and informed decisions can be made. Races that recall the passion you brought to your own early runs for office. Like other unaffiliated voters, I do not vote a party line ticket. I vote for the person, regardless of the party affiliation beside their name. I cannot do that without information and options. We deserve and need voting districts that encourage many ideas and multiple candidates. Please use districting process to strengthen, not weaken our democracy and partisan gerrymandering. Thank you.

Speaker 6 (00:41:58):
Thank you. Marla Barthen.
(silence).

Marla Barthen (00:42:34):
Hi. Thank you for allowing me the opportunity to speak to you tonight. I am Marla Barthen. I'm talking to you as a person from Wilmington, but I also represent the League of Women Voters. I am their co-president this year. So as part of the League of Women Voters, we actually cover three counties, so we understand the geography of how far and how hard it is to cover this much geography. So we cover Pender, Brunswick and New Hanover Counties. So please, I have a few things to say that I hope maybe you'll jot down. There are some things that we have concerns about in our transparency of what's happening with our redistricting right now. This, for instance, we are concerned, with COVID, that we didn't have an option for us to be able to see this virtually and for folks to be able to participate.

We are. And secondly, in the transparency piece of this, understanding the criteria that you're putting into these maps, we want to know that information. And we also want the opportunity, after you've done these maps and you've drawn them, I want you to be able to give them to us, so that we can take a look at that, and so that we can have some time to digest that and evaluate those maps. Give us some time and then bring us back for more hearings because we will have things to say about it, so we appreciate that from you. And as we do that, the next time, we hope that you have a forum that allows us to do that virtually, as well as in person because we know that this is all going to be happening during COVID again, so that's our big concern is transparency. Thank you very much. I appreciate it.

Speaker 6 (00:44:21):

(silence).

Deandre Cornish (00:45:08):
Hi. I'm Deandre Cornish. I address 314 Linen Drive, Unit 12011. I'm the precinct chair for the Precinct W15 here in Wilmington. And we'd like to keep our precinct in one district. It would be nice. And I would also like for you guys to consider creating a board that would draw the districts a nonpartisan board that withdraw the districts on for our U.S. Congressional Districts, our State Legislative Districts for house and county. I'm sorry, Senate. I'm a little nervous. And it would be really great if you guys could also have a board created locally for something that you guys are not here for today, so that we can create local voting wars in districts for the city, county, and school board. Thank you.

Speaker 6 (00:46:04):
Thank you, Sir. Deborah Maxwell.

(silence).

Deborah Dicks Maxwell (00:46:10):
Can I find it? Shoot.

Speaker 6 (00:46:10):
You'll find it.

Deborah Dicks Maxwell (00:46:42):
I'm at the age I can't remember everything. Thank you for allowing us to have this here. My name is Deborah Dicks Maxwell, a native Wilmingtonian, president of the New Hanover County NAACP, and one of the many members of the complete count committee of this city and county that worked towards the census numbers that brought us to this point today. So while we did that, we don't want to repeat of the loss of our vote which was through a bullet in November 10th, 1898 because you're doing it by gerrymandering with a ballot. We really need to have our municipalities and our communities together. They do not need to be separated. I retired from Brunswick County, so I understand the difference between the two counties quite well, as I'm a lifelong resident of New Hanover. We need to have our own separate places and spaces and we enjoy and support each other.

I can't find it again. Okay. The timing of this also needs to be considered, as I thank you for having this meeting at five o'clock, but if I was still working and I'm not retired, it would be a hardship to find childcare and sponsor online to do this. I always advocate because I'm here for the hopeless and those who can't make it here, so I'm speaking for them. We want to be considered as a united municipality wherever it may be, wherever you decide to do that. Do not split counties. Do not split municipalities. The process needs to be independent. North Carolina needs to be known for something good in the news sometimes, instead of for something that they did through trickery for others. Elections matter each and every time. And we wish you to consider to separate and keep us as we should be, within our own communities, within our own neighborhoods, with those we know. And I thought we were supposed to have our masks on unless we were speaking in here. Thank you very much.
Speaker 6 (00:48:55):
Thank you. [inaudible 00:48:55]. Thank you. 
( silence).

Speaker 8 (00:49:11):
Good afternoon. Thank you for having me. I would reiterate what she said. I work. I just left work early to be here. I'm not with my small children to be here. I appreciate this opportunity. However, my understanding was with redistricting 10 years ago, there were 40 public hearings and now there's 13, so that's an ominous sign right from the get go. Gerrymandering is bad. It distorts democracy. And a couple things, I've really watched over the last 10 years aghast, not at the policy outcomes of the extreme gerrymandering in North Carolina, but the ability to rectify and remedy it. I've watched for the racial gerrymandering, the partisan gerrymandering in Congressional Districts and Legislative Districts. And ultimately, the judicial remedy was too late. It took eight years to attempt to fix the mess that was created in 2011 and it left the people without a voice. In 2018, there were more democratic votes than Republican votes for U.S. Congress, yet the delegation was 10 to 13 Republican. 

For the North Carolina house, Republicans got 49% of the vote, but got 55% of the seats. Democrats got 51% of the vote and 45% of the seats. For the North Carolina Senate, it was more egregious. Republicans got 49.6% of the vote, but held 58% of the seats, and Democrats with 50.4% of the vote had 42% of the seats. That's not fair. Okay. Over the last 12 years... Well, over the last 20 years, I'm a teacher of American History, in the last 12 years, I've partnered with the League of Women Voters to register over 2000 of my students. I tell them that their voice matters, that democracy matters, that their vote counts, and gerrymandering makes a liar out of me. Their votes should count equally. I implore you to do the right thing. Gerrymandering distorts and subverts democracy. This should not be a partisan thing. If the Democrats were doing it, I'd say the same thing just as loudly. Please support democracy. Please show leadership. Either your principled or you're not.

Speaker 6 (00:51:31):
( silence).

Speaker 9 (00:51:31):
Rodney Moore?

Speaker 6 (00:51:31):
Mm-hmm (affirmative).

Speaker 9 (00:51:39):
Rodney Moore?

Speaker 6 (00:51:50):
He from New Wilmington.

Speaker 9 (00:51:50):
Yeah.
Rodney Moore (00:51:54):
Afternoon, chairman Raymond and the rest of the panel. My name is Rodney Moore. I am not a citizen of New Hanover County, but I grew up here in New Hanover County, and I very well may be returning to New Hanover County very shortly. I came today because I knew I was going to be here, and I wanted to just give you guys a few observations that I have. A lot of strong convicted things were said. One of the things that I've pointed out was the fact of this hearing. The fact that this hearing is in the middle of the day, out of the purview of public transportation. And for some, it's very hard to get here. And the process is not fair. We know it's not fair. I've sat with you guys for eight years in the general assembly. I've been through many hearings about gerrymandering and redistricting and we know that the process is not fair. And so I ask you guys, because in 2011, we went through this process, we went through years of court battles back and forth, we were drawing maps, getting maps rejected or challenged, and so this time in 2021, let's try to make it right. Let's try to do right by the citizens, not only of New Hanover County, but the citizens of North Carolina. And you've heard all of these wonderful comments. I would hope that you would take them to heart and that you would govern yourselves accordingly. So thank you guys for giving me an opportunity to speak. I was in Raleigh and I came to Wilmington just for you, Mr. Raymond, my friend.

Speaker 6 (00:53:42):
Thank you. Jim Nesbit.

(silence).

Jim Nesbit (00:54:06):
Good evening, and thank you for coming, and thanks to all the people that came, and the eloquence that we've had in our audience. I'm not going to repeat a lot of things that were said, but I just have one question. Do you have a fifth grader on the commission? I was a kindergarten teacher and my students knew what was fair and what was honest. And if you have a fifth grader that checks over your redistricting, they can tell you if it's fair and honest. I recommend that you have one check over your plan when you're finished and see if the fifth grader approves. Thank you very much.

Speaker 6 (00:54:52):
Thank you. Manuel Mejia Diaz.

(silence).

Manuel Mejia Diaz (00:55:12):
All right. Good evening. My name is Manuel Mejia Diaz and I'm the Southeastern regional organizer with Democracy North Carolina. I care about the wellbeing and progress of this community, so I see it as important for me to advocate for a better redistricting process throughout the Southeast. Nothing I say is new, but are things that are constantly being ignored by the general assembly. I don't mind repeating them. I'm asking for transparency in the redistricting process, and I'm specifically asking for communities of interest to be kept together, New Hanover County and surrounding areas of multiple historical communities of interest. Now, let's be honest. I fear that these maps have already been drawn behind closed doors and without any public input. Based on the lack of our districting hearings, this looks like you're trying to get it out of-
Speaker 10 (00:56:00):
Based on the lack of redistricting hearings, this looks like you’re trying to get it out of the way so you can continue working on those maps. After maps are finalized, we need to be able to provide feedback, we're not just numbers on a piece of paper, we are real people who will face real consequences to your decisions. So I respectfully urge that you make wise ones in this context, that means ensuring that no one's voting power is diluted, that communities are not cracked or packed. I would hope that state leaders would've learned from the past 10 years, bad mouths will likely lead to litigation that will take money and resources away from other pressing matters across our state. This is why I wish redistricting would be done by a nonpartisan redistricting committee. These maps are not about you sustaining power, you don't get to choose your voters. Thank you.

Bill Raven (00:56:56):
Thank you. Isaiah Johnson, Isaiah Johnson, Rebecca Bond.

Rebecca Bond (00:57:22):
Hello. My name is Becky Bond, I'm a resident of New Hanover County, Federal 0.07 Precinct. Free and fair elections are at the heart of our democracy, fairness starts with fair representation so it is particularly important to ensure that districts are drawn to fairly represent the population rather than in the manner that benefits incumbents and or political parties. In this time of extreme political polarization, it is critical that citizens believe that their elected representatives are fair, transparent, and accountable as they conduct the redistricting process. To that end, I would like to also advocate for a period of public comment, including multiple hearings across the state after draft maps have been drawn and that these draft maps include demographic and other relevant data to ensure transparency. Thank you very much.

Bill Raven (00:58:16):
Thank you, Michael Rush.

Michael Rush (00:58:34):
Good evening. My name is Mike Rush, I'm a resident of Leland, North Carolina, as well as the third vice chair of the Brunswick County Democratic Party. I have been asked to speak this evening by Eric Tareshima, our county chair, who couldn't be here. Leland is located in Brunswick County and the district's 7th congressional district and is currently represented by former Jesse Helm staffer and Trump acolyte, Congressman David rouser, district seven encompasses all our portions of the following counties; Bladen, Brunswick, Columbus, Harnett, Johnston, New Hanover, Pender, and Sampson counties.

I can't speak for any other county to the best of my knowledge with the exception of one town hall at Brunswick County Community College, when he was first elected, Mr. Rouser is a ghost and for that matter, Mr. Raven, you're a ghost as far as town halls are concerned as well. I suspect the reason he doesn't have any town halls in our portion of his district anymore is because quite frankly, he doesn't have to. Why should he, his district was designed with surgical precision to suppress his opponents. In closing I have one more thing to say, what are Republicans afraid of? Let the people vote.

Bill Raven (01:00:00):
Thank you, David Smudski. Welcome.
David Smudski (01:00:22):
Hi folks, thanks for coming down to see us. So my name's Dave Smudski, I moved to Leland here a little while ago and moved here from Durham. So my education may not be 10 years, but I had 10 years up in Durham, but the point is I had 30 year years before that to see real gerrymandering. Okay, in my county, our county was divided up into four districts, four congressional districts who knows how many state assembly and Senate districts. I remember when district 12 was gerrymandering down, Interstate 40. Gerrymandering has a long history but as I was looking over the maps for the current maps, what I saw was that the congressional districts pretty much aligned with the state Senate districts, which when you get down to 120 assembly districts, they were aligned along the county borders as well.

I believe like a lot of people have said, that the municipalities and the other organizations need to be kept together, so that would be group the counties, under the counties you group the Senate districts, you put the house districts as you can, so that those voting districts are the ones that get recognized. We don't have to have party recognition in order to assign the districts. Let's use the municipalities like everyone else here said and other districts that we currently have to come up with fair districts that will represent our people. But I just wanted to say the maps are looking the best that they had in 40 years. So let's start from there and see what we can do to improve but thank you for coming.

Bill Raven (01:02:31):
Thank you, Tyler Fulton.

Tyler Fulton (01:02:46):
Okay. This is serious, but Tyler Fulton isn't a guy that slips downstairs-

Speaker 11 (01:02:53):
Drop the landing.

Tyler Fulton (01:02:54):
Let me say, representatives I'd ask that you seriously consider the history of gerrymandering in North Carolina. You've asked people to speak about maps they haven't seen, consider this task heavily as this can change history to be more inclusive or continue down a vile path that represents power instead of citizens. We're never far from the fall of our democracy and as this year has shown, democracy is at risk. Please remember all of these things as you make maps, what will you do to preserve the rights of each citizen? Thank You.

Bill Raven (01:03:32):
Thank you, Lana Garcia. And I can't read your last name because I can't [inaudible 01:03:44] Ortega. Welcome.

Maria Garcia Ortega (01:04:09):
Hello. My name is Maria Garcia Ortega and I am a senior at UNCW and I believe that now more than ever, our communities in this state need to stay united. As a civic fellow with You Can Vote, I've been able to engage with voters, registering citizens with those who speak English as their second language is a bit more difficult than we can imagine. People deserve a voice and being a student in this county has allowed me the importance... In seeing the importance of having the access to the right to vote. And
representing Hispanic heritage month, this is a time now more than ever. I represent a group of people
who I love and value and have allowed me to have the roots I have today. This is why I believe it's
important for us to have this access to vote, but also as a UNCW Student to keep UNCW united as a
community and stay together as one. Thank you.

Bill Raven (01:05:00):
Thank you. Angelica Ulmer, Ladies and gentlemen. If anyone wants to speak, who has not signed up,
please do so at this time we want everyone to have their time. So just check with one of the Sergeant at
Arms staff down. Please just come down if you want to speak and sign up. Thank you. [Inaudible
01:05:38], just start. Yeah.

Angelica Ulmer (01:05:44):
Hello. Yes. My name is Angie Ulmer and I’m actually a candidate for city council of Wilmington, North
Carolina. And just wanted to say, thank you everybody for being here. I am not going to repeat the
concerns they have already heard them, we need to stop gerrymandering, we need to keep our
municipalities together. So I really just would like to think that you are taking everything that has been
said here today as somebody said, I hope you’re joting down these notes and really listening to the
people. And I really just want to say thank you to everybody here today, including our panel, but to the
public as well. It was brought up before there was not a forum for those that are at home to be able to
see what’s going on here.

And so it’s our eyes and our ears that is what it’s going to carry on over to our neighbors, to our
best friends, to our parents, to our children and we can’t stop the fight to end gerrymandering,
obviously regardless of where we live, we really have to stay united in this and everybody, friends; tell
your friends, family; tell your family, get out and vote. Like I said, I am running for city council
Wilmington, North Carolina, but I’m not even going to tell you to vote for me. I need you to get out
there and vote in general and that's all to the students, I saw a healthy number of students here, which
is amazing... I’m okay, which is amazing, so yes, please, even our youth get out there and keep telling
people to vote. Remind people that it’s coming around early voting I believe is October 17th and the day
14th and the day of the election is November 2nd. Again, my name is Angie U, so vote for who? Angie U
November two. Thank you very much.

Bill Raven (01:07:54):
Thank you, Kaylee Hoyle. Thank you. Thank you.

Kaylee Hoyle (01:08:24):
Hi, my name is Kaylee Hoyle and I’m a senior at UNCW. I’m a social work major and a civic fellow at You
Can Vote. As a future social worker I place a lot of importance on keeping communities united,
specifically those that are marginalized, this cannot be done with gerrymandering. Many of the
populations that I work with already face a lot of difficulties and I think that it would be unjust to split up
their communities, making voting increasingly more difficult for them. I think a key way to ensure a fair
voting process for these communities is to allow the public to speak on maps before they are voting on. I
would also like to address as a UNCW student, voting is an incredibly confusing process to begin with. As
many students do not have means of transportation and find it confusing to constantly update their
addresses. This is why it is vital to keep our community campus on UNCW W24 together as one district,
so that this process doesn’t become more difficult than it already is. Thank you for your time.
Bill Raven (01:09:26):
Thank You. Lucy [Kimija 01:09:43]. Oh, thank you.

Speaker 6 (01:09:43):
I think she's here Bill.

Bill Raven (01:10:03):
[inaudible 01:10:03] Lucy kimija?

Speaker 6 (01:10:11):
[inaudible 01:10:11].

Bill Raven (01:10:12):

Bill Moore (01:10:17):
My name's Bill Moore, I live in Brunswick County, I'm the chair of the Republican party in Brunswick county. We're not really afraid, we're here. I'd like to address a couple of things, I'd like you to consider. First of all, something that really no one's discussed smaller counties. I am concerned because I used to live in the Northeast and you put a small county with a small population together with a major center or a major county, those people lose their right to vote. They have no effect in what's going on and I think you need to consider that when you start drawing lines that are important. Secondly, I also agree with what many people have said, where possible keep counties and districts together where you possibly can.

I have a different slightly take on the district 19 point from 2.1, having lived in Leland I also remember when Leland was part of district 20 and the Northern part of Leland actually I had no say because they were over power by the Wilmington side of that. So that's an issue I would also want you to consider... And I also live for a while in Kure Beach and I would tell you that Kure Beach, Carolina Beach has a lot more in common with the beaches in Brunswick, that distance doesn't cover. They have common interests, so they will come together, I think they need to stay together if you can't make an entire county. But thank you for listening. Thank you.

Bill Raven (01:11:33):
Thank you, Claire Stone.

Claire Stone (01:11:43):
Hi, I'm Claire Stone and I'm a voter from Rockingham county. This is one of the last times I have to speak to you personally, so I came on down. I'm asking you to add at least two counties to the overall schedule of hearings, Wake and Guilford. They've been the focus of redistricting litigation, they have two of the largest counties by population and many people that I know have disabilities and use Para transit going outside their counties is difficult and expensive. Also asking this many have already done that is to add hearings after the proposed maps are drawn and stipulate that you will be using racial data to analyze those maps, to determine VRA compliance. I live in congressional district 10 and it's an example of an egregious racial gerrymander. It slashes across the state from Eden to Charlotte and carves out black
voters in Forsyth, packing them into district 6, diluting the votes, this type of exclusion on the basis of race decreases minority influence in Congress.

I brought some maps with me to give to you because you can’t post maps on the narrative portal. North Carolina has about 7 million registered voters, 36% Democrat, 33% unaffiliated and 30% Republican. But currently in North Carolina house maps have 69 Republican districts and 51 democratic, Senate 28-22, congressional eighth to five. In 2020, the two parties differed by fewer than 75,000 votes out of five and a half million, representatives in safe districts cater to their voters only and as a result, we end up with legislation that tells us what we are allowed to think and teach about race from a group that’s almost a hundred percent white. We are told that we don’t need to listen to and follow recommendations of medical professionals. North Carolina will not expand Medicaid, which would improve health for near half a million people and help keep rural hospitals open. Most important all policies are not... All politics are not local, all politics are electoral. North Carolina state and federal representatives must support accurate vote counts, preferably with paper ballots, following up and accept the results of all elections. Thanks.

Bill Raven (01:13:52):
Thank you, Keith Graham.

Keith Graham (01:14:04):
Thank you. Thank you for allowing me to speak. My name is Keith Graham, I’m a retired air force veteran of 22 years and a local pastor in Bladen County. What happens to Bladen County concerns me at a personal level because it is my home of me and my family. I like to emphasize things that I’m sure everyone here has heard multiple times in last 10 years, I’m asking for transparency in the redistricting process, I’m specifically asking for communities of interest to be kept together. Bladen County as a whole is a community of interest due to our cultural uniqueness, it's considered the mother county, third largest county in the state, and the 13 original counties were taken from it. And as Senator Rabon as our elected official, you should well know it should not be split when drawing federal congressional maps. I also emphasize that state legislative maps should be compact and kept communities of interest in mind as well.

I also urge legislators to place and keep Bladen County in a federal district with our Southern sister counties. Right now we are placed in a good district with our neighbor in Columbus County but in the past redistricting cycles, we were split in half with the congressional district nine that went straight through the heart of Elizabethtown. That caused a lot of confusion for our population and family members that were voting in two different races. Apart from these asks, I want to highlight how disappointed people across the Southeastern states are to the current redistrict and process. We don't have enough public hearing, these hearings are not being advertised enough and our fear online public comments may be ignored. Most concern of all is that the public cannot make comments after maps are finalized.

The people of North Carolina should be able to respond to the final maps, as we have a controversial history with districts in the process for over 10 years ago, I hope state leaders would've learned from the past 10 years, bad maps will likely lead to litigation that will take money and resources away from other pressing important matters across our states matters like broadband internet, affordable housing, repairing some of our houses that have been damaged from past hurricanes, that people are still living in tumultuous situations, environmental justice such as hog farms and things like that.
This is why I wish redistricting was done by nonpartisan redistricting committee. North Carolinians are paying attention to what you’re doing and we will continue to demand better for our leaders. As the area director of the North Carolina legal conservation of voters, I have registered over two thousand youth and students through our high school systems. Who it was like pulling teeth because they didn’t feel that their vote counted, voters should choose their candidates and not the other way around. We want one person to represent one vote. Thank you for your time.

Bill Raven (01:17:28):
Thank you. Eileen Stevens

Eileen Stevens (01:17:37):
Evening. My name is Eileen Stevens. I adopted Wilmington as my home six years ago with my son who is now nine and his father. And I want to start by thanking the panel for this opportunity to participate in our democratic process. I also want to mention that I had the honor of serving as a White House Fellow in 2003 and 2004. The only significance of that is that it’s a completely nonpartisan program and so I’m speaking today from that same nonpartisan spirit. I want to start off by saying we absolutely need public hearing opportunities after the maps are initially drawn. This is a highly complex contentious issue and we need to walk the talk of democracy, both for ourselves and as an example to others, both domestically and across the globe. Where appropriate public comments should be taken into considerations and the lines adjusted and redrawn.

We need a transparent iterative process to make sure that we get this right, the stakes are too high. No major corporation markets its products or services based off the first prototype that the engineers throw out and I think our state deserves the same care. More specifically to our immediate region, I would request that the county of New Hanover be kept whole incorporating the entirety of the downtown area for not only our congressional district, but also the state Senate and the state assembly districts. In the past I've noted that boundaries have been drawn across the Cape Fear River. Yes, plenty of employees cross the bridges or commute south from Pender and even Onslow county to who work in Plain, but the community of Wilmington and more broadly New Hanover county is its own cultural and economic entity. Thank you again for this opportunity to comment.

Bill Raven (01:19:19):
Thank you. Dorian [inaudible 01:19:26]. Dorian [inaudible 01:19:33].

Speaker 12 (01:19:33):
looks like she left.

Speaker 6 (01:19:33):
She left.

Bill Raven (01:19:38):

Speaker 13 (01:19:58):
That's him.
Speaker 6 (01:19:58):
[inaudible 01:19:58] Bobby, Bobby. He was leaving.

Bobby Rudder (01:20:11):
Thanks everybody for coming today, I really appreciate the opportunity to speak. It seems like I made some notes just based on what I've heard, I don't really have any research for it. I do remember all the way back to some old times of gerrymandering from both sides of the party, but it seems like there's a lot of political party representation here today and I just want to approach this from a nonpartisan perspective and just talk a little bit about... Because I can remember back when Roy Cooper had his Senate district, it was fingered into three different counties that was back in the old days, but it's definitely on both sides of the aisle.

I think the courts have ruled on all this and given some pretty clear guidelines that are going to be followed. The general assembly has banned the use of political and racial data in this process, which is commendable. I don't know what the definition of a community of interest is. Its first time I've heard about it really, a community of interest I would think is in the eye of a beholder. People think of it in terms of natural resources and all sorts of other things but I'd like to have a real clear understanding of what that is if that's going to be used in this process. Otherwise, like I said, the rules have been laid out. So thank you guys for coming out today and following those rules.

Bill Raven (01:21:29):
Thank you.

Speaker 6 (01:21:29):
Will you call Mr. Jones again?

Bill Raven (01:21:35):
Okay.

Speaker 6 (01:21:38):
[inaudible 01:21:38].

Bill Raven (01:21:38):
Okay. Mr. Jones. There we go. I thought you coming down welcome.

Claire Stone (01:21:44):
Thank you, sir. My name is Sailor Jones. I was born and raised in Warren county, which is far away where my dad still lives on our family farm. He is disabled, unable to ride in a car for long distances and was unable to make any of the 13 hearings provided only in person. He also has difficulty accessing reliable internet to comment online that could be explain out where Warren county is, a Northeastern corridor of the state that like so many places in the east struggle with a decade of promises, unkept. Our people live in food deserts, we lack broadband, good healthcare and Warren, Halifax, and Northampton likely to be grouped together under the Stevenson criteria on the house side, also lack any representation on the joint redistricting committee. I understand there is flexibility on the Senate side groupings, some maps I've seen pair Warren and Halifax counties with very similar populations and income levels with counties...
far to the Southeast in Carteret, Pamlico, Washington, Chowan, and Hyde, potentially double bunking incumbents and pairing counties nearly 150 miles apart.

Other maps could pair our border counties sneaking across the Northeast, but in doing so potentially pack growing black and brown on voting age populations in ways that benefit political parties and not the people they serve. In addition to not having maps to see before the hearings, my biggest concern is your criteria for drawing them. The committee's race neutral redistricting rules almost ensure that black, brown and indigenous voters aren't able to elect their candidates of choice. Yes, race cannot be a predominant factor in drawing districts, but it must be a factor. The same court decision that defined the whole county criteria mandates the creation of voting rights act districts first. And that can't happen without considering race. Thank you for your time though, in your work to make sure all of Eastern North Carolina isn't left behind for another decade.

Bill Raven (01:23:49):
Thank you, John Mayer.

Speaker 13 (01:23:57):
Maybe Meyer.

PART 3 OF 4 ENDS [01:24:04]

John Meyer (01:24:05):
Good evening. My name is John Meyer. I've been a voter in Wilmington and New Hanover County since the 1970s. I will start by saying that redistricting should not be controlled by any partisan majority of any party, but that's what we're stuck with. I'm just going to agree with what a number of other folks have said. I'm well aware that we're up against a tilted playing field here with our rights as voters at the majority of a partisan power structure. This is the same power structure that has become internationally notorious for enacting or trying to enact egregious forms of voter suppression. It's only thanks to vetoes by a governor elected by all North Carolinians, not subject to your gerrymandered districts, that North Carolina isn't ranked right up there with Florida and Texas in the anti-democracy rogues gallery. My plea, which may be naive, is that you will address this process on a statesman-like basis rather than on a partisan basis and let candidates for office of any party compete on the basis of their ideas and their policies, and not on unfairly drawn districts. Thank you.

Bill Raven (01:25:25):
Thank you. Dorian Cromartie.

Dorian Cromartie (01:25:43):
Hi, my name's Dorian Cromartie. Thank you for giving me the opportunity to speak. Thank you for having this. I am 29 years old, army veteran, full-time student at UNCW. On the way in, I asked 15 students what was going on here today. None of them knew. They're students as well. They're voters as well, and they were left out. I don't know how that happened, but voting is supposed to include everyone. This is important to everyone. I do encourage you all to be transparent and honest with making this decision. It's a decision that will affect generations. So just be honest, transparent, inclusive, and diverse. Don't just check the box on this because people have to have faith in institutions. People have faith in UNCW, so they come here as students. People have to have faith that their vote is going to count and mean
something. If you don’t do this right, it could mess up voting for generations. Then the question will be, again, why aren’t people voting? There’s no point in voting if my vote doesn’t count. Thank you for your time.

Bill Raven (01:27:08):
Thank you. Christo Salazar.

Chriso Salazar (01:27:14):
Hello. Good evening. My name is Christo Salazar. I am a community organizer with El Pueblo working closely with Latin American communities in North Carolina. I’ve called North Carolina my home my entire life. I’ve taken part in our democratic process by registering to vote, filling out the census, and voting our elections. I, like many North Carolinians want to continue to be a meaningful contributor to this democracy by participating in our state’s redistricting process. All of the hearings were scheduled for weekdays, and only in 13 locations across the state with no option for remote access despite the ongoing surge in COVID-19 cases that the state is currently experiencing. This process should be easy for working folks to safely participate in. Our democratic process should be easy and safe for all to participate. When I say all, I’m also thinking about our folks who do not speak English as our first language or at all. These hearings need to have interpretation in commonly spoken languages in North Carolina, including Spanish, Mandarin, Vietnamese, and Urdu for non-English speaking community members.

We know our communities best and must be part of the process with you. The latest census data reports that the Latin American community grew about 40% since the last census. If we are to have accurate maps, we must include them in this process, and one way to that is by providing interpretation at all hearings and materials in their languages. I’d like to end by uplifting the demands written by Democracy NC in order to improve the transparency and accessibility of the process to the public. I also ask the following of our legislators: improve the state’s redistricting website, start including North Carolinians who speak different languages in the redistricting process, draw maps in public view, release drafts of maps for public inspection, hold public hearings after draft maps are released, guarantee that public comment is taken into consideration when drawing these maps, and disclose all parties and systems involved with the map drawing process. Thank you for your time.

Bill Raven (01:29:45):
Thank you. Hollis Briggs.

Hollis Briggs (01:30:11):
Good evening, panel. I remember as a young man, my father was the first African American run for sheriff in New Hanover County, which was then Constable. My father also was the first black man to run for city counseling force a runoff. He was also the Vice Chair of Precinct 29. I now hold that position of the Vice Chair of Precinct 29. I remember back in the day when elections were hinged on the results of Precinct 29, 15, and 3. So now, through the redistricting, you guys have taken 29 and 3 out of Senate District 9 and put it in Senate District 8.

To me, honestly, and for my father, that’s an insult. I think that when the redistricting happens again, when you guys start redistricting again, would you please give us our precincts back, so that our votes can count? Because I haven’t seen the Senator that represents District 8. I’ve never seen him in my
life before. I don't even think I know who it is. Give us our power back. Give us our representation back, so we can be citizens of votes that count once again. Thank you.

Bill Raven (01:32:07):
Annie [Ty 01:32:09].

Annie Ty (01:32:37):
Hello and good evening. My name is Annie Ty. I am a junior at UNCW, and I am part of You Can Vote. Tonight I just want to say thank you for being here and taking your time to be out here. I'm very grateful to be able to stand here and basically just hearing from what everybody is saying, I just hope that from the best interest of all people, that whatever you choose to do, it's going to be for the interests of all of our people here are talking tonight. I know that whatever you're choosing to do, whether it's redistricting the maps or any decision you decide to make, hopefully it is for the best interest of all of our people here. I do have faith in all of you, and I do have faith in all of our concerns. That's all I have to say tonight. Thank you for having me tonight.

Bill Raven (01:33:29):
Thank you. Kayley Hoyle, Kayley Hoyle. Mr. Ronald Sparks. Okay. We have two... Mr. Sparks. I had you down maybe twice. One is Mr. Sparks and one is Ronald Sparks. Are you one and the same?

Ronald Sparks (01:34:02):
Well now other Sparks is on the Earth. I'm the Ron.

Bill Raven (01:34:02):
I know. No no.

Ronald Sparks (01:34:08):
I'm the Ronald Sparks from here.

Bill Raven (01:34:10):
That doesn't mean you get to speak twice. Thank you.

Ronald Sparks (01:34:14):
I don't want to defend any other Sparks. I'm the one that's born and raised in Wilmington, North Carolina, [inaudible 01:34:21], former city council member for... Anyhow, I've been on one board too many in this region. Back in 2011, I came to that redistrict. I think you were there, if I remember, at that hearing. I made a bunch of noise there, and everybody ignored everything I said, and y'all drew those maps that were drawn then. I'm not going to repeat everything that was said. So much good things have been said, but the issue, somebody raised the question earlier about what's this communities of interest. The interest of a hog farmer versus a shellfish fisherman versus a factory worker. Those communities who have similar work interests is, in my view, is what communities of interests are.

Keeping a city together, keeping a county together is really critical. I remember when I was in city council, there was the issue, and our representative from our district was not responsive to the city's issue. We came to Mr. Rayburn, pulled him to, had a meeting. He said, "We can help you with
that." You were not over the Wilmington area. And it's bad. We have to crawl outside your district to get help because your district representative is in the seat that's so unimpeachable that he doesn't feel threatened when the city says, "Hey, man, we really need some help on this." I don't care about you. We had one Senator called [inaudible 01:35:47] or called his name who left us wandering the halls of the state capital because he was offended by something. I'm not going to talk to the citizens. He had to get another non-Wilmington Senator. Grabbed him by the scruff of his neck and said, "You better meet with your people." If the districts are drawn and the citizens are kept together, we won't have that kind of drama.

We have folks who listen to the citizens. When they have an issue, you can call on them. I know you all as elected official get called at home still. I've been out of office lord knows how long now. My phone still rings. People say, "Well, Sparks used to be on city council. Maybe he," and people need to know that somebody they can call on that represents their interest. At this congressional district thing, it's just embarrassing. When you look at it on the map, it doesn't make any sense geographically. When you have an issue, you don't get anybody listening to you. You need to have districts that, when the citizens vote, they know that they can use that vote as currency to go meet their representative.

The vote is currency. When I vote for you, and I have an issue, I can call up the office here. I'm one of his constituents, and I get a call back. But if I don't care about my constituents because they vote don't count because my district is gerrymandered to such a manner, I don't have to worry about this little group of people over here. That's not fair. That's all.

Anyhow, my wife is in the hospital. I came here because of this. I signed up. My name was way up on the top of that list because it was 5:00 in the morning. I saw that post, and I signed up for it. But then my wife was in the hospital, and that's why I got t-shirt on. Sorry about that. And bands. I got to go back into the hospital when I leave here. Y'all keep her in prayers, major surgery. But anyhow, all that said, talking about redistricting, let's be fair. Let's keep the cities together. Let's keep the counties together if we can. Just remember, citizens should pick their leaders instead of leaders picking their citizens. Thank you very much.

Bill Raven (01:37:56):
Thank you. Frank Williams.

Speaker 14 (01:38:12):
[inaudible 01:38:12]

Frank Williams (01:38:12):
Thank you to the panel. I'm Frank Williams. I'm Brunswick County Commissioner. I did not intend to speak when I came tonight, but after hearing some of the comments, I feel obliged to do so. I don't have long prepared remarks. They're written on this post-it note in very bad handwriting, so hopefully I won't take too long. But I grew up in Brunswick County, so I do want to talk about one thing related to that first. We've had districts that crossed the river going back to when I was about this tall and my waist could fit in a sleeve on this shirt. That is not a new thing. It goes back a long way. At one point, my father on his little farm in the community of Northwest, had a representative who now sits at this table, who is an attorney in downtown Wilmington. She did not let that geographic boundary stop her from coming across the river any more than representative Miller has let it stop him from crossing the river.

I actually think that having that boundary forced Charlie Miller last year to get out and meet people and work maybe even harder on the other side of the river where he was not known, the same
way representative Deb Butler did when she was my state representative. I do want to say that's not a new thing.

Secondly, as an elected official, I know that this is a far more complex process than any of us who are not involved in it can possibly understand. I do want to give you kudos for being here and being willing to come to a setting, all five of you, where you know that people are going to throw darts at you and call you names no matter what. I commend you for your service. The final thing, reference to a comment that was heard earlier about Onslow, Pender, and New Hanover County. With all due respect to that speaker, they left out the fastest growing county in this part of the state, Brunswick County, which I think has as much in common with New Hanover as anyone does. Thank you.

Bill Raven (01:39:57):
Thank you, sir. Nick Craig.

Nick Craig (01:40:09):
Good evening. Thanks for coming and spending time here. I think this is the last of 13 events that are taking place across the state of North Carolina. We've heard a lot today about gerrymandering, and I'm surprised that in all of the people speaking about gerrymandering, not a single person pulled up the definition of gerrymandering. The definition of gerrymandering, according to Webster's Dictionary, is to manipulate the boundaries of an electual constituency so as to favor one party or class. A lot of the comments that have been made by various speakers in this room tonight are advocating for gerrymandering. They want their districts redrawn so they find them to be more quote, unquote, fair. There's no such thing as fair. The districts are drawn based on population and other factors that the general assembly deals with.

In terms of NC District 19, which has been brought up numerous times throughout this hearing tonight, those beach communities all have a lot in common. I don't live on the beach, but I can tell you, I can guarantee you that Oak Island, Caswell Beach, Holden Beach and those areas have a lot more in common with areas in and around Carolina Beach and Curry Beach than they do parts of downtown Wilmington. So I think that that district and its representative, Representative Charlie Miller, has the beaches on his mind, and that's a very important thing.

I'll end with this. I know that the maps will be drawn in a public forum. I've got confidence that the general assembly will do a good job with that, prior to unlike before when my representative said that she was downstairs redrawing maps during a Senate hearing. Thank you.

Bill Raven (01:41:41):
Thank you. Will [Kinet 01:41:48]. Ladies and gentlemen, we're getting close to the end of the list, so if you want to speak and have not, please sign up.

Will Kinet (01:42:04):
Thank you. I join the other speakers who thank you all for being here, all five of you, very much. Also, this is America. This is fantastic that we can come and have differing opinions and view those opinions in front of our elected officials, and we thank you for that. I thank my friends who have maybe differing opinions than I do. I think of just recent speakers, Mr. Cromartie, Mr. Briggs, good friends who differ than I do. But there's some points that have not been brought up tonight that I think are important about this redistricting process.
It follows the most recent court mandated process that you have been given by the court. You are aligning with what the court has asked you to do. The process is widely acclaimed as the most fair and transparent ever in North Carolina. Not by Republicans only, not by unaffiliateds, but by Democrats, republicans and unaffiliated elected officials. There are many criteria that are very important, but the general assembly plans to keep most communities together. All in all, most communities will be kept together, and that’s important. The general assembly has committed that data, and this is important, data identifying the race of individuals or voters shall not be used in the construction of districts. That is, what I would say, is very fair. You’re not looking at the fact that I have gray hair or that I’m short and putting me in a district as a result of that. That is a fair process. You are also not looking at partisan voting records as you are doing this.

Again, none of these points have been raised. You're following the court ordered mandates. It was widely acclaimed as the most transparent in the history of North Carolina. You are doing it in such a way to take partisan politics out, which is what I hear from all of us. So again, I thank my fellow community members for any opinion they have, and we thank you. We thank you for the work you’re going to be doing on this.

Bill Raven (01:44:24):
Thank you. Mike [Hanot 01:44:31].

Mike Hanot (01:44:43):
I just wanted to applaud the openness and the transparency. The general assembly is committed to drawing maps during opening redistricting committee meetings and to listen to the public input through these hearings. The general assembly should be commended on banning the use of race and political data. Banning the use of race and political data helps control against gerrymandering. We think it’s a strong step to improving the process by not necessarily dividing the communities in congressional districts. This helps keep our basic political units together for representation and prevents districts from taking some of the extremely odd shapes that they've taken in the past. We're all one community. We all live in Southeastern North Carolina.

The communities of interest do not dominate the process. There is no common understanding of what a community of interest is. A community of interest is in the eye of the beholder. It's appropriate that claims of communities of interest are not only considered after other redistricting criteria have been satisfied. We note here in public that North Carolina's whole county provision, the uneven distribution of partisan voters across the state, will result in districts and electoral outcomes some people do not like. That is inevitable. An open and fair constitutional process does not guarantee political outcomes everyone will like, but it does guarantee that everyone can be heard and work to influence the process, and we appreciate that. Thank you.

Bill Raven (01:46:25):
Thank you. Philip White.

Philip White (01:46:37):
Hello representatives. My name is Philip White. I will not take your time to repeat many of the wonderful things that have been said here tonight. I would just like to tell a short story, which would be, I am a candidate for Wilmington City Council. I mention that specifically for the reason that I was having a conversation with a fellow Wilmingtonian the other day. I live in House District 19, Representative
Miller's district. The Wilmingtonian said, "Well, as a candidate for Wilmington City Council, you must see him all the time." I sadly had to say, "No. The only time I have had the pleasure of seeing Representative Miller was on Election Day when he was coming around asking for votes."

If I were to be elected to the Wilmington City Council and were to discuss issues pertinent to Wilmingtonians and were to want to have coffee with Mr. Miller close to his home, the amount of time that it would take me is not too far off for the amount of time it would take me to meet him in his office in Raleigh. That is hardly a compact district. The physical barrier of the Cape Fear River completely decimates any sort of compact requirement to that. Secondly, I would just end with a phrase. In Latin, there is a phrase, res publica, which is of the people. It's the form of government we claim to have in America, which is a Republic. The people in a Republic should elect their representatives, never the other way around. Thank you.

Bill Raven (01:48:18):
Thank you. That concludes our list for this evening. Have I overlooked anyone who signed up? Is anyone who has not spoken care to speak? Seeing none, I want to thank everyone for coming. We appreciate your input. I want to thank our serjeant-at-arms staff, Linda Matthew, Sherry [Hendrick 01:48:45], and Jonas [Cherry00:24:47], for helping us out. And Sergeant Kane and Sergeant Cook. I would like to thank the members of the House of Representatives that joined us tonight for being here.

Speaker 14 (01:49:00):
This is bipartisan.

Bill Raven (01:49:03):
I'm going to ask you. Would any of the representatives here care to speak? Okay. Our representative Carney.

Becky Carney (01:49:10):
Thank you. I am representative Becky Carney from Charlotte, and I want y'all to know this is a bipartisan commission that the committee of the legislature that's been going around the state. But I'm taking a point of personal privilege. I have two incredibly outstanding grandchildren here tonight that are 13 and 15. They are residents of Wilmington, and I am proud for them coming out tonight to learn about democracy.

Bill Raven (01:49:45):
Representative Butler. Representative Butler. Do you care to? Representative Miller. Representative Miller. Okay. Thank you. Ladies and gentlemen, thank you all. The meeting is adjourned.

PART 4 OF 4 ENDS [01:50:02]
Speaker 1 (00:00:01):
So, mic number one, if we could have Jo Nicholas. Mic number two, Kurt Earhart, Kathy Greggs, Barbara Faison, Eric Smith, John Taylor. Are we lining up?

Jo Nicholas (00:00:01):
I'm here.

Carol Samperton (00:00:01):
Looks like.

Kathy Greggs (00:00:01):
We are.

Jo Nicholas (00:00:01):
Yep.

Speaker 1 (00:00:01):
Good.

John Soker (00:00:01):
Okay, so are we ready to go?

Speaker 1 (00:00:01):
Veronica Jones, Carol Samperton.

John Soker (00:01:16):
Done one pocket. Okay. All right. Okay. [crosstalk 00:01:16]. So, you're going to do the talking, Paul? [crosstalk 00:01:27]. Please be patient. Okay, so we need to [inaudible 00:01:28] and get this done [inaudible 00:01:30].

Speaker 1 (00:01:33):
If you just announce to the public, we have a two minute time limit.

John Soker (00:01:34):
I will do that.

Speaker 1 (00:01:34):
That way everybody know the rules.

John Soker (00:01:50):
All right.

I'd like to bring this joint committee on redistricting and elections meeting to order. Thank you for being here tonight. I'd like to thank our sergeant-at-arms, Joe Crook, from the house or senate.
sergeant-at-arms, Jim Hamilton. We also have general assembly police here, Sergeant Robert Barkaifer and Officer Russell Sawyer and Hailey Ruganrandy. What we're here to do tonight... Sorry, is to take public comment on the redistricting process and whatever you may have on your mind. I would first like to introduce the other members of the general assembly that are present with us. My name is John Soker. I'm a house representative district 45 from Cumberland County. We have three senators with us tonight, and if you'd raise your hand so everybody can identify you when I call your name. We have Senator Jim Perry from Lenoir County. We have Senator Kirk deViere from the Cumberland County delegation.

All right, not a sporting event. We have Senator Ben Clark represents both Hoke and Cumberland County. Ben's down there. We have the other three representatives from Cumberland County, representative Diane Wheatley, representative Billy Richardson and representative Marvin Lucas. Also joining us tonight for this meeting is representative Cooper Sikes from Wilson County, representative Garland Pierce from Scotland County and representative Jamie Bowles from Moore County, over there. I would just like to tell everyone that a couple questions have come up at earlier meetings as to where can you find your comments? And if you have friends or relatives who are not able to make a comment tonight, and they've not been able to go online to make the comment, that there is a legislative website and it's at ncleg.gov/redistricting. The proceedings tonight are being video recorded so that the committee will have ample access to see that as well as the public.

What we're doing tonight is we have two mics set up. Each member of the public will receive two minutes. Our time keepers over here, so if you would just show them what you’ll be showing. There's a one minute warning and then you'll get a stop. And we ask everyone to be respectful of everyone's time here tonight, and when you see the stop to stop talking. So the sergeant-at-arms, to keep things moving, will call out names to help for microphone one and microphone two, so that when one person has ended, then we can do the other one. Prior to the committee meeting starting tonight, we had 46 people sign up online. There's been about another 10 or 12. We'll go through the list. If someone comes in late, they just have the desire to have their two minutes, for the record they just need to make sure that they sign up out by the table out front.

So if somebody slides in here and says, "I wanted to talk, but I couldn't." And they're sitting next to you, just tell them to go back out there in case they missed it. And everyone will have an opportunity to talk no matter what time they get here, because your comments are important. What we're doing this time in redistricting is very important to every citizen in the state of North Carolina. Your elected representatives and senators take it very seriously, and we want to hear what your comments are before we begin the actual drawing of maps and things like that. And to date, no maps have been drawn. The map drawing equipment and general assembly is being set up next week.

So if anybody talks about a map, there's been a lot things in the general public, none of which has come from the general assembly. But as soon as the population numbers came out, there have been a lot of maps that I've personally seen online, but they are not official. They're not from any member of the general assembly and certainly not from the committee. So I think I've gotten through all the administrative things. So, you are Jo Nicholas?

Jo Nicholas (00:01:50):
Yes, correct.

John Soker (00:05:55):
Is that right? Yes, ma'am. You have two minutes.
Jo Nicholas (00:05:57):
Thank you.

Good evening. As stated I'm Jo Nicholas, president of the League of Women Voters of North Carolina. I'm here on behalf of our 2000 members asking this committee to have a transparent, fair and inclusive process, as you draw the new redistricting maps for North Carolina. You've heard that the previous cycle of redistricting had denied people accountable representation, essential resources, and divided their neighborhoods at the expense of political gain. You have heard the ongoing theme that North Carolinians are asking you to do better. LWVNC urges you to implement the following processes to ensure the public can fully engage in our redistricting process.

First, complete transparency and public participation. Release the draft maps for public inspection, hold public hearings after the draft maps are released, perform all map drawing in the public view, ensure the public can observe the map drawing process on an online format, disclose all parties involved with the map drawing process. The public deserves to know who is participating in the redistricting and why they're there. Guarantee that public comments are taken in consideration when drawing the maps. As we enter this next phase of redistricting, North Carolinians deserve nothing less than a participatory, inclusive and transparent process. Now is the time for you to rise to the level demanded by your constituents. The League challenges you to draw the maps that reflect the vibrancy and diversity of North Carolina and in such a matter, that ensures a trustworthy process. Thank you.

John Soker (00:07:26):
And thank you for your comments, ma'am. You can just put them right there. Thank you. Over on this mic, we have Mr. Kurt Earhart. Your two minutes begin, sir.

Kurt Earhart (00:07:39):
Thank you. I live up in Raleigh and would've gone to the Durham hearing, but I was out of town. I want to speak in favor of districts that really represent logical communities of interest. I sat down with an online mapping tool and made up what I thought would be a good district for me, which would kind of look like this. The whole of Raleigh and the whole of Durham happens to add up to about three quarters of a million people, which is what a congressional district is going to be now that we have 14 representatives next time around.

And these are the people that commute back and forth, that shop back and forth, that socialize. These are the people that represent... I feel if I had a representative for this district, my voice would be heard, my vote would matter, and that would be pretty good. Now, following the 2010 census, there was the 2011 redistricting, and what we got was something that looks like this. The green sort of misshapen thing was my congressional district. I was over here. It was clearly designed to... It took the top half of Raleigh and then wrapped around and went all over the place out past I95, and my vote really didn't matter, I felt. George Holding won the seat. George Holding didn't need to listen to me or my neighbors one little bit in order to hold a seat. He won it several times when the district was redrawn after judicial challenge, he didn't even run because he knew he couldn't win. So, what I'm asking is that this time around that we really respect the idea of communities of interest, so that our voices and our votes matter. Thank you.

John Soker (00:09:40):
Thank you for your comments, sir. Next on microphone one, we have Kathy Greggs, and is Barbara Faison in the audience? She would be on deck. If not, then Derek Smith. Is Derek Smith here,
microphone one? Sean Taylor, on deck, microphone one? Veronica Jones? [inaudible 00:10:06] something. Then the next on microphone one would be Amanda Smith Williams. I believe you are here. And the next on microphone two would be Elizabeth Manley and... Sorry. Your time hasn't started yet, Ms. Greggs, so-

Kathy Greggs (00:10:21):
Oh, I know. Thank you.

John Soker (00:10:22):
Okay, but as they're moving to the mic, your two minutes will start. Please.

Kathy Greggs (00:10:27):
Oh, thank you.

John Soker (00:10:28):
Yes, ma'am.

Kathy Greggs (00:10:28):
My name is Kathy Greggs. I'm with All on the Line in North Carolina in Fayetteville Pack. I'm also a veteran here in Fayetteville, and I'm a homeowner. So, once again, I did go address this at the general assembly that we don't have the disenfranchised nor the de-marginalized people here. Maybe that was a reason for no accessibility, because we like to do things in secret, but I do want to make sure that we understand and we note that I believe that Fort Bragg's seats should stay one seat versus two seat.

I also believe that the people should be involved in the drafting of the maps, and we should have say so on how that look including the disenfranchised and de-marginalized people of Cumberland County. Now, let's just quit with the dog and pony show because we're probably getting maps drawn as we're standing here. So we can say that, but we don't really know because everything's done in secrecy. How about we do some real work and get the people's budget going? But at the end of the day, we need to have everybody in here because I don't see them and they didn't have accessibility. Thank you.

John Soker (00:11:25):
Thank you for your comments, ma'am. On microphone two, Ms. Carol Samperton.

Carol Samperton (00:11:32):
Good evening. My name is Carol Samperton and I'm a member of the Cumberland County GOP. The portion of Southern Cumberland County that borders along Bladen County is all very similar in terms of farming and increasing numbers of rural suburban housing developments. The two largest incorporated towns in Cumberland Count, Hope Mills and Steadman, are both in Southern Cumberland County. They have similar infrastructure needs, similar economic development concerns and similar issues with the rural suburban housing developments creeping into their surrounding areas.

The city of Fayetteville has attempted to encroach into Southern Cumberland County in the past by annexation and other coercive actions. Common sense indicates that it would be beneficial to have one North Carolina house representative and one North Carolina senator who would represent these residents concerns in Southern Cumberland County. Particularly if these residents in the urbanized parts
of the county are not being represented by the city of Fayetteville. The gen X pollution from KaMoore's company site located in Southern Cumberland County has affected many of the communities in the Southern part of Cumberland County, thus having one NC house representative and one NC senator to represent the residents in this area on this matter, as well as other water issues that have for a long time, been a divisive issue, is very important to these communities.

It is particularly important since the city of Fayetteville controls municipal water that extends or can be expanded into these communities. These residents need someone who will represent them, who will not be divided between their interest and the city of Fayetteville. Therefore, it is strongly recommended that the redrawing of the NC house and senate districts for the whole southern part of Cumberland County, which includes the towns of Hope Mills and Steadman, be in the same district for this area to have dedicated representation, which would be responsive to these residents' common needs. Thank you.

John Soker (00:13:40):
Thank you.

Amanda Williams (00:13:46):
Good evening. My name is Amanda Williams and I'm here because I want you to know that fair voting maps are important to me. Frankly, I don't trust you with the process regardless of your party. I prefer an independent commission of citizens and elected officials, but you're all we have. Democrats and Republicans have used gerrymandering to ensure your party has the upper hand. When you make the process about your party, democracy loses, the people lose. If you believe in democracy, draw fair maps. If you believe in the North Carolina constitution, do the right thing and draw fair maps.

You're not supposed to draw maps that get you elected. You're supposed to draw maps that reflect the community who elects you. We expect you to do the right thing by our communities. We know this task is complex. We know your job is not easy, and some of decisions you make will not be liked by all. As an educated and engaged voter, I expect you to leave your party alliance at the door when you sit to the table to work for all voters. Do not divide Cumberland County into two districts. It confuses the voters. We want public hearings after you draw the maps too. You took an oath to uphold the state constitution. Honor that oath. Do the right thing and draw fair maps. Thank you.

John Soker (00:15:27):
And thank you for your comments, ma'am. Lining up on deck as it were for microphone one would be Sean Taylor, and then General Anderson. We'll go to Ms. Manley.

Elizabeth Manley (00:15:47):
Elizabeth Manley.

John Soker (00:15:48):
Thank you.

Elizabeth Manley (00:15:50):
I'm with the Moore County Democratic Women, and I got some great help from All on the Line. I live in the town of Aberdeen in Moore County. Neighboring towns are Southern Pines, Pine Hurse, Pine Bluff. Our largest municipality by far is Fayetteville. Within that geographic region of the Sandhills, Moore
County is economically diverse with areas of wealth and areas of poverty. First Health Healthcare System, Fort Bragg and Cape Fear Healthcare System, our major employers and our fed workers by our educational institution, Sandhills Community College, Fayetteville Tech Community College included.

There's a strong connection and constant flow between Cumberland and Moore counties. Many of Fort Bragg’s military families seek housing in Moore County. And I’m sure I was not alone in driving that route along 211 to bring my father, a World War II veteran, to his veteran administration hospital appointments in Fayetteville. I speak in support of keeping Moore County whole in the new congressional district maps and combining more in neighboring Cumberland County in the same compact contiguous congressional district. The current map splits Moore County, with only 37.43% of Moore County population in congressional district nine, we cannot hold our elected officials accountable, and we can't expect a competitive race for that seat. We also need one hub that is in our district Fayetteville, not the current district that stretches all the way to Charlotte. Thank you for the opportunity to speak and for your hard work.

John Soker (00:17:37):
Thank you, ma'am. Next on deck at microphone number two will be Mr. Michael Chandler, and then Nathan Church. Mr. Taylor, you have the microphone. Identify yourself if you're representing someone, and you have the mic for two minutes.

Sean Taylor (00:17:56):
My name is Sean Taylor. I live in Cumberland County, just outside the city of Fayetteville in a little small town called Vander. Steadman and Hope Mills are very similar in many ways, and because of that, they should be in the same district. Both the towns are in the southernmost region of Cumberland County. They both have suburban housing and coming into their rural areas. These are the two largest incorporated towns in the county, and both are affected by gen X. Gen X is also affecting the areas outside Hope Mills and Steadman, and continues to move further out, some major concern and needs proper attention. I believe these two towns need to be represented by one house representative and one house senator that will allow us the dedicated representation that our specific areas need so much. Thank you for your time.

John Soker (00:18:40):
Thank you, sir. On deck at microphone one, if you'd be so kind as to line up, is Rebecca Brock, Carmella McKeller and Sharon Johnson. So, General Anderson. You have two minutes, sir.

General Rodney Anderson (00:18:55):
Good evening. Thank you for your presence in Fayetteville and for allowing me the opportunity to speak. My name is Rodney Anderson, Major General, US Army retired. I'm a resident of Fayetteville, North Carolina. I am a soldier for life. Committee members, we are alike in our oaths to support and defend the constitution of the United States. It is from the oath of office and the US constitution that I rise to speak. We, the people. We, the people establishes who we serve and our priority. Our oath, mine military, and yours legislative is to the people. My petition is for the people of the Sandhills region. We are a distinct geographic location and population center with the honor of hosting the largest active duty military population in the United States. We have a considerable population of veterans, reservists and military family members. Our location is frequently referred to as the center of the military universe. When military action is needed, our region provides the response. My specific
request is that the people and service members of our region have regional Sandhills representation in Congress, and that state maps avoid splitting municipalities or precincts. In your work, please consider and maintain the continuity of the people of the region, county and precincts. The people of North Carolina Sandhills region are well served when those of light, region and perspective have a voice in Congress and in Raleigh. Thank you for putting people first in your decision making. Thank you for your service and God speeding your significant work. Thank you.

John Soker (00:20:50):
Thank you for your comments. On this microphone number one, Rebecca Brock. You have your time.

Rebecca Brock (00:20:59):
Thank you. Thank you for having us here. I'm Rebecca Brock and I live in Harnett County. I'm the chair of the Harnett County Democratic Party. Harnett has 80,000 voters and 137,000 residents. I'm sorry I don't see Howard Penny here today because it was the closest public hearing to Harnett County. Anyhow, there's equal voters between Democrats, Republicans and unaffiliateds. We have 20% reporting black. We have 60% reporting white and we have 20% other. 13% are elderly. 25% are children. 67% go out to your counties, Wake, Cumberland and Moore, to work. So we are a commuter county. One in five are not insured in our county, and one in three are vaccinated.

Currently we have a mask optional mandate. I'm asking our elected officials that deal with population growth, climate change, technology overreach, crisis of capitalism and constraints on resources. These are very complicated matters, and I want our maps drawn to reflect and give precedent to underserved minority voices in our community in a transparent manner. Without the minority voice, the majority hears its own echo and follows it without reflection and debate. Our horizon of time to change the outcomes of our actions is no longer just beyond our reach. We can see the results of our action and how it's going to play out. So I suggest, I hope, I urge you to draw the maps to give the underserved minority voice a way to impact the future so that all voices are heard, no matter what the shape the district is.

John Soker (00:23:04):
Thank you for your comments, ma'am. Microphone two, Mr. Nathan Church. You have two minutes, sir.

Nathan Church (00:23:10):
Thank you for the opportunity to share my comments. As a relative newcomer to the Fayetteville Metro area, I have grown to appreciate the unique features of my new home. I have concluded that as a community established in the 18th century, ours is like many farm to market communities that have developed across the country. Ours with the historic market house at its center. Fayetteville still serves as a center of economic, cultural, and educational activities for an area encompassing all of Cumberland County. As the state's six largest city, and one that is majority minority city serving as a home to a large military installation, it has its own unique needs.

In a representative democracy like ours, those needs are to be addressed by elected representatives familiar with the communities they serve to be effective in allocating necessary resources. So what I ask of you in this process is to deliver on your responsibility to all of us who live in the community, specifically to develop district maps that accurately represent our community. We, the people, the citizens who live in homes in this housing market, who drive, walk or take public transportation to work and to healthcare and pharmacy services and to shopping centers and grocery
stores, whose kids attend the schools in the county school system and take part in regional recreational program, whose high school graduates need well funded local public and private colleges, job training centers and universities, to thrive in our knowledge based future economy.

These are just some of this community's common interests that we're counting on you to deliver to us. You, whom we have elected to represent us in the legislator. So please design maps that look like our communities and do not look like tortured attempts to achieve electoral outcomes rather than a democratic process of one person, one vote as our father's forefather's intended. Thank you.

John Soker (00:25:23):
Thank you for your comments, sir. And if you'll hold up just a minute. On microphone two here, is there an Alton Flats? Brian O'Grady or Kathy Greggs?

Carol Samperton (00:25:34):
She spoke already.

John Soker (00:25:37):
I'm sorry?

Carol Samperton (00:25:37):
Kathy spoke already.

John Soker (00:25:39):
Oh, well she's on the list twice, so. You're right. Okay. Manuel Maia Diaz, if you'd line up at that one, and we'll keep the flow going. Miss McKeller, you're recognized for two minutes.

Carmella McKeller Smith (00:25:57):
Thank you. Good evening. My name is Carmella McKeller Smith, and I'm a resident of Cumberland County. Thank you for providing-

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Ms. McKeller (00:26:00):
... Smith. And I'm a resident of Cumberland County. Thank you for providing your constituents the opportunity of a public forum to address this important issue. I stand in support of a Sandhills' congressional district, the genesis of which would be Cumberland, Hoke and Moore counties.

In spite of political boundaries, Cumberland, Hoke and Moore counties are community of citizens that share a commonality beyond the current political borders. We share two healthcare systems, Cape Fear and FirstHealth Moore Regional. We travel between the counties for a plethora of medical services and treatments. We are a community.

We suffer the atrocities of gen X polluting our air and water, hurricanes that ravage our homes and businesses, and COVID together, because these things don't recognize the political boundaries. We are a community. Our educators work seamlessly throughout the counties, children that attend public school and play sports in our counties play in the same athletic conference.
Many of our college students attend Sandhills Community College, FTCC and Fayetteville State. We are a community. When it comes to our economy, we know that there are interdependencies in our workforces. Be it Amazon, Butterball, Burlington, Eaton, Ingersoll, Cold Craft, Unilever or Fort Bragg, the adverse events affecting any of these entities would adversely impact all three counties.

But even on a more basic scale, our dollars travel between our counties. We are a community. We live, work, learn, play, heal, and worship together. We ask that you allow us the mechanism of choosing representation that does the same. Don't deny us the actualization of our own representation. Give us what you have the power and the authority to do. Create a Sandhills congressional district. Thank you for your time.

John Soker (00:27:57):
Thank you, Ms. McKellar. Mr. Diaz, you're up next.

Mr. Manuel Diaz (00:28:03):
Good evening. Thank you for allowing me to speak. My name is Manuel [Majia 00:28:07] Diaz, and I'm the southeastern regional organizer with Democracy North Carolina. But most importantly, I'm a citizen of Cumberland County. I like to emphasize things that I'm sure everyone here has heard multiple times in 10 years, but have been ignored by the general assembly.

I'm asking for transparency in the redistricting process, and I'm specifically asking for communities of interest to be kept together. No one wants to see their communities split up. I'm asking that Cumberland County remains whole when drawing federal congressional districts.

This was a huge issue in the 2018 midterm election and the 2019 special election for the 9th congressional district. It made no sense for Southern Cumberland County to be in a district that stretched all the way to Charlotte. I'm glad that's fixed now, and it should remain that way.

I also ask for Cumberland County to be placed in a federal district along with our Southeastern sister counties. The southeast is a unique area of the state and we should be our own district. One minute? Okay.

Our state legislative district should also be compact. We don't hear much about districts at the state level, even though we have multiple examples of non-compact districts. I recommend everyone in the audience to look at NC House District 46 to see non-compactness in the Southeast.

I want to highlight how disappointed people here in Cumberland County are to the current redistricting process. We don't have enough public hearings, these hearings are not being advertised enough, and I fear online public comments may be ignored. Most concerning of all is that the public cannot make comments after the maps are finalized.

The people of North Carolina should be able to respond to the final maps as we have a controversial history with districts. I hope state leaders would've learned from the past 10 years, bad maps will lead to litigation that will take money and resources away from other pressing matters across our state. This is why I wish redistricting would be done by a nonpartisan redistricting committee. Voters should elect their leaders, not the other way around. Thank you.

John Soker (00:30:16):
Thank you for your comments. Ms. Johnson, before you start, on microphone one is Dennis Stold present? Anthony Kitt, or Jerry Seas, if you would line up here. Then Bobby Wum, Gary Maher, or Devon Newton. All right, so waiting for them. Sir, I didn't catch your name. Your name was what sir?
Charles McKellar (00:31:04):
Charles McKellar.

John Soker (00:31:05):
Okay. I had you at the end, but since you're standing up, we'll listen to you now, sir.

Charles McKellar (00:31:13):
Good evening. Thank you for coming to Fayetteville to allow me to speak. My name is Charles McKellar, Lieutenant Colonel US Air Force retired and resident of Fayetteville, North Carolina. I'd like for you committed members to raise your hand if you have served in the military. I thank you for your service.

Committed members, we have taken an oath to support and defend the constitution of the United States. It is from this background that I come before you to make the case for a congressional district that encompasses the Sandhills.

This geographical district would comprise Cumberland County, Moore county, Hoke county, Scotland County and Robeson County. Fort Bragg can serve as the anchor for this district as it serves as our nation, as the 911 military, when our nation needs protection. Therefore the Sandhills should the 14th congressional district and serve as the other metropolitan districts in our state like Wake County, Guilford County, and Mecklenburg County as examples.

The people of the Sandhills region will be well served in these and those like [inaudible 00:32:37] have perspectives that speak with one voice in Congress and the state legislature. Again, thank you and give the voters in the Sandhills an opportunity to have their congressional person. Thank you.

John Soker (00:32:53):
Thank you, Mr. McKellar. And if you identify yourself, then your two minutes begins.

Speaker 2 (00:32:59):
Good evening. My name is Sharon Johnson, I'm the chair of Cumberland County Democratic Party, and we are asking that this committee extends some congressional equity to the Sandhills region of North Carolina. The Sandhills region is the only area of North Carolina that does not have its own congressional district.

We ask that you consider grouping Cumberland, Hoke, Moore, Richmond, Robeson, and Scotland counties. The Sandhills, as you well know, is the resident of Fort Bragg, its boundaries extend to portions of four of the six counties that are referenced. Active and retired military members and their families reside within these counties.

We ask because it's reasonable and logical to group these counties as we share similarities and commonalities, particularly in the areas of demographics, income, infrastructure, and housing needs, economic and environmental concerns relative to our waterways, be it Cape Fear River, Lumbee River, Little River or PD River.

We have shared healthcare systems, Cape Fear Valley, Womack, Fayetteville Veterans Hospital, the Sandhills' Mental Health System, as well as Southeastern Medical Hospital. Educational institutions that serve the Sandhills, we have a state university, UNC Pembroke, Methodist University, St. Andrews and our incredibly invaluable community colleges within these counties.
In respect to the house and Senate redistricting, we ask in the likelihood of a Moore, Cumberland grouping. One, that you keep Cumberland county smaller, municipalities intact. Two, that you do not split the precincts that are contiguous to Fort Bragg, specifically Manchester, Spring Lake Three and West Area precincts. And finally, we ask that you keep our older historic communities surrounding our Fayetteville State University intact and not split them specifically Cross Creek 13, 15, 16, and 519. Thank you so much.

John Soker (00:35:02):
We thank you for your comments. Mike [Fontoo 00:35:03], Please identify yourself. And you have two minutes.

Gary Moore (00:35:05):
Yes. Good evening. Thank you for the opportunity of speaking with you this evening. My name is Gary Moore and I am a resident of Fayetteville and Cumberland counties. For over the past 40 years, it's been my great pleasure to serve in this democracy as a registered republican, a registered independent, and a registered democratic voter. I am currently the precinct chair of Cross Creek 26 in Cumberland County.

I have come here this evening to advocate for the redistricting of the US eighth Congressional North Carolina District be redistricted in such a way that the sixth largest city of Fayetteville, the fifth largest county in Cumberland, and the largest military installation in the Western hemisphere, Fort Bragg become the hub of the Sandhills congressional community. Supporting Hoke, Moore and surrounding counties.

I believe this region has earned and does deserve its own representation in Congress. It is my prayer and my challenge to this committee that they will work to redistrict North Carolina in such a way that the voters of North Carolina get to choose their representatives and not the other way around. The citizens of North Carolina deserve nothing less. Thank you very much for your time this evening, have a blessed evening.

John Soker (00:36:39):
Thank you for your comments, sir. Before you get your time ma'am. Is Susan J. Thompson, James Wilmack and Frank McNeil, if you could queue up at microphone number two here. And ma'am you have two minutes. Identify yourself, and if you represent someone, and time is yours.

Devon Newton (00:36:58):
Okay. Hi, my name is Devon Newton. I'm here as just a concerned citizen. I'm a military spouse, and have lived on Fort Bragg since 2009. Thank you for your time. I want to welcome you to Fayetteville, as you know, and he was mentioning Fayetteville's the six largest city in North Carolina with a population estimated at 213,000.

The nearest comparative cities are to the North, Raleigh at 52 miles, Wilmington, 90 miles to the Southeast and to the West, Charlotte at 112 miles away. Yet our current congressional map includes us here in Cumberland County and Eastern North Carolina, and goes all the way over to Charlotte in the Western half of the state, 112 miles away and a community with which we have little in common, other than being an urban city.

Cumberland County lies in what is known as the Sandhills region. A region made of contiguous counties, consisting of Cumberland, Hoke, Harnett, Lee, Montgomery, Moore, Richmond, Robeson, and Scotland counties. It's the largest population center in this region and is long overdue for being the
anchor of its own congressional district. Our district should not extend 112 miles to the West, and it should be compact and rooted within the major geo cultural region of our state.

    There are four majority minority counties in the Sandhills regions, Cumberland, Robeson, Hoke and Scotland, and we believe that these should be kept together in one congressional district. Most of the current majority minority counties in North Carolina are along the Black Belt, which is a geopolitical region in the American South, which has historical roots in slavery and plantation industries of cotton and tobacco.

    The shared presence of Fort Bragg should mean that Cumberland and Hoke county should be kept in one congressional district. There are significant active duty in veteran military populations in Cumberland, Robeson, Hoke, Scotland and Moore, meaning that these counties should lie within a single district. Thank you so much for your time.

John Soker (00:39:02):
Thank you for your comments. Ms. Thompson.

Susan Thompson (00:39:06):
Yes.

John Soker (00:39:07):
You identify yourself, you have two minutes.

Susan Thompson (00:39:08):
I am Susan Thompson. I am a Sampson County resident. We know that this happens every 10 years, that maps are changed. They're a little different every time. The last time they were changed was in 2018. This is when former representative Larry M. Bell Sr. was with NC House District 21, retired of course, and this was through a court order.

    I'm satisfied with the change that was made, for it gave us a minority District 21, and it gave District 22, one that has potential minority influence. I would not like to see any more changes that would upset both districts 21 and 22. I would appreciate any consideration that you give. And if I was asked, it would be unfair to the constituents to keep changing the maps. If it was changed back in 2018, there is no need to change this early. I thank you.

John Soker (00:40:13):
Thank you for your comments. Mr. Womack, identify yourself, if you represent anyone, and you have two minutes, sir.

Mr. Jim Womack (00:40:23):
Thank you. My name is Jim Womack. I'm from Lee County, I'm the chairman of the Lee County Republican Party. I'm an executive with the Conservative Coalition of North Carolina and a 20-year army veteran with combat service in Desert Storm.

    Three points I'd like to make tonight. One, the most significant thing I think that the redistricting committee has to do with congressional redistricting is where to insert the 14th district. And that has a domino effect on all the other districts.
So my suggestion, and I hope that you'll follow a planned and orderly method in doing that, would be to insert that where the greatest population growth has actually occurred in the state, that makes the most sense. Has the least amount of disruption on the other districts. And that growth, by my analysis and the Census Bureau data is in the Wake County area. It's somewhere in the Wake, Franklin, Vance and Johnston County area, which might include Harnett as well. So I would highly suggest you look at that.

Second point, keep the geographically smaller counties whole. None of us small counties want to be split into two. What it does is it causes us to have least amount of impact within our congressional districts. I've got one portion of my county, which represents less than 1% of our congressional district, and it really doesn't give us any voice. So please keep the smaller counties like Green County and Forsyth County, other counties that are small geographically and with population smallest as well.

The third point is one person one vote. Because of the unusual nature of this year where undocumented people or persons are counted in the census and have representation, which I think is appropriate, they have a tendency when they're grouped and packed into large municipal areas to dilute the vote of the other districts. That means that you don't have one person, one vote in North Carolina. I would ask that you do at least make a check at the end of the process so that you can make it as balanced as you can so that the voting power in each district is similar among the citizens. Thank you very much for your time. I know it's a diligent process, and Godspeed in your work.

John Soker (00:42:25):
Thank you for your comments, sir. Mr. McNeil.

Frank McNeil (00:42:30):
Yes.

John Soker (00:42:30):
Could you approach the mic, identify yourself. And if you're representing an organization, you have two minutes, sir.

Frank McNeil (00:42:35):
I'm Frank McNeil. I live in Aberdeen, a lifelong resident of Moore County, and a former mayor of Aberdeen. I want to speak first on the New senate district that's combining Moore and Cumberland counties.

One district should include the portion of Cumberland County that is located in the current District 21, along with all of Moore county. The other district would encompass the rest of Cumberland County, which is essentially the current District 19. This would be two very nice compact districts.

In order to balance the population, the two districts' four precincts Long Hill, Cross Creek 22, and both Cross Creek 23s would need to move from 21 to 19. This layout will have the least amount of disruption to the voters of Cumberland County by keeping them in the same districts they currently are in. Moore County will be in the same district with the part of Cumberland County that is closest to Moore county. Essentially you'll be substituting Moore County for Hoke County and District 21.

Turn into Congress. The Sandhills deserves its own congressional district centered on the Sandhills. This can easily be accomplished by taking the horizontal line dividing Districts 8 and 9 now.
The Eastern district is anchored by and surrounds Fort Bragg. It could include Cumberland, Harnett, Moore, Hoke, Scotland and Robeson counties. These counties have a lot in common with each other, much more so than they do with Union and Cabarrus counties.

The main economic driver for this district is Fort Bragg. It doesn’t make sense for Robeson County to be in the same congressional district with Mecklenburg County. We now have 14 congressional districts, please center one of them on the Sandhills. Thank you for this opportunity.

John Soker (00:44:37):
Thank you for your comments, sir. I did take a break here because it looks like some people aren't here. So microphone one is Liz [Baroll 00:44:46] here? Michael Jackson? Okay. Joseph Brewbaker, Robert [Taber 00:44:59], Marlando [Prijin 00:45:06]. We got another one there. Sarah Taber, are you here? She is here? Okay, got you.

And then at microphone number two, if we could have Roberta Waddle, Floyd Wicker and Ted Moon. So thank you for your indulgence here. Sir, you were here first, so identify yourself if you’re representing anyone and you have two minutes.

Michael Jackson (00:45:39):
Hi, I’m Michael Jackson. Not related to the other guy. I like everybody to get their jokes out of way first. Although I moved to Fayetteville a couple years ago, I’ve been coming here for over 40 years since I've had family in the area. I'm a former naval officer.

I want to advocate for a Sandhills congressional district. We know that Fort Bragg is the major economic driver and employer as well as Cape Fear Valley Medical System for Cumberland County, and the counties contiguous to Cumberland county. So you may have heard from several other people that advocate for one district to include the counties that touch Cumberland county in general.

Secondly, we know that from the 2020 census, North Carolina has additional congressional district, so that means the state of North Carolina has grown considerably. This go around there have only been 10 public hearings like this one in the state’s 100 counties, where our comparison in 2011, lawmakers proposed 62 public hearings in 36 counties before and after the maps were drafted.

So what I want to ask of you all is to do like you did in 2011, which is, allow for public input after the maps are drawn too, and I think for the next time around seeing how our state is continuing to grow is more important that we have more public hearings than fewer public hearings. That’s in the best interest of the people. Thank you.

John Soker (00:47:27):
Thank you for your comments, sir. This microphone, please identify yourself and you have two minutes.

Roberta Waddle (00:47:35):
Good evening. My name is Roberta Waddle, I live in rural Cumberland County and I represent only myself tonight. I believe that the voting districts should be as compact as possible with as little splitting of counties, cities and precincts as absolutely necessary.

Regarding congressional redistricting, I advocate not splitting counties unless necessary. If they must be split, then please split them into no more than two districts. When I was party chair from 2006 to 2009, Cumberland County was divided into three districts. Being in three districts was confusing for officials, candidates and particularly voters. Many voters did not know about the divisions and didn’t
know who their representatives were. This was discouraging to people who wanted to vote, but had trouble figuring out who would be on their ballot.

Regarding congressional redistricting, I believe there should be a district built in our area that is rooted in the Sandhills area of North Carolina. A possible combination would be Scotland, Hoke, Robeson and Cumberland counties in the district.

Regarding Senate and House redistricting, it's important that the community of interest around Fayetteville State University not be divided. Precincts Cross Creek 13, 16, and 519 in Cumberland County around this historically black university should not be split up. It is also important that the military community around Fort Bragg be kept together. Thank you.

John Soker (00:49:20):
Thank you for your comments. Sir, if you could approach the mic and identify yourself, if you represent anyone, and you have two minutes.

Robert Taber (00:49:26):
Good evening Representative [Zuka 00:49:27] and distinguished senators and representatives. I'm Robert Taber, I'm a homeowner and educator here in Fayetteville, teaching history and civic engagement at Fayetteville State. So I know that tonight I'm just speaking as a concerned teacher about the students with whom I work.

Fayetteville State is our state's leader in adult education. My students include many veterans, military spouses, or active duty service members and rural adults continuing their education after years away from the classroom. They are part of a community of interest, one that has been divided into multiple districts several times through the years.

Most notably from 2016 through 2019 students on campus and immediately off campus were in different congressional districts that both stretched to Mecklenburg County or its borders. Cumberland County should be in one congressional district, one comprised of adjoining Eastern and Southern Sandhills counties.

When drawing state house districts, respect the population and diversity of Fayetteville and Cumberland County. Do not divide precincts, municipalities or communities to pack people of a particular party or race together in an artificial fashion. House districts should be compact, avoid bordering more than two of the county's four sides and avoid splitting municipalities. Thank you.

John Soker (00:50:45):
Thank you for your comments, sir. On this side, if you identify yourself, if you represent anyone, you have two minutes, sir.

Floyd Wicker (00:50:52):
Good evening. I am Reverend Dr. Floyd Wicker, and I am a lifelong, a native North Carolinian and a resident of Fayetteville, North Carolina. First, I'd like to thank you for honoring your commitment to represent us, and for being a voice for the people's needs.

In this sacred season, you have an incredible opportunity to demonstrate to the people of Cumberland County that you have the dignity and the political will to create maps that are proportional. Maps that will not pack African American and minority voters into a few districts.
We all know what happens when this type of packing occurs. African Americans and minorities are deprived of representation in other districts, and regretfully our voices, our gifts, and our unique contributions to this state and nation are sadly diminished. I am deeply concerned about our current political environment. Instead of our leaders in-

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Floyd Wicker (00:52:00):
... Political environment. Instead of our leaders in Raleigh, working together to stem the tide of racial hatred and discrimination, instead of our leaders working hard to create more jobs that pay a livable wage and expand Medicare to the over 600,000 people who are uninsured in this state, the only value that is important, or that seems important to our lawmakers in Raleigh and beyond is winning an election by any means necessary. Let us not repeat the mistakes of our past. Let the people, those of us who are here tonight and beyond, help you, lawmakers, move North Carolina forward. The only way we can do that is through the ballot. Keep our districts compact. Do not split our precincts, and above all, thank you for what you do.

John Soker (00:52:57):
Thank you for your comment sir. Sir, can you identify yourself.

Orlando Preegon (00:53:02):
I'm Orlando Preegon. I represent actually from Columbus County, North Carolina. I actually am a nonprofit professional, also a campaign manager that's been working in the area for a minute. To our esteemed leaders because of the time, I want to make sure that [inaudible 00:53:14] all the comments that you hear, something that are common ground points, that you can leave away from here to fight for a united win for the people of North Carolina. So the first one is that, as a campaign manager, no citizen or no resident should have to, or no candidate should ever have to afford the cost of communicating their lines in the changing of the districts. So the first thing I ask is that a state board of elections pay for it. That every citizens receive in a mail, a communication in education of where the lines are drawn. That should be given to every citizen in here without a doubt.

Secondly, the thing there I want to talk to you about is that, many of the times we're talking about redistricting, but the federal government has already had a position on that, that we are missing. Currently right now, many of you that are in nonprofit or local areas that are fighting for grants, the economic development agency of the federal government has put out a bigger Build Back Better grant. But in that grant, particularly they have already set economic development regions particularly in this area, you might want to see the one which Fayetteville is in. Currently Fayetteville State University is one of the universities that considered a economic development agency university center. We need to follow by those rules so that we can get the best federal government dollars for our region, so that we can see that we are in alignment with federal government, and how they perceive the state of North Carolina.

It is very important that we play very smart and intelligent in this process, and not divisive, and the way that we do that is to make sure that we are as advanced and innovative on the strategies, more so than combative. But those two things have legal remnants, and I think that every elected leader when you leave here, if you don't hear anything else that's said tonight, you can go back and study those things to make sure that you have an effective argument in the general assembly. Thank you.
John Soker (00:54:52):
Thank you for your comment, sir. Mr. Moon, please identify yourself for the record. You have two minutes.

Ted Moon (00:55:00):
Ted Moon. I'm an unaffiliated voter representing myself. Retired army geospatial information technician. I do understand redistricting, did it twice while I was on city council. And because of the clusters, the county's clusters under Stevenson, Cumberland still retains four house districts, 42 through 45. Very few VTTS need to be adjusted for population growth, and no VTTS should be split. Cumberland, Moore are now paired for two senate districts. Keep majority parts of Fayetteville and Hope Mills together as much as possible. We're a combined community of interest. We provide water and sewer to most of Hope Mills, and we have inter local agreements with Hope Mills. Keep that District 19. Fort Bragg, and rural parts, and small municipalities of Cumberland County should be paired in 21 with Moore County. For congressional districts, I recommend Cumberland County be the center for a new Sandhills Congressional District.

Cumberland is the fifth largest county, Fayetteville is the sixth largest city. At the very least, you compare Cumberland, Hoke, Robinson, Richardson, Moore, Scotland, and that could be the new Sandhills Congressional District. Give us an opportunity to vote for a candidate of our choice in the Sandhills. Because the process is public, the very transparent way you did it last time, I hope you do it again. With the court cases over the decades, you have a very clear roadmap of how not to get in the litigation again. I hope you listen to what the courts over the last decade have already ruled on and told you to do. I just thank you for the opportunity to speak tonight. Thank you.

John Soker (00:56:54):
Thank you for your comments, sir. All right, [inaudible 00:56:57] approach the mic, identify yourself, you're representing one. You have two minutes.

Sarah Tabber (00:57:00):
Hey, I'm Sarah Tabber. I'm going to keep this quick. I grew up in a military family. I work in agriculture, and I'm a home and business owner here in Fayetteville. Again, I'm going to keep it quick. I want one district for my community here in Cumberland, through a Fort Bragg in there, the whole thing, keep Cumberland County whole. As a military town, decisions made in D.C. have a huge impact on our community. We have a lot of veterans, we have a lot of military families, and we have a lot of issues with providing homes for foreign allies who have become refugees and they need somewhere to go. And decisions made about that affect us tremendously here, so I want to make sure that we get to be represented. Don't water us down by splitting us up, and for heaven's sakes, stop putting us with Charlotte, it's easy.

John Soker (00:57:43):
Thank you for your comments ma'am. Going down the list of people who have signed up previously tonight, and then we'll go to the people who have signed up to speak tonight, is Larry Wright here? I don't see him. O'Linda Watkins, microphone one. Let me just see who else we got. Allen McShirley, Allen McShirley you'd be second over here. And Irene Grimes, you'll be third. And then microphone over here would be Charles Allen, you're here. And Mr. McShirley already spoke, so I'm sorry. All right, Ms. Watkins.
O'Linda Watkins-McSurely (00:58:30):
Yes, [inaudible 00:58:31].

John Soker (00:58:31):
If you’d identify yourself, any organization you may represent, you have two minutes.

O'Linda Watkins-McSurely (00:58:35):
Thank you. Good evening. My name is O'Linda Watkins-McSurely. I am president of Moore County NAACP. I have lived in Moore County all my life. While in Moore County, Moore County was not divided in 2011, 2016, congressional maps. Moore County was one of only nine counties to be split into two districts, district eight and nine in 2019. Keep Moore County whole in congressional map. Splitting Moore County between U.S. House Congressional District eight and nine has divided important communities of interest. By splitting Moore County, you have neutralized the votes and the voices of the county's fastest growing minority Latinas population in the Northern part of the county, and also divide Moore County's fastest growing population center, the town of Whispering Pines. Keep the Sandhills whole. Keeping Moore County whole should not come at the expense of other Sandhills Counties, including communities of color.

We understand that one, Sandhills is often the final region to be drawn in the state lawmaker policy [inaudible 00:59:47], two, to keep Moore County whole, in 2011, in 2016, lawmakers split Hoke, Robinson in 2011, Bladen 2016, and Cumberland 2011, 2016. This map keeping leads to vigorous cycles that has pit our region communities of interest against each other, for resources and representation in the area from economic funds to disaster support. We ask you to keep Moore County home, but not at expense of Black representation in our county and neighboring counties in the Sandhills. Draw fair maps and the Sandhills will benefit. We ask you to draw competitive state districts in Moore County that not only will allow state representation, that listen to us and that we deserve, but would also begin the necessary work to end our county's at large election system. Thank you.

John Soker (01:00:46):
Thank you for your comments ma'am. On microphone two, Mr. Allen. You can approach the mic. Identify yourself, and if you represent anyone, and you have two minutes.

Charles Allen (01:00:53):
Good evening. My name's Charles Allen. I'm nearly a lifetime resident of Cumberland County. I'm still alive, so it's not lifetime yet. I wanted to come and speak tonight to the case of the house redistricting. Right now we have four districts that are running with a total of about 330,000 voters. Average is 82,500 per district. Right now I'm a member of the 45th district, which is the largest district with about 87,000 registered voters. The other districts are a little smaller to, or averaging 82,501. District 43 is a smaller population with 77,619 voters.

With regards to the redistricting of those areas, I think it would be a great idea if we moved 500 voters from the precincts of 45. It also is adjacent to 43. We'll move those 500 voters into the 43rd district, and that would give us parity with the four districts at that point. The reason for this is that the area of Stedman, and Eastover, and Vander, pretty much have a commonality of services, and share the same high school area, Cape Fear High School. They're not anything like, I don't think the Hope Mills area, which is probably the fastest growing area of Cumberland County, and I think if they were to be clumped into that area it would be a disservice. Thank you very much.
John Soker (01:02:51):
Thank you for your comment, sir. On microphone one, sir, please identify yourself, if you represent anyone, you have two minutes.

Allen McShirley (01:03:00):
My name is Allen McShirley. I’ve been a civil rights lawyer for 33 years in North Carolina, working mainly for Reverend Barber, and now for Dr. Spearman, who’s over in front of the governor’s mansion tonight, he would be here. I write a column for The Wilmington Journal called, Angry old white man, but not tired yet. And what I’m going to do, I was going to read you some of the latest column I wrote, which was about the Hope Heller files and how you should read them before you talk about any redistricting in North Carolina, but I hope I can just give you a copy of that column and put it in the record, and that will save us the rest of my two minutes.

I wanted to join with my good friends who are speaking strongly for this congressional district that would include the Sandhills, what we call the Cape Fear Valley, but really coming up from Wilmington. Remember this whole thing started with a massacre in Wilmington on November 10th, 1898. And I’m reminded of my good friend, Dr. Gerald Horning, he taught UNC for many years said, to be a historical, is to be racist. A historical means a racist, and I wanted to quote also from Julian Bond, a close friend of mine who just died, and John Lewis, another close friend, and CT Vivian who died on the same day. We have got to look at the history of racism in North Carolina before we even utter a word about redistricting. Thank you.

John Soker (01:05:00):
Thank you for your comment, sir. Ma'am if you could approach the mic, identify yourself, if you represent anyone, and you have two minutes.

Irene Grimes (01:05:11):
My name is Irene Grimes. I’m a member of the Cumberland County Board of Elections. I’m also an immigrant, a small business woman, and a veteran, and I am now a proud North Carolinian. I’m here to urge you to make decisions that are well thought out, deliberate, fair, and transparent. We are one of the states that the country looks to during election time all the time, so what happens in North Carolina matters. What happens on the ground level, and redistricting is the ground level, matters. What you do, and what you decide by drawing these maps matters.

With all the mistrust and misinformation out there, you can make decisions that will start restoring the faith in our electoral system. You have heard from many speakers tonight that don't trust the electoral system and our districts make a difference. Mistrust and misinformation is something that my colleagues on local boards battle all day, every day. I’ve been a member of the board of elections here in Cumberland County since 2019, and [inaudible 01:06:30] has gone on all day, every day. I believe in the system in this country. I’m an American by choice. I’m a North Carolinian by choice. I believe in the ideas of this country, the ideals of this country and you need to do the right thing, because what happens here matters. Thank you.

John Soker (01:06:53):
Thank you for your comment. We're at the end of the list for those who have signed up previous to tonight. We're going to start that, but it's about 7:00. So just in case somebody walked in who had previously signed up, I don't want to pass by them, so I'm going to go through this list very quickly. If you
hear your name, if you could just stand up so I can see that you're here, and then move to one on microphones, that'd be great. Barbara Faison, Derek Smith, Veronica Jones, there's one. Michael Chandler, Alton Flats, Brian O'Grady, Dennis Stole, Anthony Kit, Jerry Ces, I don't want to butcher that, it's called, all the one together, J-E-R-R-Y-C-E-S. Nobody's first name? [inaudible 01:08:04] first name on here? Bobby Woumb, W-O-U-M-B, [inaudible 01:08:12], Joseph Brewbaker, Larry Wright. So I saw one taker, correct? Ma'am, you still up? Well, if you could approach the microphone, identify yourself, and you have two minutes, then we'll move into the list of people who signed up tonight. [crosstalk 01:08:38]

Nestor Gomez (01:08:47):
My name is Nestor Gomez. I am director of New Life Community. [foreign language 01:08:54]

Speaker 3 (01:08:55):
I'm going to be his interpreter for what he can't say.

John Soker (01:08:59):
I'm sorry, here. I was going through this list, I don't think I called Mr. Gomez, did I?

Speaker 3 (01:09:05):
[foreign language 01:09:05].

Nestor Gomez (01:09:05):
No.

John Soker (01:09:07):
I thought a young lady stood up when I called one of these names.

Group (01:09:10):
[crosstalk 01:09:10].

John Soker (01:09:12):
Is that...?

Speaker 3 (01:09:16):
There was some confusion, [crosstalk 01:09:17] I apologize.

John Soker (01:09:16):
I'm sorry.

Nestor Gomez (01:09:16):
Supposed to be, you speak?

John Soker (01:09:21):
I understand. So what's her name, and you're going to interpret for us, is that correct?

Speaker 3 (01:09:26):
I think there was a mistake. He got confused. He thought he heard his name. That's all it was.

John Soker (01:09:32):
So just so I don't miss anybody here, and this isn't counted against your time. This is my time, it's penalty on me. So had you signed up, sir?

Speaker 3 (01:09:44):
He did.

John Soker (01:09:45):
All right, well find it. So, all right. We'll start all over. If you could identify yourself, who you represent, and you have two minutes.

Nestor Gomez (01:09:54):
My name is Nestor Gomez. I am director and pastor of New Life Community. [foreign language 01:10:02]

Speaker 3 (01:10:02):
I am here.

Nestor Gomez (01:10:04):
[foreign language 01:10:04].

Speaker 3 (01:10:06):
As specifically since you already know.

Nestor Gomez (01:10:09):
[crosstalk 01:10:09].

Speaker 3 (01:10:10):
That the last census.

Nestor Gomez (01:10:13):
[foreign language 01:10:13].

Speaker 3 (01:10:16):
That the Latinx population in North Carolina grew by 40%.
Speaker 3 (01:10:22):
And the same proportion.

Nestor Gomez (01:10:24):
[foreign language 01:10:24].

Speaker 3 (01:10:25):
These are all census data numbers.

Nestor Gomez (01:10:28):
[foreign language 01:10:28]

Speaker 3 (01:10:31):
We are a significant building block in North Carolina.

Nestor Gomez (01:10:35):
[foreign language 01:10:35].

Speaker 3 (01:10:40):
The truth is, our children are growing and they're becoming adults.

Nestor Gomez (01:10:44):
[foreign language 01:10:44]

Speaker 3 (01:10:47):
We are involved in their education.

Nestor Gomez (01:10:49):
[foreign language 01:10:49]

Speaker 3 (01:10:50):
As well as their preparation.

Nestor Gomez (01:10:53):
[foreign language 01:10:53]

Speaker 3 (01:10:54):
I'm a chemist by profession.

Nestor Gomez (01:10:56):
[foreign language 01:10:56].

Speaker 3 (01:10:59):
And my father was a worker.

Nestor Gomez (01:11:01):
[foreign language 01:11:01]

Speaker 3 (01:11:03):
In construction.

Nestor Gomez (01:11:05):
[foreign language 01:11:05].

Speaker 3 (01:11:04):
That's why we're asking to be included in the redistricting process here in North Carolina.

Nestor Gomez (01:11:15):
[foreign language 01:11:15]

Speaker 3 (01:11:20):
That all communities in North Carolina be included in the redistricting process.

Nestor Gomez (01:11:24):
[foreign language 01:11:24]

Speaker 3 (01:11:25):
And when I say all.

Nestor Gomez (01:11:27):
[foreign language 01:11:27].

Speaker 3 (01:11:27):
I mean all.

Nestor Gomez (01:11:29):
[foreign language 01:11:29].

Speaker 3 (01:11:29):
I can speak English.

Nestor Gomez (01:11:31):
[foreign language 01:11:31].

Speaker 3 (01:11:31):
I can read English.

Speaker 3 (01:11:35):
But I'm demonstrating here through a translator.

Nestor Gomez (01:11:38): [foreign language 01:11:38]

Speaker 3 (01:11:42):
That we need more interpreters in these hearings.

Nestor Gomez (01:11:45): [foreign language 01:11:45]

Speaker 3 (01:11:47):
That's why I pay my taxes.

Nestor Gomez (01:11:49): [foreign language 01:11:49].

Speaker 3 (01:11:59):
We're simply asking that the maps be public. They'll be drawn public, and everything is public.

Nestor Gomez (01:12:04): [foreign language 01:12:04].

Speaker 3 (01:12:08):
That's how you can get an audience to control the progress better.

Nestor Gomez (01:12:12): [foreign language 01:12:12].

Speaker 3 (01:12:13):
Thank you so much for hearing him.

John Soker (01:12:14):
And thank you for your comments, sir. Ma'am did I call your name?

Speaker 4 (01:12:26):
[inaudible 01:12:26] You didn't call her name, but she had also signed up.

John Soker (01:12:31):
Well, what I'm going to do now is, I'm going to go through the list of people who signed up in the order in which they signed up, if that's okay. So first on microphone one would be Briana Brough, B-R-O-U-G-H. Next after who would be Monica D'Angeles, and then [inaudible 01:12:47] Hurst, and on microphone number two if we could have Carmen Rodriguez, Charles Carter, and Paul L. Taylor. All right, we're getting set up here, thank you. If you'd identify yourself, if you represent anyone, and you have two minutes.

Briana Brough (01:13:08):
Great, thanks. My name is Briana Brough. I'm a lifelong North Carolinian, and the North Carolina digital organizer with All On The Line. My job is to organize and facilitate public engagement in this process. I have observed every one of these hearings, and I want to share some things I've noticed throughout this process. First, I'm concerned that these hearings are not accessible to all North Carolinians. We have been in the midst of the COVID 19 pandemic for more than a year, and yet none of these hearings have been live streamed to ensure that North Carolinians can participate virtually. Hearings have been at times in locations that make in-person participation challenging at best, with some locations difficult to find, or complicated by last minute venue changes. Even with these barriers and without having seen proposed maps, it's clear that North Carolinians want their voice to be heard in this process.

In the midst of this deadly pandemic, more than 400 people have attended in-person hearings that's before today. The North Carolinians who have been able to participate are providing you with valuable information about how they live in their communities, their counties, and their regions. Taking this input and actually using it will make the maps better for everyone. We've heard from people like Kendrick Cunningham in West Charlotte, who noted that his neighborhood is currently split into three different state house districts, and simply asked for his community to be kept whole. And hearings from Winston-Salem, to Elizabeth City, to Greenville, and here today, we've heard from speakers who asked you not to pack Black and Brown voters to dilute their vote as has been done in the past. Yesterday in Wilmington, we heard from students who asked for their communities of interest, including their college campuses to be kept whole. In both the Mecklenburg and Robeson hearings, dozens of speakers said that congressional districts that extend from Charlotte to the Sandhills make no sense, and almost every speaker in Pembroke asked for a congressional district rooted in this region, as well as what we've heard here tonight.

While everyone understands that this is a political process, by and large the comments that you've heard in these hearings are not partisan. People are asking for transparency, accountability, and for their communities to be respected and not divided for partisan advantage. By far the single most popular, most frequent comment we've heard is a request for more hearings after the maps are drawn. That is the only way that you'll be able to say that this process was run with transparency and accountability. People are showing up and they deserve to be heard.

John Soker (01:15:35):
Thank you for your comments. Apologize for making you shift from there to here, I didn't realize I was doing that, but you're next, please identify yourself if you represent anyone, and you have two minutes.

Carmen Rodriguez (01:15:46):

Speaker 4 (01:15:49):
My name is Carmen Rodriguez.

Carmen Rodriguez (01:15:52):
[foreign language 01:15:52].

Speaker 4 (01:15:54):
I'm a resident of Wake County.

Carmen Rodriguez (01:15:58):
[foreign language 01:15:58]

Speaker 4 (01:16:01):
And tonight we are here together with other participants.

Carmen Rodriguez (01:16:05):
[foreign language 01:16:05].

Speaker 4 (01:16:08):
To make sure our petitions are heard.

Carmen Rodriguez (01:16:11):
[foreign language 01:16:11].

Speaker 4 (01:16:16):
The census says it all. The Hispanics, the Latinx population has grown more than 40%.

Carmen Rodriguez (01:16:23):
[foreign language 01:16:23].

Speaker 4 (01:16:26):
All the communities must be included.

Carmen Rodriguez (01:16:29):
[foreign language 01:16:29].

Speaker 4 (01:16:37):
These meetings and these auditors should be thought of for every single citizen state of North Carolina.

Carmen Rodriguez (01:16:43):
[foreign language 01:16:43].

Speaker 4 (01:16:43):
And for all the citizens who their first language is not English.
Carmen Rodriguez (01:16:53):
[foreign language 01:16:53].

Speaker 4 (01:16:58):
If the object is to have precise maps, then every single person should be included.

Carmen Rodriguez (01:17:04):
[foreign language 01:17:04].

Speaker 4 (01:17:04):
And one of the ways is to have interpretation.

Carmen Rodriguez (01:17:12):
[foreign language 01:17:12].

Speaker 4 (01:17:14):
In the languages is mostly spoken in the state.

Carmen Rodriguez (01:17:18):
[foreign language 01:17:18].

Speaker 4 (01:17:21):
Spanish, Mandarin, Vietnamese, and Chinese.

Carmen Rodriguez (01:17:26):
[foreign language 01:17:26].

Speaker 4 (01:17:28):
We also ask.

Carmen Rodriguez (01:17:29):
[foreign language 01:17:29]

Speaker 4 (01:17:29):
To better the website of the redistricting website.

Carmen Rodriguez (01:17:37):
[foreign language 01:17:37]

Speaker 4 (01:17:42):
And to include the other people who speak different languages.
[foreign language 01:17:47].

Speaker 4 (01:17:49):
And to draw maps in the site of other people.

Carmen Rodriguez (01:17:54):
[foreign language 01:17:54]

Speaker 4 (01:17:53):
To also be participants before, and during the process, not after.

PART 3 OF 4 ENDS [01:18:04]

Speaker 5 (01:18:00):
Also be participants before and during the process, not after. Thank you.

John Soker (01:18:10):
Thank you for your comments. Microphone one, if you approach the mic, identify yourself, if you represent anyone-

Monica D'Angelo (01:18:12):
My name is Monica D'Angelo, so I represent myself and I was wondering... There is an organization called the Economic Group, which it's an organization that goes around the world and they study various governments, mostly democracies, to see if they actually are democracies, or if they have turned to some other form of government. And they had turned their eyes on North Carolina. And guess what? They discovered that North Carolina is no longer a democracy. And this is unacceptable people, unacceptable.

If a representative needs to gerrymander districts so that he can get elected, maybe that person does not need to be in the office. It's as simple as that. We need our democracy back. And as so many around here were saying. "You need to let the black people vote, you need to let the women vote. Let the Latinos vote." Just divide by city, and leave the small counties whole like they were saying. And just give us back our democracy, Is all I want to tell you.

Thank you.

John Soker (01:19:42):
And thank you for your comments. Sir?

Charles Carter Jr (01:19:48):
Good evening, everyone. Excuse me, real quickly. Good evening everybody. [crosstalk 01:19:56] I am Charles Carter, Jr. And I would just like to begin by saying, if you hear my stomach growling, don't fear. I just got off work. So... I am a senior English major at the illustrious Fred Bell State University, and I am here on behalf of the North Carolina Common Cause Fellows.

As a concerned student and resident of [inaudible 01:20:20] road, also known as Cross Creek 13, I have had the opportunity to connect more with who I am. My father attended FSU and my brother was
born and raised here in Fayetteville. With that being said, I am proud to call Fayetteville home. Redistricting must be done in a fair and effective manner, or else that I, everything that I as a student, as a son, as a future educator have gained through this community will be impacted.

Though I will not be a student in another year, this upcoming congressional election will indeed have a major impact on everything that has impacted me as a resident of this community. And it will have a major impact on this nation. When voters cast a ballot, they expect their votes to be heard. They expect their votes to matter in choosing representatives, and choosing those who are reflective and accountable to the communities that they represent.

Personally, I'd love to see initiatives that crack down on packing, cracking, and overrunning voter districts for one's gain. If we want to see better and stronger governments, if we want to see stronger communities and better education, then we need fair elections and voter district lines.

Thank you, have a blessed night.

John Soker (01:21:44):
Thank you for your comments. Sir, if you identify yourself, if you represent anyone, and you have two minutes.

Telygo Hurst (01:21:50):
Good evening, my name is Telygo Hurst. Greetings to the citizens and state reps. The framework for the redistricting acts, ever since 2010, was laid for a single purpose, and that is to disenfranchise certain racial populations, denominations in the state, in the city and in the county of North Carolina. North Carolina has Jim Crow framework still within the constitution presently. The purpose of us being in this room today, is for citizens to have a voice, so that our grandkids and our kids can have a voice.

We're going to be long gone, some of us 10 years from now, when they attempt to redraw these maps. The framework was laid for this particular act with the case of Shelby vs Holder, which attacked the voting rights act, and every citizen within the confines of this country they call the United States, have seen that citizens no longer have that redress that was available for generations after generations with the United States Supreme Court recently striking down Section Five of the Voting Rights Act. So the only redress that we presently have in the state North Carolina is through the North Carolina Court of Appeals, in our own appeals court.

So, we come to you as voting citizens, as concerned citizens for our kids and our grandkids and ask let everything be transparent. Let everything be open, not just for our sake, but for all sakes, whether it be civilian or military citizens within the confines of this state.

Thank you for your time and your duty.

John Soker (01:23:52):
Thank you for your comments, sir. Next on microphone one would be Paul L. Taylor. It's either Nakira or Nakia Smith, and John... Looks like Smith. And on this microphone would be Linda Devour, John Blackwell, and Gereth Cohen. All right, ma'am on microphone one, if you'd identify yourself, if you represent any groups. And you have two minutes,

Nakia Smith (01:24:40):
Sweet. My name is Nakia Smith, and I'm a resident of Cumberland County known as The Sandhills. And I'm asking for the record, that the counties that make up the Sandhills, Robeson, Hope, Cumberland, and
Moore counties remain together as a congressional district. This cluster will be considered a community of interest, as we share similar social economic backgrounds, environmental injustices, racial and ethnic backgrounds, as well as ties to the military. Keep Cumberland County whole. As a Sand Hills congressional cluster, we need representation that is fair and accessible as representation that has our, the citizens, best interest in mind.

We do not need to be split up to favor one party or the other. As voters, we deserve and demand fair representation and fair maps, working for a civic engagement organization, we encourage people who are eligible to vote, to exercise their rights provided by the US Constitution. In our great democracy where our representatives are supposed to work as public servants for the people, fair maps ensure that all voters have the ability to be represented by a representative chosen by his constituents, not a representative who has used gerrymandering, cracking or packing to get into the office.

As a concerned citizen, I'm requesting that more transparency be provided in these final steps in this redistricting process. 13 public meetings during a pandemic with no virtual options, being held in the middle the afternoon when people are working, and not even a sign language or any other language interpreter is not transparency.

I've observed past meetings with legislators sitting before us with folded hands, not even taking notes. This does not give my colleagues and I the confidence that transparency will prevail. While a separate and independent nonpartisan council to draw the maps would be preferred, we are asking that once the maps are drawn, before they become law, that more meetings be held for public input with interpreters for your non-English speaking constituents, virtual options, and held at times that common people may attend.

Finally, while the law states that maps may not be drawn on the basis of race, to deny that we've been granted another seat in the U.S House because of our growing population of people of color would be an insult and a disservice as public servants to not consider them. We are asking that you consider all of the people in this great democracy, including people of the global majority in your communities of interest as you draw the maps.

Thank you.

John Soker (01:26:56):
Thank you for your comment. This microphone. If you identify yourself, if you represent anyone, you have two minutes.

Linda Devour (01:27:04):
I'm Linda Devour, and I also serve on the Cumberland County Board of Elections. I care about free and fair elections. I care about fair representation, and that's why I'm here tonight. I've lived in Cumberland County for almost 40 years, and during those 40 years, I've been represented in five different congressional districts. I've never moved, but my districts have moved. Cumberland County has kind of been a dumping ground for whatever congressional district serves a higher purpose or a better purpose.

And our greater purpose is to have our own congressional district. Several people have mentioned here tonight that we're the fifth largest, excuse me, the fifth largest county and the sixth largest city, in the largest Metro by far, that does not anchor a congressional district. We're getting a new district this year, the 14th district, and there is no reason why Cumberland County should not be the anchor for a district that's contiguous. I want to tell you something folks, I've been in the first district, the second district, the fourth district, the seventh district and the eighth district. I've been
represented by somebody from Wilmington, from Concord, from Raleigh, and from the Northeastern part of the state, when my district ran all the way up to the Virginia line.

I've had enough of it, frankly. I don't think it's right. And I don't think it's fair. But I'll tell you something, the districts we have right now are the first time that Cumberland County, in my memory, has ever been in one district. We're making progress, but we are not there yet. Every district with the new census numbers, should have approximately 765,000 residents in it. And there's ample opportunity for the new 14th district to be anchored right here in Cumberland County. And I urge you to do everything you can to make that happen.

John Soker (01:28:57):
Thank you for your comments. Sir, if you'd approach the mic, identify yourself, if you're represent anyone, you have two minutes.

Gereth Cohen (01:29:05):
Yes. Good evening. I'm Gareth Cohen out of Johnston County, and you heard already that North Carolina will be gaining an additional congressional seat. So, that means that the state is growing. Johnston County has been identified as the fastest growing, population wise, in the state. However, in the past, Johnston County has been divided into two congressional districts. At present time, we have three Senators representing Johnston County. We have three House of Representatives representing Johnston County.

The citizens are confused when they go to the poll to vote. Even though they go through voter education, they are confused when they get there. The information is not filtered down. And let me give you some more history. I have practiced... Well, let me say it this way. I am a retired healthcare provider. I practiced 50 years. I've been in North Carolina more than 50 years. Johnston County has never elected anybody at the county level to represent the people. The people need to be represented.

I beseech you, when you consider drawing those maps, that you consider the citizens. They need a seat at the table. And consider also the fact that Johnson County has a prison system, a place where they house prisoners. They are counted in the census, but they are not allowed to vote in many cases. Do the right thing. Consider all the citizens of North Carolina. Thank you so much.

John Soker (01:31:19):
Thank you for your comment, sir. Sir, could you approach mic, identify yourself, if you represent anyone and you have two minutes.

John Blackwell (01:31:25):
Yes, sir. John Blackwell representing myself. My name is John Blackwell, I live in district 43. The redistrict in my district, in my opinion, will change the area for the worst. Now, ladies and gentlemen, we need to keep my area the same. We have a great community and our needs are finally getting met. Our representative now has done a great job, and we need to support them.

But one thing I'd like to say today, besides my area, is I just came to this today to speak, but it seems to be lots of problems here with all of us in together. A lot of hatred. Particularly don't care for it. We all ought to come together as a community and try to solve these problems. If we could all go home tonight and think about that, maybe things would change.

Thank you.
John Soker (01:32:25):
Thank you for your comments, sir. Is Paul L. Taylor present, who had signed up? John... It looks like Smith. It's handwriting. Okay. And moving to the ones I haven't called yet, Val Applewhite and Shirley Cohen. Approach the closest mics to you. That's good. Just identify yourself, if you're representing anyone, you have two minutes.

Val Applewhite (01:32:59):
Absolutely. Good evening, everyone. My name is Val Applewhite, and I'm a resident of Fayetteville. I'm a former Fayetteville city council member. And I'd like to thank you all for allowing us to this opportunity to speak, but I want to start with excerpt from an article in the Atlantic. "We drew congressional maps for partisan advantage. That was the point. Politics is a legal consideration while race sometimes is not." Written by Ralph Highs and David Lewis. I propose that we draw the maps to give a partisan advantage to 10 Republicans and three Democrats, because I do not believe it's possible to draw a map with 11 Republicans and two Democrats. One of this... This was said in 2016. Now this is a very old dance. We've been here before. I've stood at so many of these forums. And I've talked about redistricting, I've talked about voter ID, and it's really old. This is what happens. You hold these forums, we speak, we come very prepared, you pretend to listen. At least none of you have fallen asleep tonight. Then you go back to Raleigh and you draw maps. Then we go to court. Democracy North Carolina, Common Cause, NAACP, SCSJ. Then we go to court and we tangle it out there. I know this firsthand, because I was a plaintiff in Covington versus the State of North Carolina, and our district, our community was very much impacted by that.

We need to do better than that. I have a Master's Degree in political science, and one of the things I read was the Federalist Paper, number 10, and the founders of this country warned against factions. That that was the greatest threat to democracy. And that is what we are experiencing, not just in North Carolina, but in this country today. This is not a... And I got to stop. I was ready to hold church.

Thank you very much.

John Soker (01:35:05):
Well, thank you for your comment. Identify yourself at this mic and if you're representing anyone, you have two minutes.

Shirley Cohen (01:35:13):
I'm Shirley Cohen and I'm from Johnston County. And I'm here because we did not have a place to meet in Johnston County, so we came here. And what I have to say is very simple, that you do what's is right for all people. And remember the communities of interest. I live in a community where we are senior citizens, and we don't need to be split. We need to be together and we need to be considered.

Please be transparent in everything that you do. We have been to several meetings and have been inquiring about the maps and what have you. You never hear anything or you never get any information. So please, let's allow the public to hear what's going on. Allow us to see it, before it's drawn. And then after it's drawn, before it goes and becomes law, because we need to. We are the citizens, and we need to be able to have some input. We don't need to be left out. So I say to you, do what's right for all citizens.

John Soker (01:36:27):
Thank you for your comments, ma'am. We've come to the end of the list of people who have signed up previous to tonight, and then the list of people who have signed up during tonight. So, in the off chance that we've missed someone or someone missed the door, if there's anyone wishing to still make public comment tonight, certainly we're here. And we would love to hear you. Is there any such person who wants to be heard, who hasn't had the opportunity to be heard yet? Yes, sir. If you'd approach the mic, identify yourself, if you represent anyone. And the other thing I would ask you to do is, after you speak, if you would come and sign this sign up sheet, so we have your name for the record.

David Mann (01:37:11):
David Mann, I'm the Precinct Chair of Cross Creek Eight precinct. I'd like to sort of piggyback on Val Applewhite's comments. How I became involved with this, I'm sort of a novice at politics, Billy and I were classmates at Terry Sanford. That's about as political as I've been for several years. But how I got involved with this was some years back, I went to a precinct meeting, and there were probably four or five very politically active people, some elected officials. And we were talking. Billy was running, I believe against Wesley [inaudible 01:37:55] for State Senate. And we were all talking about, well, we voted for so and so, and I said, "I didn't get to vote for Billy." And Margaret Dixon went on the website that night, and found out that they had... I was then the secretary treasurer, Lockett Alley was president of the precinct. And The North Carolina General Assembly had drawn a line straight down my street. And I received a call from Eddie [inaudible 01:38:34] not very long after that. He said, "Would you like to be a plaintiff in the federal lawsuit?" And I said, "You bet I do." And that's what it's going to take. That's what it took then, and that's probably what it's going to take now.

John Soker (01:38:50):
Sir, if you could just sign up here, please.

David Mann (01:38:51):
Yes.

John Soker (01:38:52):
Thank you for your comments as well. And while you're doing that, is there anyone else who hasn't had an opportunity to speak, but desires one? Seeing none, let me just close out that you have your elected representatives for the most part in front of you. There are others who could not come tonight because of conflicts. Your state senators, your state representatives do care about your comments, which is why we're having this forum.

For those who have not been able to attend tonight due to work conflicts or whatever, I'd remind you that we do have a legislative website and it's NCLEG.gov/redistricting, that remains open and will remain open for public comments, and just because you've spoken here, if you want to add more comments or something else, by all means, please do that. Those are passed out to legislators on a routine basis. I know for myself, I read them all and I believe the rest of members of the committee and the rest of members of the legislature do. What you say is important. We are listening. Being no further business, we stand adjourned.

PART 4 OF 4 ENDS [01:40:12]
Mr Chair (00:00:03):
Committee will come to order. Thank you members and welcome. The purpose of this meeting today is to take public comments on the congressional maps that are thus far available on the House and Senate committee redistricting websites under members submitted maps on each respective chamber’s site. We have two sites that we will also be taking comment today. We have had 36 individuals who have signed up to speak, I will call them in the order in which they have signed up to speak. Each speaker will be allowed two minutes to speak. I will begin by announcing our sergeant at arms that are here with us today in Raleigh, and then I will go to the other two sites and allow them to introduce the sergeant at arms that are there at those sites.

With the House of Representatives here, we have Terry McCarl. Over here, thanks for coming in. Ray cook, coming here. Warren Hawkins, in the back. John Enloe, around the sun. Rod Fuller in the back and Chris Moore, join us. We will then go to UNC Wilmington if we could check in with you, hear from you and let you introduce the sergeant at arms that are there.

Carson Smith (00:01:29):
Thank you, Mr. Chair. This is representative Carson Smith. Can you hear me? Okay?

Mr Chair (00:01:33):
I can hear you. Well.

Carson Smith (00:01:34):
Great. Thank you. Today from the house, sergeant of arms, we've got Jonas Cherry and Stafford Young. And from the Senate, Linda Matthews and Sheree Hendrick and we've also got the General Assembly police officers here Sergeant Kane and Officer Jones.

Mr Chair (00:01:54):
Thank you very much. And next, at Caldwell Community College, if you would please check in with us and introduce your Sergeant at Arms.

Senator Daniel (00:02:02):
Yeah, this is Senator Daniel, our sergeant at arms are Dwight Green, David Layton, Teresa Ferguson and we have two GA police officers, Sergeant Buck Hoffer and Officer Presiski.

Mr Chair (00:02:19):
Thank you very much, Senator Daniels. So again, we will go through the list we have in the order in which individuals signed up. They also signed up for a site, so as we come to someone who has signed up to be at an additional site, we will recognize them there. So the first sign up is Tyler, I believe it is Beale, that is supposed to be in legislative auditorium.

Speaker 4 (00:02:42):
Mr. Chair, could I ask a question before we get started?

Mr Chair (00:02:47):
If you'll suspend for just a minute, but we're not anticipating questions. But go ahead.
Speaker 4 (00:02:51):
I was just trying to get some clarity on whether signups are limited to either 25 or 30 per location, or if everyone here today who has come to speak will be heard. What is the chair's expectation on that?

Mr Chair (00:03:04):
The signup will be limited to the 36 individuals who have signed up online in order to speak. It is now closed and those that have signed up will be recognized to speak. Thank you. Tyler? Two minutes.

Jonathan Tyler Beale (00:03:27):
Timer somewhere, that'll do, perfect. Hello, my name is Jonathan Tyler Beale. As a lifelong resident of the triad, I witnessed and was impacted by the racial and partisan gerrymandering that took place at the campus of NCAANT, done with surgical precision, the nation's largest HBCU had its campus split in 1/2, which made these maps worth the 99.9% of all other available maps. While the currently proposed ones don't appear to be as egregious, there are still serious shortcomings when it comes to districts being congruent, which Webster does define as having similar shapes or interests. Having attended the public hearing and foresight, and spoken with other citizens across the triad since, here are some areas of improvement we'd like to remind you of during our previous discussions.

We asked the Piedmont Triad retain our congressional voice and that the three major cities Winston, Salem, High Point in Greensboro, remain as a congruent and compact as possible. The map CBK3, CMT9 and CST9, intentionally separates all three of those major cities, as should be sent back to the drawing board to specifically work on the compactness incongruity of those districts. As current proposes will dilute minority and urban citizens while breaking up practical business, medical, transportation and educational networks. Rural voters also deserve to maintain the integrity of their interests, as gerrymandering ultimately creates the hyper partisan political atmosphere that we currently find ourselves in.

At this point, I honestly think that the proposed CBK format does the best job of safeguarding better integrity. Here's a highlight of some of the issues we have found so far. CBK3 submitted by Senator Daniels forgot the definition of congruent and compact, gerrymandered in district seven, district nine, district 10 and district 11. CMT9 submitted by Senator Hise is definitely the worst map drawer here. It is not congruent in districts two, seven or 11 and then CST2 submitted by Senator Daniels is also not congruent or compact, with gerrymandering and district seven, nine, 10 and 11. Please make sure you guys are trying to keep these congruent interest as compact as possible, so that all of our citizens get the right to vote. Thank you.

Mr Chair (00:05:40):
Thank you. Next up, we have Kurt Earhart, which is signed up to be here at the legislative auditorium. Kurt, you're recognized for a time not to exceed two minutes.

Kurt Earhart (00:05:53):
Yes, good afternoon. My name is Kurt Earhart, I live in North Raleigh, have for 15 years. And I'm here to just speak for maintaining meaningful communities of interest, as we draw these maps. I see my community of interest as including Raleigh, Holly Springs, Durham, Chapel Hill, similar demographics closely linked people commute back and forth, shot back and forth, socialize back and forth. Similar political mixes, similar demographics, it just makes a lot of sense. Now, we have to split Wake County, I recognize that. We have to keep it down to about 3/4 of a million people, but I feel this can be done.
while preserving the triangle community of interest. A map that I saw that I like, I didn't draw this, but what it does is it keeps of the vast bulk of Wake County all together. And the remaining bits of Wake County are then combined with Durham and the southern reaches of Granville County. Makes a lot of sense to me.

I think that the two legislators, the two Congress people that came out of there, would fairly represent my interest in voting access, gun control, reproductive rights, environmental action, improved health insurance, equal treatment. I saw one map, CBK3, which I didn't like looks up because it took Holly Springs, carved it away and combined it with rural counties like Lee, Chatham, Alamance, Randolph and beyond. So, I'm just here to ask that the the triangle community of interests be preserved. Thank you.

Mr Chair (00:07:49):
Thank you for your comments. Next we have Ginny Cateura Lynch, which is also at the signed up for the auditorium. Jenny Cateura Lynch, I'm assuming is not present, last chance. Okay. Susan Blea McClanahan, has signed up for here at the legislative auditorium. Ma'am, you're recognized for time not to exceed two minutes.

Susan .B. McClanahan (00:08:37):
I am Susan .B. McClanahan, from Orange County. North Carolina is a 50-50 state and fair maps should reflect that. The Princeton gerrymandering project has graded congressional maps CBK3, CMT9, CST2, Senate map SST4 and House map HBK11. Every one of these received an F grade, because they all provide Republicans with a significant advantage. If any of these maps are used, we will not have free elections in North Carolina. Because you have already predetermined the outcome. In Congress, we will have nine to 12 Republicans out of 14. Gross gerrymandering occurs when a candidate wins 55% or more of the vote. Over the last decade, David Price one our fourth Congressional District by between 67 and 74%. In the new maps, orange, Durham and part of Wake would make a new congressional district. By joining us with Wake, you are diluting urban voices because the most populated areas are the easiest to gerrymander. Wake should only be divided into two districts. In SST4 you have gerrymandered Senator Valerie Foushee comprising her district of Orange, Purse and Caswell, rather than the current Orange, Chatham partnership. In 2017, when you tried to gerrymander North Carolina judicial districts, local judges wrote to object, saying that splitting Orange and Chatham would disrupt a fully functioning system and cause confusion and unnecessary complications. Residents of orange and Chatham counties are more connected by work, commerce and recreation than those with other counties. Please keep orange and Chatham together. Thank you.

Mr Chair (00:10:30):
Thank you for your comments. Next up, we have Kathy Greggs with the Fayetteville Pact. And here in the auditorium, you're recognized ma'am, for a time not to exceed two minutes.

Kathy Greggs (00:10:42):
Thank you. Thank you for allowing us to be here again. We do appreciate us being able to come again and have address the issue of redistricting. But obviously, based on the maps, no one listened to us the first time. So, the fact that you're making a mockery of the people is just so embarrassing for you all to come here and tell us that the maps that you've drawn, you had no idea you was going to draw. And Senate Clark, I'm very disappointed in you being an Army veteran, that made the map only so you can
run for Congress. Let's make sure we not see here and BS with the people. Let's really get some work done. Because this is straight up BS. You allow the people to come here and speak. And you chose not to do what the people wanted.

Once again, we're going back into the courtroom, because you have to wait and sit up here and take taxpayer money because you don't want to address the real issues. Like the fact we still have lieutenant governor that don't want to address LGBTQ. I said we vote all y'all out you go home. And that's it. Thank you.

Mr Chair (00:11:41):
Thank you for your comments. Caitlin Metzeger, with no affiliation also as [inaudible 00:11:49] legislative auditorium. Thank you, ma'am. You're recognized for a time period not to exceed two minutes.

Caitlin Metzeger (00:12:03):
Thank you. Good afternoon, my name is Caitlin Metzeger, I live in Durham. I'm a lifelong North Carolinian and have lived in several places across the state. But here today to talk about myself as a voter in Durham County. Two main things. One, I do not believe that you have listened to the input from voters so far. I did my best to follow along the process online, I did my best to watch what was happening at the previous hearings in September, I did my best to read through the 1000s of comments that went through the online portal. When I look at the draft maps that I see on your website, which is too hard to use. It is clear to me that you did not listen to the people and you have not taken in the input of the people that you requested to hear from.

First of all, the triad needs to be in one district. Stop cracking and packing people of color into different districts. Second of all, the Sand Hills region asked specifically to be in one district. I know there's multiple draft maps, so I don't know exactly which one you're considering, but from what I could see from the draft maps, you did not listen to that feedback as well. The other thing that I want to bring up is a little bit more about the process here today. It is 3 pm on a Monday, and I know personally that I have friends and family who texted me thinking that they signed up for today, but got the link to do the virtual later. So I just want to say it was not easy to sign up. It was not easy to get here. It was only announced a few days ago. It is inaccessible. And that is your choice. You're doing that on purpose.

The last thing I want to speak about is we have a new congressional district. That should be exciting for North Carolinians. More representation in DC means more people fighting for us and what we want, which is better public schools, Medicaid expansion, clean air, clean water, better funding for our HBCUs and community colleges. These are the things that we want to see from Congress. Instead, we're going to be litigating and paying for your mistakes once again.

Mr Chair (00:14:12):
Thank you for your comments. Next up I have Diane Young Pyva, in the auditorium. Thank you ma'am, you're recognized for a time period not to exceed two minutes.

Diana Young Pyva (00:14:29):
Good afternoon. My name is Diana Young Pyva, I'm a citizen of Wake County. I've lived in North Carolina for almost my entire life. I wasn't born here, but lived here most of my life. Thank you for the opportunity to be here in person and also providing opportunities for people to participate remotely and virtually. I agree with the previous speaker, sorry, the previous speaker that it's a little hard to
follow the process, but thank you for making the opportunity available regardless. I too have been following the redistricting process with great interest and attended one of the previous public hearings at Durham Tech. And the stakes are high. For many of you, it's a matter of winning and losing. But for the citizens of North Carolina, it's a matter of our lives and things that matter to us. So I hope we can avoid a repeat of the last decade of hyper partisanship and court case after court case. We're a fairly evenly split State.

And running out of time, we got to get to my most important points. Okay. So I've looked at the maps that are online, the congressional maps. In particular, there's only one draft each for the NC Senate and NC House. But for the congressional maps, I felt like the CBK4 and CBK5 maps that were submitted by Senator Clark are the most fair. When you look at competitiveness, proportionality, compactness, splitting and minority. And this is my main point, I really would like to know how you are going to be processing the comments that you all have received to date. I don't see at what point you will be reviewing those before the votes are taken. I know that the public access comment input policy requires that a summary be provided to you all, but I hope that everyone will get ample time to review the comments that have been submitted before you vote. Thank you very much.

Mr Chair (00:16:42):
Thank you for your comments. I will remind future speakers the purpose of this meeting is to take public comments on the congressional maps that are this far available. Next up, signed up, we have Cathy Wheeler who has also signed up for the legislative auditorium. You're recognized for a time period not.

Cathy Wheeler (00:17:20):
Good afternoon. My name is Cathy Wheeler and I live in Guilford County. My comments here relate to proposed congressional maps. In maps drawn by Republican members Greensboro, Winston, Salem and High Point are split across multiple districts. Currently, these three urban areas are in one district since we are together, a community under one name, the triad and share services and have common needs. In proposed maps, these three areas are separated and put into different districts, where their needs are not similar to the needs of the rest of the district. For example, Greensboro in one map is included with areas to the west, where there are no common interest. So some constituents in such a district will lose out. Maps also put these three urban areas in with substantially large rural areas.

The result would likely be democratic votes formerly together in one district being diluted by the larger number of Republicans. Mecklenburg and Wake Counties were also divided in different ways with the same negative impact. District maps should not give partisan advantage but of North Carolina's 14 congressional seats according to analysis, these maps make at least nine and up to 12 seats out of a total of 14, say for Republicans. This is not fair since North Carolina is a 1/2 and 1/2 state with the two parties. The maps proposed by Republican members dilute Democratic votes and deprive communities of effective representation.

They do not get high marks from several analysis, including the Princeton Gerrymandering Project. I ask that you draw new maps and adhere to all criteria, stay nonpartisan and also consider the maps drawn by Democratic members, which do not have the issues above. Thank you for your time.

Mr Chair (00:19:15):
Thank you for your comments. Next up, we have Francis Sokolowski. You have the floor for a time period not to exceed two minutes.
Francis Sokolowski (00:19:33):
Hi, thank you for having me. My name is Francis Sokolowski. I live in Fuquay-Varina, where I consider myself a member of the greater Research Triangle community. I'm here to call for the acceptance of fair legal maps and to express my concern that the process so far has been difficult to engage with. I'm lucky to have enough advantages in my life that I can be here today. It was not easy to afford to make this comment. I'm sure many who share my concerns were simply unable to muster the necessary resources to be here, to give such comment on such short notice. The material provided to prepare for this hearing was given too late, was hard to find, and lacks considerable detail and context about how and why the maps were drawn the way they were.

My family moved to North Carolina some years ago before the pandemic, to be closer to our extended family, and to access high quality education and health care, to name a few. Those things are ultimately what brought me here today. And redistricting directly affects funding for education, we all want the best opportunities for our children. Redistricting directly affects funding for health care, we all want access to quality hospitals and specialists, and redistricting directly affects the abilities of communities to get the representation they deserve. We all want our communities to be heard. So I ask, please approve fair and legal maps. In approving these maps, please analyze racial data as made clear in Cooper V Harris to draw these equitable and constitutional maps. And please provide the details and context around your decision making. Further I ask, How can you accept this process that lacks so much transparency? And why is it okay to force North Carolinians into districts that do not represent their community? Thank you.

Mr Chair (00:21:13):
Thank you for your comments. Next up, we have Deborah Maxwell with the New Hanover County NAACP, which should be at the UNC Wilmington site. So, UNC Wilmington, if Deborah Maxwell is there, please feel free to recognize them for a time not to exceed two minutes.

Representative Smith (00:21:34):
Mr. Chairman, this is Representative Smith, in Wilmington, I know its really hard to see where the speaker's set up, but she in not present here.

Mr Chair (00:21:44):
Thank you, we will move on. Next, we have Andy Jackson, with the John Locke Foundation who has signed up to speak here in the auditorium.

Andy Jackson (00:22:10):
Thank you for this opportunity to speak to you today. The criteria that the Joint Redistrict Committee approved are good for assuring that districts you eventually will approve, will reflect the character of the areas that you're going to be represented, particularly the congressional districts. While in my estimation, I haven't seen any of the current list of congressional districts that will pass muster. In the end, I'm confident that this committee will do that, using the criteria you laid out, including the restrictions on using racial data, which is especially important for making sure that racial considerations do not predominate in designating districts. On a process note, while hearings like this are an important part of the redistricting process, organizations are trying to use that process to train people on how to testify at public hearings.
Nothing illegal, nothing wrong with that. Those groups are seeking to salt hearing records to bring a public record for lawsuits against any districts the General Assembly passes. One group in particular is seeking to use redistricting hearings as a tool for future litigation. The organization all on the line is a wholly owned project of National Redistricting Action Fund, a 501 C4 that functions as the advocacy and lobbying arm of Eric Holder's National Democratic Resist Redistricting Committee. This is not conjecture. One of the leaders of the North Carolina Project have on the line have publicly stated that they want to have testimony in public records, that they can and I quote, "Be impactful during any future litigation." Of course, we all have the right to form organizations to help instruct members of the General Assembly, however, let's not pretend that the comments presented at these hearings are representative of the general public. Thank you.

Mr Chair (00:24:06):
Thank you for your comments. Next up we have Eileen Stevens, who has signed up at UNC Wilmington. If Stevens is there, please recognize them for a time not to exceed two minutes.

Elan Stevens (00:24:31):
[inaudible 00:24:31] Thank you very much for the time. My name is Eileen Stevens, I am a resident of Wilmington, Carolina. Thank you very much for making this hearing available, for individuals, however, I must not that it's 3:00 pm and I'm late, land I'm glad that I kept my spot because I had to move meetings around to get here today. So having more meeting at more accessible times would be great. My other comments on the actual redistricting maps that I have seen, are that I have seen at least one Congressional map that splits off land fall and other high wealth ares of the City. Away from, pretty much the rest of the City.

And I believe that New Hanover Count and especially the City of Wilmington needs to be kept whole, we are one community. The other thing I'm speaking to members of the military, earlier, and they expressed strong dismay, at the fact that Onslow County was being divided. They feel the military community has a right to be heard as a unity and the military community puts their lives on the line on behalf of the rest of the United States, and they deserve to have their voice held, preserved. Thank you very much.

Mr Chair (00:25:58):
Thank you very much for your comments. Next up we have Brian Mathis, with the organization Mathis for Wake County, here at the Legislative Building. Thank you, sir, you’re recognized for time not to exceed two minutes.

Brian Mathis (00:26:12):
Great. Thank you. Good morning, or good afternoon. My name is Brian Mathis. I’m a civic engagement educator, here in Wake County, as well as candidate for Wake County Board of Commissioners. Now as I was driving into work today, WU&C had a new story and replayed the now infamous quotes from then Representative Hall, about... excuse me, Representative Lewis about redrawing the maps to give a partisan advantage to Republicans. As we know in 2019, North Carolina's Superior Court ruled that this to be unconstitutional because the districts drawn did not permit voters to freely choose their representatives, but rather representatives are choosing voters based on sophisticated partisanship sorting. I would be hopeful that our leaders in the State Legislature would prioritize fairness in our congressional districts as well State, House and Senate in 2021. But so far that has yet to be seen.
The Princeton Gerrymandering Project, which I've had the pleasure of working with a few interns on that project, have scored multiple members submitted maps on partisan fairness, competitiveness and geographic features. Only three maps have received an overall grade of an A, those are congressional maps CBK4 and five from Senator Clark and CST6 from Senator Chaudhuri. Out of the other six maps that were submitted and scored by the Princeton Gerrymandering Project, they received an F or a C. As an educator, these grades are not good, as a citizen, these grades are disappointing and frustrating. It's clear that Republican members of our state legislature have not taken seriously the rulings of our courts, and more importantly, the demands of everyday North Carolinians, to enjoy our state constitutional right for free and fair elections. And the ability to choose our representatives.

I implore this committee and our state legislature to do right by the people in North Carolina and adopt maps that are fair, and a government that is built by the people in power, to hold on that power is not a democracy. Thank you.

Mr Chair (00:28:10):
Thank you for your comments. Next, we have Aylett Colston, sign up here in the auditorium. A-Y-L-E-T-T Colston. Second time, final chance did not show. Phyllis Demko with the League of Women Voters of North Carolina also signed up here in the auditorium

Phyllis Demko (00:28:38):
Hi, I'm Phyllis Demko, represent the League of Women Voters of North Carolina. Thank you very much for letting me speak today. The League believes that the congressional maps drawn by majority members will significantly disadvantage minority voters. The map labeled CBK3 would be the least troublesome, but even it jeopardizes the ability of black voters in Eastern North Carolina to elect a candidate of their choice. This committee has persisted in saying that race will not be considered as a criterion in redistricting. Perhaps as the media have suggested, you chose not to include race as a criterion because you think it will protect you from litigation over racial gerrymandering. Being colorblind does not equate to being racially just. In fact, it can mean just the opposite.

But, we believe that you really have considered race. The Federal Court in the Covington case, which ruled against you stated, "Redistricting legislatures will almost always be aware of racial demographics, even without an analysis of racial data." Of course, you are aware. You are aware of where your voters of color reside and you are aware of how they vote. And that makes it easy without statistics for you to pack and crack us. We think you are being disingenuous by saying you do not consider race, to serve your goal or stand in power, you do not need to analyze racially polarized voting, you just need to make it appear that you haven't. We urge you to consider the substance, not the appearance of what you're doing.

North Carolinians are tired of lawsuits and your ploys to stay decisions in order to delay long enough to get your preferred candidates elected from unconstitutional districts. This kind of bad faith is a frightening challenge to our democracy. We are asking you, be a part of positive change. And once more, earn the respect of those in this State who adhere a truly representative form of government. Thank you.

Mr Chair (00:31:00):
Thank you for your comments. Next, Jennifer Bremer, who was signed up here in the auditorium. Jennifer Bremer, ma'am you're recognized for time not to exceed two minutes.
Jennifer Bremer (00:31:12):

Thank you very much. Good afternoon. My name is Jennifer Bremer, and I'm an Orange County voter. I'd like to speak to you about a topic near and dear to my heart, the importance of keeping our communities whole, as you draw our districts. I'd like to focus in particular on our cities and towns. North Carolina remains one of our most rural states, but our towns and cities are growing rapidly, they're vital to our prosperity and quality of life. By keeping them whole, you can provide our citizens with better representation. In preparation for these remarks I took a detailed look at how our cities and towns are divided across five of the congressional maps, two drawn by Senator Daniel and one each by Senators Clark and Hise and Representative Hall. These maps differ quite markedly in which towns they divide and how they do it.

Some towns and cities cross county lines, but they could still be kept whole without doing violence to the principle of keeping counties together. Wherever possible, such as in Chapel Hill and Eben in my home county, keeping each town in one congressional district would help voters make their voices heard, it would also be easy to achieve. Senator Daniel's map in particular, divides only 11 towns by my count, while other maps chop up as many as 33. Charlotte is the only town too large for a single district, but it does not need to be fractured across three or even four congressional districts as most of these maps do. There is even less rationale for splitting Greensboro, High point and Winston Salem, but most of these maps chop them up nonetheless. Even small towns that don't cross county lines are cut up, such as Hope Mills, Louisville and Wilmington. There's really no good reason to divide cities and towns. As you finalize the map, please keep our towns and cities whole, so that our voters, business people, families and all of our urban residents have a single Congress person, who represents them in Washington. Thank you.

Mr Chair (00:33:05):

Thank you for your comments. Next up we have Louis Carson, signed up to speak here in the auditorium. I believe I was told but the sergeant at arm staffing may be outside. So, recognized for a time period not to exceed two minutes.

Louis Carson (00:33:24):

Hello, my name is Louis Carson. I'm proud to say that I've been a North Carolina resident for over 50 years, I've lived in the same community with the same values for over 10 years. The state's redistricting processes have placed me in three different congressional districts in those 10 years. In my view, the 2021 process that the legislature has used to determine districts is flawed. The criteria for map-making were quickly adopted with inadequate discussion and time for public comment. The criteria of not using racial data is disingenuous because there are criteria data items and knowledge to substitute for that racial data, which may have discriminatory effects. Maps CST2, CBA2, CBK3 and CMT9 appear to result in reduced or no minority representation.

Furthermore, the public hearings on redistricting, which will impact all voters for the next decade, are limited to four, for the entire state of North Carolina. The number of speakers is limited to 25 or 30 people per site. Furthermore, the maps were only published a few days before these hearings, giving the public very little time to study them. Although the public was offered the opportunity to draw maps, the website videos of proceedings on the terminals at the legislature are obscured. The screens are too far away to read, the people's voices are unclear, the process is indistinct. The current criteria address important considerations, but the process that the legislature is adopted to implement them in drawing maps, deprives the people of North Carolina of an equal opportunity to have a meaningful say in the electoral system. Thank you.
Mr Chair (00:35:19):
Thank you for your comments. Next up, we have Nina Day, with the North Carolina Association of Educators, signed up here in the auditorium.

Nina Day (00:35:29):
Actually, I'm speaking on my behalf. And one thing I would ask is, is there a place when you sign up for just a citizen to say a citizen, because that almost kept me from speaking with you today, but I'm speaking as myself. I am Nina Morley Day, I am a proud retired public education teacher here in North Carolina, 38 and a 1/2 years. And I urge you to do the right thing here. Our young people are watching. They see what we do. Set a good example. I live in Hillsborough, North Carolina, and I have voted every year that I could vote, since I registered in Fayetteville, I would like to ask you to set these Congressional district maps, such as CST6, CBK5, CBK4, these are the main points. Keep the metropolitan areas together. We all know what parts of North Carolina work and live and travel and do business together, keep those together. Keep the triad together. Growing up in Fayetteville, I would like to also support the Sandhills Consortium, the group that would like to have one congressional district for the Sandhills.

And the main thing, I would just ask you to fully consider what's at stake here. We really want to make sure every person in North Carolina has a right to vote and is able to vote. And so with these districts, the other thing I would ask for is basically, this is now in favor of the State, Senate and House. I agree with my speaker that spoke earlier, please keep Orange and Durham County together. There are many things that are going on that are very excellent in that community together. So keep us together. And we have much more in common in Hillsborough with counties, or Durham County and Chapel Hill, than we do with the counties to the north of us, so please keep that in mind.

Finally, I would just like to say, please set a new day for North Carolina. Don't your redistricting legacy be one that continues gerrymandering. You set a map that doesn't require a court fight. Use that money for something that makes North Carolina a better place. Thank you for the time.

Mr Chair (00:37:32):
Thank you for your comments. Next up, I have signed up Michael Rush with the Brunswick County Democrat Party, signed up to speak at UNC Wilmington. If they're there, please recognize them for a time not to exceed two minutes.

Mike Rush (00:37:51):
Good afternoon. My name is Mike Rush. I am the third vice chair of the Brunswick County Democratic Party. And I'm speaking today on behalf of Eric Terashima, our county chair who had a scheduling conflict and could not attend. The following are our comments regarding the Congressional district maps, State Senate maps and State House maps. Congressional district maps. In terms of meeting the critical factors of proportionality, competitiveness, compactness, splitting among minority representation, the best proposal is clearly CBK5. North Carolina is essentially evenly split between Republican and Democratic voters. So maps should not be engineered to purposely deviate from this reality. CS2 is a classic case of gerrymandering. As far as our area is concerned, the proposed District Two reaches down and takes a chunk out of Wilmington from District Three. And it's just another in a long line of shameful attempts by the Republican Party here in North Carolina to dilute the minority vote.

Mr Chair (00:39:05):
I'm not sure if we've lost audio contact or something's happened, but we can no longer hear the side at Wilmington.

Mike Rush (00:39:16):
Can you hear me now?

Mr Chair (00:39:17):
I can hear you now.

Mike Rush (00:39:19):
Okay. In the case of SS2T4, the proposed district seven, a core section of urban Wilmington, it has been blatantly inserted into the mix with rural Brunswick and Columbus counties. So one has to ask the obvious question, why does the Republican Party continue in its attempts to dilute the minority vote? The answer is simple, the proposed would likely result in a 29-21 split between Republicans and Democrats, again under representing the actual strength of Democratic voters in North Carolina. Finally, in reference to the State House maps HBK11, fails the test of competitiveness and proportionality. It would likely result in a 69-51 split favoring Republicans. District 21 ignores a hard geographical barrier, the Cape Fear River by including the Carolina Beach area on the north side of the river, with some of the coastal areas in Brunswick County, on the south side of the river. The only thing Carolina Beach in New Hanover County and the coastal areas and Brunswick County have in common is that they are being used to give the Republicans a competitive edge.

Mr Chair (00:40:34):
Thank you. And next up we have James Ablord, who represent the NHC. I think that's New Hanover County Democrat Party, and they are also signed up to speak at the UNC Wilmington site. If they are there, you may recognize them for a time period not to exceed two minutes.

James Ablord (00:41:01):
My name is James Ablord, I live in the western part of Wilmington. And in the County of New Hanover, I've been here for nine years moved from Alexandria, Virginia. And we are in close relationship with other parts of our city, except for a diminished contacts with the people in our precinct WO3, which is in the middle part of the City. In order to continue the idea of drawing fair maps that allow people in communities to be represented by leaders who know their communities and who will fight for needed resources, to solve community's issues and promote jobs and sustainability, we think and I think that the WO3 Precinct should be restored to District Nine. And it's not shown that way on any of the maps that I've seen so far. So accordingly, along with Mr. Russian, Miss Stevens, who's spoken before me, we think 10 years of experimentation with the way things have been drawn is enough. And we ask you to uncrack precinct WO3.

Mr Chair (00:42:45):
Thank you for your comment. Next up we have Paul Taylor, with the National Black Leadership Caucus, North Carolina, eighth Congressional district, signed up to speak here in the legislative auditorium. Second call for Paul Taylor. We'll let the sergeant at arms see, he maybe outside. Mr. Taylor.

Paul Taylor (00:43:23):
Mr Chair (00:43:23):
You’re recognized for a time period not to exceed two minutes.

Paul Taylor (00:43:26):
Yes sir. My name is Paul Taylor, and I'm speaking on the redistricting. And my thought is it seemed as though that the legislature, or the committee, have not really heard what the people have to say. I believe all of y'all, and women, are honest men and women. And with that being said, that let's do the right thing. This rep, let our community have the vote. And redistrict this thing, so that everyone have a fair shake at was going on and how we vote. Now you guys and ladies, determined to vote for us. You're taking a right, away from the people. We deserve to vote our hearts, our mind and our conscience, and not be decided by the people I'm in front of. It's just not right. Thank you. And that's all I got.

Mr Chair (00:44:31):
Thank you for your comments. I will ask that the committee room will remain in order. So coming in next up, we have Aaron Hope, who has signed up to speak here in the auditorium. I'll ask the sergeant at arms to check and see if Aaron hope is outside as well. He's out there? No, no one's out there. Okay, final call Aaron Hope no show. A Victoria Shea, who has signed up to speak at the auditorium here. Thank you. You're recognized for a time period not to exceed two minutes.

Victoria Shea (00:45:25):
I'm Victoria Shea from Chatham County. I'm speaking as an individual, but I'm also an active member of the Chatham units of the League of Women Voters and the NAACP. I'm appalled at how blatantly the redistricting committees have ignored or attempted to suppress input from the public. The number of hearings before drawing the maps was too limited, the county groupings were insidious in their partisan and racial intent, and the skimpiness of information about these hearings was disgraceful. The maps and notice of today's hearings have been available for only five days. The maps themselves were not labeled in a way that makes them understandable to the general public, such as CBK3 or SST-4 stat pack, and the number of speaking slots was heavily heavily restricted.

Today's hearing was apparently even further restricted. Monday is for comments only on the Congressional map, Tuesday is for the State and House, State Senate. Well, I didn't organize a carpool and drive all this way and find a parking place in downtown Raleigh not to tell you how unfair the publish house maps are for Chatham County. These maps proposed to attach three precincts in Randolph County onto the Chatham House District. Doing so would put the number of voters in Chatham’s district at nearly 5% over the ideal size, and Chatham County is growing quickly, so we will soon surpass that legal threshold. Chatham Park in Pittsburgh has begun to build what will soon be thousands of homes on their 7000 acres, and at least 1/2 a dozen additional developments have been submitted to the Chatham Planning Board.

There is no statistical or legal reason to add all three Chatham Randolph precincts to Chatham's district. I urge you not to include Randolph County's Providence precinct, which of the three is geographically the farthest from Chatham. Doing so would dilute the voices of Chatham voters for no legitimate reason. Do not include Randolph County's Providence precinct in the district with Chatham, thank you.
Mr Chair (00:47:23):
Thank you for your comments. Next up we have Linda Archer. Sign up to speak here in the auditorium.
Thank you ma'am, you're recognized for a time not to exceed two minutes.

Linda Archer (00:47:40):
Thank you for allowing me to speak. My name is Linda archer. I live in Guilford County. My neighborhood is just north of I40 and it abuts Forsyth County. I would like to make three points about my neighborhood. Number one, the people of my neighborhood overwhelmingly work in either Greensboro or Winston Salem. We shop in Greensboro or Kernersville. Our doctors are in Greensboro or Winston Salem. Our kids go to school in Greensboro, we are not a rural area. Number three, my neighborhood is growing and changing. We have added numerous industries and warehouses just in the six years that I have lived there. Subdivisions are added at a regular pace. We had the concerns and problems of an urban or suburban area. As far as the maps that have been released, CBK3, CMT9 and CS2, all have similar problems.

They include my neighborhood with a small portion of Guilford County, and maybe a small 1/4 or through Forsyth. And then take off into parts unknown somewhere out in the rural areas of the state that do not have anything in the way of common issues and concerns. I feel it is obvious that Guilford and Forsyth counties are being split in such a way as to reduce our urban voice. That does not serve the people. We are called the Piedmont Triad for a reason and should be treated as such. The outcome of passing any of these three maps will be that we will have to endure lawsuit after lawsuit again, and the taxpayers will once again pay for these lawsuits with money better spent on health care or our schools. I urge you to consider map CBK4.

Mr Chair (00:49:48):
Thank you for your comments. Next up we have Joel Gallagher with the Indivisible Guilford County, who has asked to speak at the auditorium. Thank you, sir. You're recognized for a time period not to exceed two minutes.

Joe Gallagher (00:50:07):
Thank you. Good afternoon. My name is Joel Gallagher and I'm commenting specifically on the US Congressional draft maps. I'm with Indivisible Guilford County, my wife, two boys, and I have lived in Greensboro for four years. I'm a physician, and while I'm based in Cone Health System, I interact with the various hospital systems spread across the Piedmont Triad, including Wake Forest, Brenner Children’s, and Highpoint Medical Center. And when I first moved here, Piedmont Triad was split into two US Congressional districts. Aside from getting adjusted to a new city, getting to know who represented us and the US House was a challenge. I was clearly not alone as I could look up who represented me using different online tools and we get two different answers, despite putting in the same address. Our US representatives did not listen or advocate for the needs of the urban residents. Now, Greensboro as well as the other communities of the triad, are finally contained in one Congressional district and we're represented in Congress by someone who reflects our needs.

There's so much overlap in the area with residents living in one part of the triad and commuting to a job in another part. We also share an airport, arts and culture, multiple institutions of higher learning and even sports teams. Having this region represented by one US House member ties the triad together and just makes sense. Unfortunately, despite many requests from voters to keep the triad in one district, most of the map drafts divide the region into two to three districts, encompassing far
removed rural communities that do not share the same sets of needs as the anchor cities of the triad. These sets of maps get poor grades from the Princeton Gerrymandering Project. They also geographically make no sense with snaking projections dividing counties that are the essence of gerrymandering, which North Carolina residents clearly want ended.

Instead, please consider the maps from State Senator Ben Clark or State Senator Chaudhuri, which keep the Piedmont Triad whole. It’s also curious about the proposed 14th US House District that's in an area of the State with a rather low population. North Carolina gained another US House seat, based on population growth in the cities, notably Wake County. And it makes little sense to put this US House District in an area that actually lost population according to the US Census data. Thank you for your time.

Mr Chair (00:52:09):
Thank you for your comments. Next up we have Evelyn Maybin Hall, which represents I only have the initials here, UCSD. And is that the Caldwell Community College site. The Union County Senior Democrats is what I've been given by stat. So, Caldwell if you’re there, please feel free to recognize them for time not to exceed two minutes.

Senator Heiss (00:52:45):
Senator Hise, that individual has not appeared at the Caldwell County site.

Mr Chair (00:52:45):
They're not there?

Senator Heiss (00:52:52):
They're not there.

Mr Chair (00:52:55):
Okay, thank you. Next up then, I have Bob Jones, who is signed up here at the auditorium. So coming in, not with an organization. Do we have a Bob Jones? No one outside, no one showing third call? We'll have that as a no show. Angelina Echeverria, thanks for coming in, not with an organization, signed up to speak here at the auditorium. Thank you, ma'am, you're recognized for time not to exceed two minutes.

Angeline Echeverria (00:53:41):
My name is Angelina Echeverria. I have lived in Brentwood, Raleigh, and been active in the Latino community for more than nine years. Many of my neighbors are immigrants are like myself, the children of immigrants. At previous hearings, I and many others requested widespread community education and publicizing of the redistricting process, among the Spanish language and other ethnic media. Interpretation, support for testifying in languages other than English and more advanced notice for public hearings. Instead, the information has been provided only in English, with maps that are not easy to find, nor are they user friendly and less than one week's notice has been given. I am particularly concerned about maps CMT9, CBK3 and CST2. Each of these maps divides Wake County into three separate districts that do not reflect communities of interests, and that would result in the County not having any majority-minority representation.

According to the 2020 census, Wake has more than 1.1 million residents and more than 10% of the state population. It is a diverse county that is 11.3% Hispanic and 8.6% Asian, and the growth of both
of these communities have been propelling population growth across the State. by not taking into account the race and ethnic data for communities that have historically lacked representation, this process has missed an opportunity to advance racial equity and has disregarded the requests that we made at the hearings previous to this one. In addition to not providing adequate representation for communities of color, these maps would result in disproportionate representation, does not reflect the political will of our State.

I request that the maps be modified to ensure that Wake County, and specifically Hispanic and Asian communities are adequately represented. At the same time, I do not want this representation to come at the expense of the hard fought representation that has been won by African American communities. These maps need to be reconsidered to ensure that African American voting power is not diluted, and that other communities of color are also able to elect candidates of their choice. Thank you.

Mr Chair (00:55:49):
Thank you for your comments. Next up, we have Andrew Silva, representing the Carolina Jews for justice. Assigned up to speak here in the auditorium. You're recognized for time not to exceed two minutes.

Angeline Echeverria (00:56:10):
Thank you. I support all the organizations that are opposed to gerrymandering. But really I speak only for myself, because my views are a little different. I live in North Durham. I think that Durham and Orange County are overwhelmingly Democratic. So I don't think there's any way that my area can become anything but democratic in any of the maps. The problem is that there is too lopsided a margin in this area. So it really should be split, to even out the proportion along the surrounding counties like Preston, Granville, Wake and Chatham. I don't think that the proposed maps have tried to do this. When districts are safe for one party or another, elections are decided in the primaries, not the general election. That is a prescription for electing the most extreme candidates of both parties, leading to hyper partisanship and gridlock. Better to have competitive districts so that elections will be decided in the general election, not the primaries. Then the representatives must be responsive to all their constituents, not just their party base. And we can have better and more responsible government. Thank you.

Mr Chair (00:57:30):
Thank you for your comments. Next up we have Michael Kelly, representing the Buncombe County Veteran's Treatment Court, is at the site in Caldwell Community College, if Michael Kelly is there, please recognize them for a time not to exceed two minutes.

Senator Daniel (00:57:51):
Michael Kelly, Senator Hise, it doesn't appear that Michael Kelly has appeared for the meeting.

Mr Chair (00:58:02):
Thank you, Senator Daniels. We will then move on to Kristen Havelick with the New North Carolina Project, representing the New North Carolina Project, who has signed up to speak here in the auditorium. Kristen Havelick you recognized for a time period not to exceed two minutes.

Kristen Havelicke (00:58:25):
Thank you. My name is Kristen Havelick, I was born and raised in Raleigh. My husband and I live in NC two. I'm an organizer and I'm a part of the New North Carolina Project which invests in communities of color, to expand the electorate and create voters for life. Normally, I'm not the one speaking for the New North Carolina Project as it is a program directed by two amazing black women. But today I speak as an ally to our communities of color, that have been largely affected by gerrymandering over the last decade. The maps that have been drawn over the last few weeks largely show little to no consideration of the needs that constituents voiced in September, before maps started to be drawn. This process is not a game, you cannot pick your own constituents instead of what should be the other way around, through a democratic right to vote. Maps like CBK3, CMT9 and CST2 will oppress neighborhoods of color in Wake, Guilford and Mecklenburg counties, by dividing and cornering them into districts that are majority rural and represented by Republicans who have no regard for their lives whatsoever.

I ask that you consider using the map CBK4 as it takes into account the urban sprawl from Wake County into Johnson County as well as Harnett County, which adds in the new congressional district NC 14. I also urge you to keep Guilford County whole in the new maps and to more evenly divide Wake and Mecklenburg counties in two, rather than three or four districts. CBK4 also won't to press people of color as harshly as other maps that have been proposed and will still keep Republicans in the majority. We aren't asking for much, we are asking for the bare minimum of a more democratic process which starts with fair maps. Thank you.

Mr Chair (01:00:09):
Thank you for your comments. Next up, we have Manuel Meijer Diaz, who has signed up to speak at UNC Wilmington. UNC Wilming, if Manuel is there, please recognize them for a time not to exceed two minutes.

Manuel Meijer Diaz (01:00:28):
Good afternoon, my name is Manuel Meijer Diaz and I drove two hours from Cumberland County as a concerned citizen, to thank the North Carolina General Assembly for ignoring the statements made by the people of my county, despite clear demands from constituents five of the nine mass re-posts by the NCGA, this week divide Cumberland County those be an SST4, CMT9, CST2, CBA2 an HBK11. While all the draft maps contain in set modifications for of Charlotte, the Triad and the Triangle, only one map provides an inset for Cumberland County. The residents the residents of Cumberland County cannot see exactly where the divisions in their community take place. Yet the NCGA expects them to evaluate the maps and make their comments in just two days. Multiple tools and platforms exist to present these maps in an interactive format, which would allow people to make more informed and precise comments about the maps.

Clearly, the NCGA has no interest in keeping us constituents fully informed. Even though the NCGA didn't read any of the public comments, I have. Miss Pamela wrote that more Cumberland, Scotland hope and Robeson should serve as the Sandhills District and not be split. However, several of the proposed maps split these counties. SST4, is an especially bad example. Miss Sharon lives in Fayetteville and has lived in NC since 1972. She demanded that her city be kept whole and urge the NCGA to appoint a nonpartisan commission to oversee the redistricting process. Based on the maps that were released this week, the NCGA has no interest in drawing their maps, let alone appointing a commission to do it for them. This entire process shows why Miss Sharon wants to see the establishment of a nonpartisan commission. This has not been transparent and this has not been accessible to voters. I'm blessed to be here and speak to Representative John Socha, I see you here on the list. Please don't allow them to split Cumberland County.
Mr Chair (01:02:50):
Thank you for your comments. Next up, we have Sonia Benetton Patrick, representing the National Black Leadership Caucus, also signed up to speak at UNC Wilmington. If they're at UNC Wilmington, please recognize them for a time not to exceed two minutes.

Sonia Benetton Patrick (01:03:11):
Good evening, my name is Sonia Benetton Patrick, I reside in New Hanover County. I can trace my family's history here back to the late 1800s. I'm also a daughter of a disabled veteran. And my father will be appalled if he was here to see what's going on in North Carolina today. My mother is 91 years old, she votes in one of the precincts that you have cut out of and divided and put where she would have no voice along with other African Americans, here in New Hanover County. This is also the home of the 1898 massacre. The only successful government takeover. After the massacre, the General Assembly in 1898 passed laws of voter suppression to keep African Americans from voting. And 2021, it looks like the General Assembly is trying to do the same thing today, just like they did 10 years ago with a match where you ruled unconstitutional.

We asked you North Carolina, is this type of leadership and the type of things that you consider fair? This is an issue of morality. Do what is right, we demand fair maps. We're not asking for a lot, just be fair. Is that difficult? Thank you for listening.

Mr Chair (01:04:29):
Thank you for your comments. Next up we have Deborah Beroth, also signed up at UNC Wilmington. Apparently they showed up here, so Deborah, you are recognized for a time period not to exceed two minutes.

Deborah Beroth (01:04:48):
Thank you. My name is Debby Beroth, I'm a native North Carolinian, I've lived in Raleigh for 45 years. I tried to look at the maps being drawn online. You said you wanted it transparent, I don't understand how it can be transparent when you couldn't see what you were doing, you couldn't hear what you were doing and I got bumped off five times. That's not transparent. North Carolina is a 50-50 state. And if the maps are fair, then this is the way they should be drawn. Where the likely outcome will be 1/2 Republican, 1/2 Democrat. That's all we're asking for. The only ones that I could see that were close to this were the ones drawn by Senator Ben Clark, they weren't perfect, but they were closer.

Democracy requires every vote to count. The opposite should be competitive. Community should be represented by the person that best serves them. We encourage our young people to vote, we tell them how important it is and that every vote should count. The only way to encourage folks to get out and vote is if there is a chance that the person that they are voting for, could possibly win. North Carolina has been in the news for terrible, unfavorable things. It hurts my soul as a native North Carolinian to see this. I would be incredibly proud of this state, and you politicians, if you could be in the news for having maps that represent the people. You've been given a job to serve the people. Wouldn't it be great to see politicians put aside their own personal interests and put the people first? I believe this is possible. You guys could do a wonderful thing. You could do what's right. That's all we're asking for. We just want what's right and what's fair. Thank you.

Mr Chair (01:07:02):
Thank you for your comments. Next up, we have William Tarpley, with the Chairman Kenny, concerned citizen. Signed up at UNC Wilmington. If they are present at UNC Wilmington, please recognize them for a time period not to exceed two minutes.

Senator Daniel (01:07:19):
Mr. Chairman, it appears Mr. Tarpley is not in the auditorium in Wilmington.

Mr Chair (01:07:26):
Is a no-show, then we have Lynette Ramsey, with the ACT Republican Women, signed up to speak at the Caldwell Community College. If they are present at the Caldwell site, please recognize them for a time period not to exceed two minutes.

Representative Smith (01:07:47):
Miss Ramsey, you're recognized for a period of two minutes.

Lynette Ramsey (01:07:50):
Thank you. The first thing that I just want to say is that the only way that there's not going to be any court battle is if you give the Democrats all the seats. And so we're going to go to court no matter what. But I also want to say that I found it quite easy to find the sign up and find out the location and all that. But I want to talk about the inconsistency, I do agree that there's some craziness and confusion in these maps. For example, I want to talk about my district, the current Fifth District. You excluded most of the Watauga County in these maps. Especially in CST2. Except for 3700 people on the far edge, that house is where Congresswoman currently lives. And then you went and you skipped all the way over missed Forsyth and you picked up Guilford County. I do agree with the speakers from Guilford County.

We don't have anything in common. In fact, there is not even a road that gets from the Congresswoman's precinct, across the district. To leave her house and get into the new district, you would have to go through one of two other districts. The other thing that I just want to address is that the one consistent thing that I see and someone else noted earlier, was a district in western North Carolina, around the North Carolina speaker's home. I want you guys to draw districts that have the best interests of the constituents, and not just the best interest of politicians in Raleigh. What happens in my current district, when Congresswoman Fox decides not to run in several years? Then what do we do? We have 3700 people on the far side of Watauga County. So we're just asking you to draw better districts, concise districts, for the better representation of the people. Thank you.

Representative Smith (01:09:44):
Thank you for your comments. Last individual we have signed up contacted us beforehand because they were added to the wrong list. So we will recognize them here and remove them from the list for the virtual meeting and that is Keith Graham, who is apparently on site in Wilmington, where he thought he was signing up for. And so if Keith Graham is there, I would ask that you recognize him for a time period not to exceed two minutes.

Keith Graham (01:10:15):
Thank you, sir. Thank you for allowing me to speak. My name is Keith Graham, I'm a retired 22 year Air Force veteran and a local preacher here on the southeast region. I like to emphasize things that I'm sure everyone here has heard multiple times in the past 10 years, I'm asking for transparency in the
redistricting process, but specifically asking for county classes and communities interest to be kept together. The Hanover County as a whole is a community of interest due to our cultural uniqueness. It does not need to be split when drawing maps. I also emphasize that maps should be compact and drawn with competitiveness, and keep communities of interests in mind as well. I also urge legislators to keep New Hanover County intact. One of the proposed map shows where New Hanover County has chunks taken out, possibly packing the political strength of these residents, preventing them from selecting a candidate of choice.

This caused a lot of confusion for our population in the past, and our family members that were voting in two different races. Also, so proposed maps are drawn if adopted, will possibly put the state in the position where if they could possibly have no majority representation. This is definitely racial gerrymandering, exercised with extreme prejudice. Apart from these asks, I want to highlight how disappointing people across the south east are, to the current redistricting process. We don't have enough public hearings. These hearings are not being advertised enough. And I feel online public comments may be ignored. I feel this meeting was extremely important, and I was compelled to take off work early to drive over an hour to attend today's meeting, that was held during work hours. We ask that you host meetings after hours as you did in past years. Most concerning of all is that the public don't have enough time to make comments after [inaudible 01:12:21]. The North Carolina should be able to respond to the [inaudible 01:12:41].

Carson Smith (01:10:15):
I can't hear anything.

Mr Chair (01:12:48):
I understand it [crosstalk 01:12:48] of low bandwidth.

Keith Graham (01:12:49):
In attention to what you're doing and we will continue to demand better from my leaders. Thank you for allowing me to speak.

Mr Chair (01:12:56):
Thank you for your comments. I will now go back through the list of no shows that are coming here to determine if individuals have shown up at their respective areas to say. Ginny Cora Lynch, here in the legislative auditorium. Aylett Colston, here in the auditorium. Aaron Hope, signed up here in the auditorium. Evelyn Maybin Hall, at Caldwell Community College. Assuming they're not still there, Senator Daniel?

Senator Daniel (01:13:46):
Not here, Senator Hise.

Mr Chair (01:13:48):
Deborah Maxwell, at the New Hanover site. Bob Jones-

Representative Smith (01:13:59):
She is not in Wilmington.
Mr Chair (01:14:03):
Here at the auditorium. Michael Kelly, at Caldwell.

Senator Daniel (01:14:12):
Michael Kelly is not here. Senator Hise.

Mr Chair (01:14:14):
Thank you Senator Daniels. And William Tarpley, UNC Wilmington. Okay, that would conclude the list of individuals who have signed up to speak. We have exhausted the list, therefore exhausting the agenda of committee, therefore this committee stands adjourned.
Speaker 1 (00:00:03):
Joint Committee on redistricting Monday, October 25th, 2021, 5:30 PM, Room 643, LOE.

Moderator (00:00:15):
Committee will come to order. Thank you everyone for being here, particularly virtually with us for the second meeting. The purpose of this meeting today is to hear the virtual comments from individuals who had signed up online to be able to give their comments on the redistricting process regarding the congressional maps that had been placed on both the House and/or the Senate sites for consideration by the public. Joining us in the room today are the Sergeant at Arms for the house, Nina [Lane 00:00:58] is back here. Thomas Terry?

Thomas Terry (00:01:02):
Right here.

Moderator (00:01:02):
Behind me. Thank you. For the senate, Mike Harris and Hal Roach. Where's Hal? Okay, thank you. Coming in to give you a little bit, I will go down the list of names as they have been in the order in which they signed up. If someone happens to not be there to respond, I will go back through the list at the end to make sure that we have not missed someone and others. When I call your name to speak, this is a virtual hearing. Please raise your hand so that our technical staff here can find you and make sure that you are front and center for everyone being all participants will be muted when they're not recognized by the speaker. All speakers will be recognized for a time period, not to exceed two minutes. So moving right along, the first individual that we have that signed up [inaudible 00:02:02] is Todd Stiefel, representing Heretical Reason Productions. If you could raise your hand.

Todd Stiefel (00:02:16):
Hello.

Moderator (00:02:17):
You are live and you're recognized for time not to exceed two minutes.

Todd Stiefel (00:02:22):
Thank you very much. First of all, thank you very much for your time and effort going into creating these maps. I'm excited about the redistricting process and hope that it remains fair and equal for everyone. I have to admit that I am very frustrated with both political parties over the last several decades, because it seems both of them take the opportunity of the redistricting process to give power to themselves rather than to the people. Unfortunately with these maps, that seems to be a trend that's continuing. I believe strongly that the maps should represent a purple North Carolina, fairly for people of both political parties in all races and persuasions.

These current maps as I see them look like they are typical cracking and stacking with certain political parties taking advantage to gain more power than they should have based on the state as a whole. My particular districts are, I'm up in North Raleigh, and as usual I've been placed into North Raleigh and two other districts, but for one of the maps, I, for some reason, am lumped in with the border of Virginia, which really harms me in the way I will be personally represented because I do not get the opportunity to have a local person representing me and my interests. So I would please ask that
these maps be made fair for everyone, including myself and including members of both parties. Thank you very much.

Moderator (00:03:50):
Thank you for your comments. Members, I will say that while you're speaking, we do have someone keeping time here for us. You will see come up here on the screen when you have one minute left, 30 seconds left or a red placard, meaning your timing has expired. Next up, we have Ann Morris who's signed up without [inaudible 00:04:12]. If you could please raise your hand. They have you up and you're recognized for a time period not to exceed two minutes.

Ann Morris (00:04:22):
Thank you very much. I appreciate you listening to me today. My name is Ann Morris. I've lived in Greensboro for three decades. I'm a retired journalist, a mother of adult children, and I now stay busy volunteering in my community. I'm speaking today as a concerned citizen, not allied with any group and I'm commenting on the proposed Congressional maps. In September, I testified at the public hearing in Forsyth County and asked like most people who spoke that day, that Greensboro High Point in Winston-Salem be kept in one district because of our common interest as the Piedmont triad.

My testimony in others was clearly disregarded as none of the maps drawn by the GOP leadership keep the triad together. As a Greensboro resident, I am especially concerned that Guilford County may be split into three districts, which is unnecessary, confusing, and creates ineffective representation, including parts of Greensboro in a district that stretches to Watauga County in one map CST-2 or Harnett County map CBK3 makes no sense. We have much more in common with residents of High Point in our own county than we do with residents of the lovely small towns in Allegheny or Ashe Counties. It appears that these maps have been drawn to delude the voices of urban dwellers by cutting up cities and creating largely rural districts.

As an illustration of why this matters, I recently attended a Food Justice Summit sponsored by Saint James Presbyterian Church in East Greensboro, a church that my church Westminster Presbyterian in West Greensboro partners with. We heard statistics about food insecurity in the triad post COVID. We heard from black farmers and faith leaders. We also heard from our congressional representative who listened to our concerns and shared information about federal programs. We felt heard. We know who represents us. We know who's accountable. Please keep Guilford County together, ideally with Winston-Salem, so the voices of our unique region can be heard. Thank you very much for hearing my comments.

Moderator (00:06:29):
Thank you for your comments. Next up we have Martha Schaffer. We do not see one. If you could please raise your hand. Martha Schaffer, not on. Brent Heath representing Governmental Services. Can you please raise your hand? We do not see. Karen Heiser.

Thomas Terry (00:07:13):
She's on. Oops. She jumped [inaudible 00:07:13]. Here we go. She's on.

Moderator (00:07:14):
You’re recognized for a time period not to exceed two minutes.

Karen Heiser (00:07:18):
Thank you. My name's Karen Heiser and I live in the Wake County section of Morrisville in Congressional District 2. First, I wanted to thank the committees for holding additional hearings, including having this remote option. However, it is disappointing to me that there are not more hearings on the draft maps. You're taking comments from only 110 people out of an estimated 8.3 million voters. My remaining comments apply to the draft congressional maps.

Wake County should not be split into more than two congressional districts. All proposed maps drawn by Republicans, CBK-3, CMT-9 and CST-2 split the county unnecessarily into three district. And there are no redistricting criteria that require this extra split, and these maps ignore the committee's own criteria to protect our communities. Families in Cary, Apex, Morrisville and Holly Springs form a community which needs to be respected and protected.

On map CDK-3 and CST-2, the sections of Wake that are fractured and combined with proposed District 6 and 7 should instead be left intact as a single district. Map CMT-9 is simply ludicrous. District 3 is especially egregious. No one in Wake County self identifies with residents in Onslow County, 115 miles away as the crow flies. CMT-9 splits Morrisville off from Cary, which makes no sense and splits Apex down the middle. This map should be discarded altogether as it depicts the worst fracturing of our Cary, Apex Morrisville and Holly Springs community. All three Republican maps are the antithesis of protection for our Wake County communities. I look forward to seeing maps enacted that create competitive districts centered around communities, and that will yield proportional representation in Congress for all North Carolina voters. Thank you.

Moderator (00:09:14): Thank you. And to remind members, if we go through and someone is a no-show, we will cycle back through those names to see if they have arrived. Edwin White representing the Fair Elections Roundtable. If you could please raise your hand.

Thomas Terry (00:09:37): No.

Moderator (00:09:38): Okay. Helen Wood

Edwin White (00:09:43): Sir, I'm here.

Moderator (00:09:46): Edwin White is here.

Edwin White (00:09:52): I'm sorry that my name was ... I forgot what name I signed up by. That's why my label on the video doesn't show. My name was Edwin Chanley White. I'm a resident of Greensboro, North Carolina. I'm active in the Fair Elections Roundtable and The Piedmont Triad, League of Women Voters. My testimony
this evening is mine alone. I'm limiting my remarks to two of the proposed maps due to the time restraints. I believe that the Congressional District Map labeled CMT-9, draft Congressional Map by Senator Hise is racially unfair. It has also been given F rating by the Princeton Gerrymandering Project because there's unduly partisan in favor of Republicans.

I urge the legislators to rethink their work, to avoid new lawsuits and a waste of taxpayer dollars. I do support the CST draft congressional map by Senator Chaudhuri, that's CST-6, I think with an overall grade of A, because it shows no partisan advantage. It also ranks its average for competitiveness and geographic features. It also appears to keep The Piedmont Triad cities, Greensboro, Winston-Salem, and High Point together in one congressional district. I hope you move that direction rather than the direction of the first plan. Thank you for this opportunity to provide my testimony.

Moderator (00:11:33):
Thank you for your comments. Next up, Helen Wood. You are up. You are recognized for a time period not to exceed two minutes.

Helen Wood (00:11:45):
Thank you. My name is Helen Wood. I'm a voter from Charlotte and I live in the Ballantyne neighborhood. Thank you for the chance to speak with you today. The proposed redistricting maps available to me are CBK-3, CMT-9 and CST-2. None of them seems consistent with the criteria of the North Carolina legislature. And none is acceptable to me. It seems that the legislature put out the criteria, but didn't follow them in the case of Charlotte or certainly of Ballantyne where I live. The criteria require equal numbers in each district. And I'm no expert on that, but I assume this criterion has been met.

But the criteria also required counties, towns, and cities are to be left whole wherever possible. Yet all three maps split Charlotte into at least three proposed new districts, where two districts would certainly suffice. Both these maps score F on the Partisan Fairness Index as it says by the Princeton Gerrymandering Project. As to my community in Ballantyne, we're a rapidly growing suburb of Charlotte and we anticipate significant growth in the next decade with the Ballantyne re-imagined the corporate park right in the middle.

Instead of grouping Ballantyne with the rest of the urban rapidly growing Southern Charlotte, these maps group us with a large rural Western NC-13 district or another map, large rural NC District 8. This will dilute our voices now and the voices of many newcomers that we anticipate this decade. Our voice will be outshone or overshadow by those of the rural counties on one side of us or the other. I urge you to come up with fairer maps that meet your own criteria as legislators. Thank you for your consideration.

Moderator (00:13:55):
Thank you for your comments. Thais Carrero with the NALEO Educational Fund.

Thais Carrero (00:14:07):
I'm here. Thank you so much.

Moderator (00:14:09):
You're recognized for a time period not to exceed two minutes.
Thais Carrero (00:14:14):
Good afternoon, committee members, partner organizations, and members of our communities across North Carolina. My name Thais Carrero and I am the Mid-Atlantic director of civic engagement for NALEO Educational Fund based in Raleigh. NALEO Educational Fund is the nation's leading nonprofit, nonpartisan organization that facilitates full Latino participation in the American political process from citizenship to public service. After two plus years working with partners across the state to ensure a fair and accurate census count, we appeared in front of this committee on September 22nd to make the case for an accessible, inclusive and transparent redistricting process.

Our goal is to ensure a redistricting process that produces maps that provide Latinos and underrepresented groups with a fair opportunity to elect leaders who are responsive and accountable to their communities. While we defer to our partners and at NC Counts, Latino Justice, and [inaudible 00:15:14] for specific comments on the proposed maps. We wish to state the need for an accessible, inclusive, and transparent process.

We applauded the committee's decision to make the map drawing process accessible to the public online, as well as the opportunity to come to you today for feedback after the maps were released. Still, the current process carries some challenges that should be addressed. Number one, community members have not had enough time to properly analyze the maps and provide meaningful feedback today, to this body. Non-interactive maps, prevent community members from understanding exactly how the post maps affect their communities. Scheduling more hearings, providing more time for people to analyze the maps and provide feedback as well as providing a tool to make the maps more digestible and interactive is critical to ensure that maps produced by the legislature, reflect the growth of our community and the need to ensure that we achieve fair representation through the new district lines.

As the process of finalizing the maps moves forward, it's critical that the final maps provide Latinos and other underrepresented communities, a fair opportunity to elect responsive and accountable representatives. And to achieve this goal, the maps must comply with the US Constitution, the Federal Voting Rights Act, and must respect communities of interest. Our community members must be able to provide input to the legislature about their communities of interest to help inform our state's redistricting process. We look forward to working with you to make this accessible and inclusive [crosstalk 00:16:50].

Moderator (00:16:50):
Thank you for your comments. Next up, we have Kevyn Creech representing the Wake County Democratic Party. If you could please raise your hand.

Thomas Terry (00:17:06):
The mic is on.

Moderator (00:17:09):
The mic is on. Kevyn Creech, you're recognized for a time period not to exceed two minutes.

Kevyn Creech (00:17:14):
Thank you. Good afternoon. Thank you for allowing me the opportunity to share my views on the proposed redistricting. My name is Kevyn Creech, and I am chair of the Wake County Democratic Party, and a native North Carolinian born in Eastern North Carolina. I have lived in Wake County for 28 years.
and in Apex for nearly 25. Over these 25 years, I have lived in three homes that are approximately 1.5 miles equidistant from one another. Over the last 10 or so years, Apex has suffered through ongoing gerrymandering and redistricting such that we've had individual precincts with multiple county and legislative districts. Apex has had multiple congressional districts.

Personally, I have lived in four different congressional districts over the last decade though I've only moved once, just up the street from my last home. I started in the 4th was redrawn into the 13th, redrawn again into the 4th, and redrawn yet again into the 2nd. The result of cost district changes and gerrymandering here in Apex is that my neighbor's family and I have lacked consistent representation for over a decade. The confusion rock, my never-ending lawsuits and moving lines means that my neighbors, family and I have had our civic agency damaged for years. Leaders, you have been provided prescriptives over the past few years with how to fairly and consistently redistrict. As a native North Carolinian, I'm embarrassed that our state is often on national news as a top example for gerrymandering.

North Carolina doesn't have to be the topic of late night talk show jokes. You can fix this. We all know that North Carolina is a 50/50 state and while much of Wake leans blue, North Carolina as a poll is purple. I ask that you follow the prescriptives laid out by Stephenson v. Bartlett to Common Cause v. Lewis and the Princeton Gerrymandering Project. I ask that you avoid splitting counties and regions. I ask that you resist bifurcating representation in Hanover, Mecklenburg, the Triad and Triangle. I want my voice and vote to mean something. And I also want the voices and votes of my fellow Carolinians to mean something. Thank you so much.

Moderator (00:19:29):
Thank you for your comments. Next up, Marla Barthen representing the League of Women Voters of the Lower Cape Fear.

Thomas Terry (00:19:37):
I don't see Marla.

Moderator (00:19:42):
If you're there, please raise your hand. Okay. John [Lingle 00:19:53]. You're recognized for a time period not to exceed two minutes.

John Lingle (00:20:01):
Hello. I'm John Lingle, a private citizen. I moved to Davidson, North Carolina 21 years ago, run by the timber climate and a balance of conservative and liberal voices. I'm increasingly distressed witnessing the loss of participatory democracy in our state. The GOP appears not to have learned from experience the last 10 years, the cost of state millions and legal fights, most of which Republicans lost. The process and GOP draft maps are undemocratic.

One, the GOP-led redistricting committee hasn't produced any report or account of public statements. Two, GOP draft maps don't follow repeated public requests for fair, non-gerrymandered maps. Three, the GOP claims it didn't look at incumbency or political party. Yet, somehow they took a 50/50 state and do maps in which the GOP locked in 75% or more of the US Congressional seats. Four, the extreme gerrymandering maps created by the Republicans may well result in a super majority for them once again. We are all familiar with some of the harmful legislation that were produced last time.
Five, the counties were for most population growth are punished in the GOP maps by being carved up, diluted, and denied fair representation. Rather than putting our new Congressional District in a population growth area, it is handed to Tim Moore in a shrinking county for his future election. In conclusion, the GOP directive maps are unfair and illegal. I implore you not to adopt them. Instead, adopt maps like CBK-4 or SCH-2 that are more compact, do not inappropriately split precincts or municipalities, double fund constituents.

Moderator (00:22:12):
Thank you for your comments. Yuri Yamamoto representing the NCAAT.

Yuri Yamamoto (00:22:22):
Thank you for the opportunity to speak.

Moderator (00:22:24):
You're recognized. Thank you.

Yuri Yamamoto (00:22:26):
My name is Yuri Yamamoto. I live in Raleigh in the 2nd Congressional District. I'm an Asian American immigrant. I say that the currently redistricting process is not fair to our community. Asian American and Pacific Islanders are the fastest growing racial group in North Carolina. I believe that our community has specific needs. Many of us are mixed-status immigrants and need official translation and interpretation services to participate in a redistricting process. Many of us are also unfamiliar with the redistricting process. We need more time to understand the information and articulate our responses. Personally, speaking, trying to quickly understand how various proposed maps may impact my life and community has been overwhelming. I came to this country in 1984 and lived mostly in Raleigh. My husband and I have six US-born children and two grandchildren. In 2010, we became US citizens and began voting.

All along, we have contributed to our community in many ways to our work, children's schools, buying things, paying taxes, volunteering, and donating money to help others. But I can't say that we've always felt welcome or included by the American society. I want fair representation for all groups of people, especially in the black indigenous people of color. I want to be able to elect representatives who are willing to listen to our stories and advocate for our needs, not just for the majority or the powerful. For that reason, I ask for more time on translation and interpretation services in the redistricting process. This is how we make America great. Thank you.

Moderator (00:24:14):
Thank you. Next up, We have Harry Taylor representing the League of Women Voters.

Harry Taylor (00:24:22):
I'm Harry Taylor.

Moderator (00:24:23):
You're recognize for a time period not to exceed two minutes.

Harry Taylor (00:24:26):
I'm Harry Taylor in Charlotte. Today's hearing is offered to comment on maps that have been posted to the website. Deciphering the various iterations those maps is complicated. What you are doing is not. Half of the seven million person [inaudible 00:24:42] doesn't vote the way you do. So to retain power, which you're obviously intent to reconnect, to sequester and walk away those votes for the next 10 years, rendering them powerless and meaningless.

Ostensibly, we live in a democracy, but no way can rigging elections, redistricting gerrymandering, be part of the democracy. It's an almost sacred promise, an idea or vision. As Americans, it's our dream where we, the people have a role in the systems that govern our lives and future. It's fragile and requires gentle handling. It requires respect for people and their ideas, for your colleagues in the legislature, for the balance of power and the vision itself. It must be treated itself as such. It's not some foolish abstraction to ignore.

We know fair proportional maps can be drawn. Duke University professors demonstrated that more than five years ago, and there's several maps on your website that envisioned a 77 balance, not the 10-4 or 11-3 in [inaudible 00:25:46] that slipped back in May. My community of interest is North Carolina, 10.5 million people strong from [inaudible 00:25:57]. Despite proclamations from the legislature, we, the people are not morons, not on a Monday or any other day of the week. This is our state. It is not yours. What we want is a fair and fully functional democracy. If you honor that, we'll support you every single day of the week. If it's not, it's time to move out and get out of the way for those who will. Thanks for letting me speak.

Moderator (00:26:25):
Thank you for your comments. Next up, we have Debra Demske. Please raise your hand. Nothing?

Thomas Terry (00:26:39):
I think we have some [inaudible 00:26:42].

Debra Demske (00:26:42):
Hi.

Moderator (00:26:42):
Hi. Thank you. You're recognized for a time period not to exceed two minutes.

Debra Demske (00:26:47):
Thank you. I'm Debra Demske. I'm a software support analyst and I live in South Ardmore, the neighborhood in Winston-Salem, North Carolina. My House rep is Evelyn Terry in District 71. My Senate rep is Paul Lowe in District 32. And my United States rep is Kathy Manning in District 6. I'm speaking only for myself just so you know. I feel like that this process has been too rushed. There's been inadequate time for citizen notification about the new proposed maps, how to find them, how to evaluate them. There's also been inadequate citizen notification about the hearings that we're participating in now, only just heard about this Saturday. It really doesn't give even those of us who usually put things on our calendar time to know what we need to do. This has definitely been a rush job. When I look at the maps, which for the very little bit I've been able to, the most important characteristic to me is the competitiveness of the proposed districts, especially on a local level. I want to vote for candidates who I think have good ideas and good reasons for their opinions on various issues.
The maps I've had time to study so far, aren't even as competitive as the current maps. I'm wondering what happened in the last 10 years to make us less competitive when we should be more so? I'm really disappointed with these maps. I respectfully request that the members return to their drawing board and fix them to meet at least our current standards of competitiveness at a minimum. There are many groups watching our maps. North Carolina's court appointed to withdraw after the last maps were created because of racial inequity.

Moderator (00:29:02):
Thank you for your comments. [inaudible 00:29:05]. Next up we, we have Sue Grace Krosky. If you could raise your hand. You're recognized for a time period not to exceed two minutes.

Sue Grace Krosky (00:29:26):
... be voting in 2022, in the 11th Congressional District, but it currently is represented by eighth generation, if his biography is to be believed. Madison Cawthorn who right this minute had got 95,000 tweets concerning his participation in the events of January 6th of this year. My concern being a Northerner coming South is that I currently vote in Wisconsin, and Mr. Cawthorn seems to feel that he knows a lot more about what happened up here than I do, who voted here.

I can assure him and anyone else in North Carolina concerned about what happened in Wisconsin. We didn't have any fraud. My vote counted and Joe Biden won Wisconsin. Right now, I see the voting maps that are proposed for North Carolina to not exactly fit in with the Voting Rights Act of the 1965 or the proposed, but currently show the John Lewis Voting Rights Act.

I would hope that you all on the committee understand what is at stake here could ultimately end up being reviewed by a lot more people than just your constituents, who uniformly so far for my hearing are not particularly happy with how you're voting for this rushed and/or partisan and/or racially inequitable situation. Unless you want to continue following in what Mr. Cawthorn says is Wisconsin's future, you need to understand that there's going to be other people looking at what's going on and that the people are not going to tolerate having their power taken from them, and that gerrymandering as a political tool of powers days are over. Thank you very much.

Moderator (00:31:18):
Thank you for your comments. Next up we have Nicole Peterson. If you could raise your hand. You're recognized for a time period not to exceed two minutes.

Nicole Peterson (00:31:30):
Good afternoon. My name's Nicole Peterson and I've lived in Charlotte, North Carolina for 11 years in the Congressional District 12 represented now by Alma Adams. I'm here because in some maps, my city will be split in four ways like CMT-9, diluting its votes by combining it with other surrounding counties. Most proposed maps also have [crosstalk 00:31:53] votes by creating districts that fail to represent the 50/50 split of the state between Republican and Democrat. As a couple of people have mentioned, we're a purple state and we need to really show that in our representation. Some could lead to districts where 11 districts represented by a Republicans and only three represented by Democrats, in some of the worst cases.

Only a few have a likely 50/50 split of seven representatives for each, including CBK-4 and 5 and CST-8. I'm tired of seeing a lack of representation of my votes and values in the North Carolina congressional representatives. My representation is a constitutional right as it is for the other people in...
my state. Also, some maps are going to lead to losing black representatives like Alma Adams, my congressional representative, who has fought tirelessly so her constituents can get food and the agricultural supports they need among other things. Our communities need people who know them and are part of their communities and can represent of their interests.

Finally, I am appalled that we have had just a few days to understand these maps and their impacts. This process is deeply flawed and undemocratic. We deserve better than rushed, ill-informed maps, and even more rushed deliberations. Will real representation means maps that represent us politically and racially, or when to face lots of lawsuits and lots of issues in the coming years. Thank you for giving me and these other really smart people time to comment on the maps. Thank you.

Moderator (00:33:26):
Thank you for your comments. Next up we have Donna Russo. You’re recognized for a time period not to exceed two minutes.

Donna Russo (00:33:37):
Okay. Thank you very much for this opportunity to testify. I too only had maybe 48 hours before having the opportunity to review all this very complicated material. I've been a resident of North Carolina for 17 years. I have been actively engaged in my political rights. I feel that, from what I can tell there is definitely a lot of gerrymandering going on and it is unacceptable. We need more time so that more people can become involved. This caught me off guard and I tell you, my heart is broken. I love my new state that I've lived for 17 and a half years. And I think that we can do better.

I wish that I had more articulation to be able to express my concern over the maps, but I just simply haven’t had the opportunity to review them well enough to talk about them. But what from what I see, I can tell that communities are being broken apart and other communities are being put with communities that have nothing to do with them, and that’s really not acceptable. Thank you for the opportunity. I look forward to a change and I look forward to more time for all of us to be able to review this very important time in our history.

Moderator (00:35:25):
Thank you very much for your comments. Next up, we would have Keith Graham, although he was moved to the earlier meeting that was coming in. So we'll have Bridget Tarrant. Got it. If you could raise your hand. Bridget Tarrant? No show. Carl Crozier. You’re recognized for a time here not to exceed two minutes.

Carl Crozier (00:35:58):
All right. Thank you. My name is Carl Crozier and I've been a resident of Beaufort County since 1995. My wife and I have raised three children that attended public schools all the way from kindergarten through 12th grade. We learned firsthand about our strong community identity. We volunteered through schools, county sporting events. I'm a member of the Salvation Army Advisory Board that serves six counties. We have a diverse community, but it has a lot of common interest. We want to see our children have educational opportunities and have job opportunities. We want to make it through hurricane season safely. We'd like to see transportation and WiFi infrastructure as priorities and balance all this with the clean environment because we enjoy the communities we live in. I hope that redistricting provides us with effective representation by people that understand and appreciate our
unique characteristics. But I am disappointed to see maps proposed that seem to treat redistricting like a numbers game and do not respect rational geographic communities.

The most blatant examples for the Beaufort County area are US Congressional maps, CBK-3 and CST-2. Beaufort County on the coast is linked by a narrow corridor of counties that reach West Raleigh along the Virginia state line. Also, State Senate map SST-4, we have three districts that share many common coastal interests, one, two, and three. District 2 dissects these in a zigzag fashion with. We split many of the common interests in a bizarre fashion. I would like to thank you for your service, but please remember this is not a game. And we need to address our unique problems with the power that effective representation provides. Thank you.

Moderator (00:38:00):
Thank you for your comments. Next up, we have [Tijuan Gozi 00:38:05] representing Common Cause. See it? Is it muted on his end or ...

Thomas Terry (00:38:27):
He was there, and he is gone.

Moderator (00:38:30):
Try again. Tijuan Gozi representing Common Cause.

Thomas Terry (00:38:33):
He disappeared.

Moderator (00:38:34):
He has disappeared from our screen. So we'll move on. Aaron Hope. Is he ready?

Thomas Terry (00:38:51):
Aaron Hope is here live.

Moderator (00:38:53):
You're recognized for a time period not to exceed two minutes. Is he muted?

Thomas Terry (00:39:05):
He's mute on his end.

Moderator (00:39:07):
Aaron, we believe you are muted on your end.

Female (00:39:22):
He's not muted.

Moderator (00:39:24):
On Aaron.
Female (00:39:26):
He's not muted.

Moderator (00:39:27):
We just can't hear him.

Female (00:39:28):
Right. I don't know that he has a microphone is working properly.

Moderator (00:39:33):
Aaron, we'll try one more and see if you can make any contacts. We don't seem to be able to hear you at all. And it does not seem to be muted. If you could, check your mic and we will come back.

Aaron Hope (00:39:54):
Hello?

Moderator (00:39:54):
Oh, there you are.

Aaron Hope (00:39:56):
Sorry, I had to adjust the settings. I apologize. My name is Aaron Hope and I live in Wake County and I also work in Durham County. I just want to speak to the maps and the process in general. I remember hearing reports that this was going to be an open and transparent process. At the same time, getting a hold of the maps, I think over the weekend with the opportunity to speak today, I really only signed up because I wasn't sure anyone was going to be able to make it in time to actually speak on the maps.

But I have just kind of been able to glance at them for the most part and, just get an idea of what's going on here. When I look at SST-4 and the way that Wake and Durham County are basically chopped up like puzzle pieces and other maps where Wake county and Durham County are kind of grouped in with other sections of the state that don't really have the same vibe and feel and interests, things that they would need representation for, but I think about my particular area and I see the urban centers and some suburban areas being grouped in with rural areas.

I really feel like there's the potential for folks to really not have their representation aligned. And that, in my opinion, and in my experience is just a disaster. This is just very disturbing. It's apropos because we're coming up on Halloween. These maps are scary. To me, it really deserves another look potentially if there was one ask that I could give, I don't know how much time I have. It would be for independent map making system to be put in place for fairness, equality, and for there to be racial equity as well. I can't look at these and say that there's racial animus in these maps, but I bet you that if we had adequate time to study them, we would really find that regardless of the way they came together, the appearance of the maps themselves do lend themselves for substantial partisan gerrymandering.

Moderator (00:42:15):
Thank you for your comments. You exceeded your time. Lee Mortimer. You're recognized for a time not to exceed two minutes.
Lee Mortimer (00:42:27):

Lee Mortimer, resident of Durham. I've been a resident of North Carolina most of my life. Two years ago, I read an article one Slate Magazine about a Pennsylvania Supreme Court ruling that made partisan fairness and partisan balance part of their state's redistricting criteria. Like North Carolina, Pennsylvania is an evenly divided state, but its congressional delegation had 13 Republicans and only five Democrats. The court threw out the old districts and drew new ones.

In the next two elections, 2018 and 2020, Pennsylvania voters elected an evenly divided congressional delegation, nine Republicans and nine Democrats. I asked myself, could North Carolina use the Pennsylvania example for our redistricting? I wrote an article that ran last week in the Greensboro News and Record, The Winston-Salem Journal and The Independent Tribune in Concord. Interested viewers can find the article by googling my name, Lee Mortimer articles and redistricting. But especially, find and read The Slate article by googling Pennsylvania restores democracy and Slate.

This started when I learned consultants had been advising our state Democrats that they can expect to win only five, maybe six of our 14 congressional seats, even if they get more votes than Republicans. They say it's because Democrats are clustered in urban and metropolitan areas, while Republicans are more spread out. Senators Clark and Chaudhuri may have found a path to seven seats. Districts they've drawn are compact, divide relatively few counties and look logical on the map.

The underlying partisan data in both their plans shows Republicans would get six safe districts, and one that leans their way. Democrats would get four or five safe districts, one or two that lean Democrat and one district in both plans that's a dead heat. If the stars align, Democrats could gain their fair share of seats. But with just a small deviation, they could win 50% or more of the vote and get less than 40% of the seats. It could be a path to fair redistricting, but it's not as certain as Pennsylvania's path where partisan balance and partisan fairness were integral to drawing their state's congressional districts. Thank you for making this time available.

Moderator (00:44:41):

Thank you for your comments. Next up, Judith Kramer. Ready? You're recognized for time period not exceed two minutes.

Judith Kramer (00:44:52):

Thank you very much. My name is Judith Kramer. I've been a resident of North Carolina for over 50 years and I've lived in Chatham County for the last three years. I'm here to comment on North Carolina House District Map HBK-11. I'm pleased to see that Chatham County was kept full in that map. However, District 56 created by combining Chatham County with three Randolph County precincts, Liberty, Staley and Providence will be close to 5% higher than the target population size, while the rest of the districts in the county grouping would all be 3% to 5% smaller than the ideal district size. The large size of District 56 would be a problem because Chatham is among the fastest growing counties in North Carolina. If this map goes forward, shortly after its creation, District 56 will be too large. Between then and the next sentences in 10 years, Chatham County residents will have less ability to influence the outcome of elections for their vote.

[Brandon 00:45:52] County's Providence Precinct should not be included in District 56. It does not even share a border to Chatham. Combining Liberty and Staley precincts with Chatham would result in a population in the target range, but with room to grow. It is not necessary to also add confidence precinct to District 56, unless there is a motive of partisan gerrymandering to dilute the growing democratic majority in Chatham County. Between 2016 and 2020 votes in Chatham County were 55%
Democratic and 44% Republican. While votes in Providence precinct in the same period were 16% Democratic and 82% Republican. I request that you remove Providence precinct from House District 56 and included in House District 60 or 61, both of which are adjacent to Providence considerably below their target population size and more consistent with the real nature of those two districts. Thank you very much.

Moderator (00:46:56):
Thank you for your comments. I will take a moment to remind the speaker’s purposes hearing is to hear public comments on the congressional maps that have been placed. Next up we have Christopher Lakin. You’re recognized for time period not to exceed two minutes.

Christopher Lakin (00:47:21):
Thank you. I’m from Charlotte. I’ve lived there most of my life. I’m a retired pediatrician. It would be hard for me to say anything probably that hasn’t already been said, but I think with the current setup, and as was said, both parties have been guilty of gerrymandering. We have a situation as do many other states where the politicians choose their voters instead voters choosing their leaders. Obviously, that’s not how a democracy works. I think the ultimate answer of course, is the end of gerrymandering. For example, having an independent commission, which is outside the scope of this discussion. But I think that will take time.

I hope we find a day where public commentary on redistricting would maybe hardly even be necessary if we knew from experience and from restructuring of how districts are drawn, that we could assume fairly safely that they would be fair, but we don't have that today. For now, I feel that both parties need to demonstrate that they do truly care about fair voting and partisan districts even before partisan redistricting. Almost none of the other components of fair voting were met. I appreciate this time to speak. I echo the sentiments that we needed more time to look at the maps. Thank you.

Moderator (00:48:57):
Thank you for your comments. Next up we have Chris Mansfield.

Chris Mansfield (00:49:06):
Yeah.

Moderator (00:49:07):
Recognize for time period not to exceed two minutes.

Chris Mansfield (00:49:09):
Okay. Thank you much, sir. I’m Chris Mansfield. I’m an unaffiliated voter in Pitt county, and I’ve had a chance to look at the Southern Congressional Maps that were posted, not much time to do it, but I think they looked better than what we had before. Less splitting more compact. The real issue is whether any will result in competitive races, proportional representation, and bipartisan dialogue. The three most likely to do that, I think are CBK-4, CBK-5, and CST-6. The State Senate Map SST-4 has a lot of splitting, stacking the deck, I think for Republicans, preserving incumbency and producing little competition.

The House Maps APK-11, I guess, it looks like it’s going to produce mostly safe seats. I’m concerned about Pitt County. It looks like most of the Democrats have been tapped into House 8, and
the analytics I looked at indicate that a Democrat has a 99% chance of winning in eight, grows in seven about 30 to 40%. You split it this time east to west rather than north to south. I asked you not to disrespect the citizens of North Carolina by rigging the elections from the start, making this vote on candidates who have no chance of winning or are certain to be elected. When there's no real choice, there's no real voice. Gerrymandering results, as we all know in extreme partisanship, no discussion, no compromise, no collaborative problem solving. We want democracy to be a competition of ideals.

Moderator (00:51:19):
Thank you for your comments.

Chris Mansfield (00:51:20):
Thank you.

Moderator (00:51:21):
Thanks for coming in. Next up, Alison Allen Mongo representing the Young Democrats of North Carolina. Let's call Alison Allen Mongo. Please raise your hand. Okay. Moving on. Kate Fellman representing you can vote. Kate Fellman, if you please raise your hand. You're up. You're recognized for time period not to exceed two minutes.

Kate Fellman (00:52:00):
Hello, I'm Kate Fellman. I've lived in Durham since 2005 and I'm the executive director of You Can Vote. I'm here today to voice my concerns for representation of young voters and students in North Carolina. I'm a mother of two students who will be voters in 2022. And I'm blessed to have worked with hundreds of student volunteers and interns across North Carolina that are passionate about equal representation and voting rights. In the last 10 years though, students have had their polling places changed, their district split from those are their classmates, and the rules for voting have changed in between each election. The 18 to 25 demographic is a critical population of our state. They are our future leaders and they deserve to be included in decision making and to be kept whole as a community while living on campus. When an NC citizen gains the right to vote, we should do everything we can to encourage and support them in casting their ballot to become involved citizens.

The students I speak to are not yet savvy about how to look up and contact their representative or furthermore, how to attend hearings and provide public comment as it's pretty obvious today by our speakers. But they do know that they deserve representation that listens and addresses their concerns. They also know that the current system of drawing maps and electing representatives from those maps is harming their future prospects. They deserve to understand this process and they deserve representation that asks for and hears their voices. Making drastic changes to maps, double bunking legislators, and allowing for incumbent data to take priority over communities of interest means that students will continue to be marginalized in this process, when they should be a priority community of interest for the future of all of North Carolina. Thank you.

Moderator (00:53:52):
Thank you for your comments. Next up, we have Louis Gadol. You're recognized for a time period not to exceed two minutes.

Louis Gadol (00:54:06):
Good evening, everyone. Thank you for the opportunity to speak up for fairness and good ethics on this important occasion. I am Dr. Louis Gadol. I live in Durham and I have my wife, children, and grandchildren here as well. I am a retired mental health treatment provider and administrator. I speak on behalf of my family, the Unitarian Universalist Congregation of Hillsborough and the North Carolina Chapter of the Sierra Club. No matter what process is used to draw these redistricting maps, the outcome is what matters.

The only acceptable plan is an even, balanced seven-seven Democrat Republican split. That would reflect accurately party membership in our state. And two seven-seven plans earned A from the Princeton Gerrymandering Project and all of the other plans earned Fs. I've examined their rating criteria, consider them valid and thorough. Similar criteria should be used to create an even and fair split in the plan for this state general assembly positions. Both of the current ones earned Fs. I wish all of you well in this endeavor to do what's right for the people of North Carolina.

Moderator (00:55:49):
Thank you for your comments. Members next on the list, I have Lewis Carson, but we do not see him on and believe that he spoke at the previous meeting. If I'm wrong, please raise your hand. I will now go back through the no-shows and call those out. And if you would raise your her hand in case we had missed someone. Martha Schaffer. We believe you're waving. Thank you're recognized for a time period not to exceed two minutes.

Martha Schaffer (00:56:31):
Thank you so much. I'm a ninth generation North Carolinian and have lived in Guilford County for about 30 years. I'm a retired healthcare executive and a parent, and a caretaker of my elderly mother. In September, I attended and spoke at the public hearing in Forsyth County and expressed a lot of reasons that Guilford County should be kept whole in the congressional map. Further, I believe that the three cities that anchor the Piedmont Triad, Greensboro, High Point, and Winston-Salem should be kept together as they are now. Many residents of the Triad expressed similar views. However, the congressional maps drawn by the Republican leadership ignored our local input. All three of their congressional maps split Guilford county into two, even three districts, which is unnecessary, is confusing for residents, and results in districts that maximize the influence of rural residents at the expense of urban ones.

We've been through this before when you split Guilford County between two congressional districts, and we know it doesn't result in good representation for us. The maps under consideration have parts of Guilford County grouped with Ashe County and the mountains and Harnett County in the east, which is an area I grew up driving through a lot, but it has little to nothing in common with Guilford County. On the other hand, we have way more in common with High Point, which is in our own county. When I first looked at these maps, I honestly wondered if they were real because the districts are not compact and they don't show respect for communities of interest criteria that you are supposed to be using. In conclusion, please keep all of Guilford County in one district, preferably along with Winston-Salem, so our voices will be best represented. Thank you.

Moderator (00:58:39):
Brent Heath. Please raise your hand. That's good. You're recognized for time period not to exceed two minutes.

Brent Heath (00:58:58):
I'd like to express my appreciation to the committee for the most transparent district drawings that I think I've ever seen in my lifetime. I'm very pleased, as I look at the maps, I see that you have made a strong effort in following the North Carolina Constitution and trying to follow the plan that has been established by our constitution in having fair districts. I'm not an advocate of trying to have equal representation of the parties because we're not a divided state, 50/50. In North Carolina, we have practically 30% Republican, 30% Democrats, 30% unaffiliated.

And that being said, unaffiliated need a voice as well without telling them which party they would have to vote for by doing a 50/50 you divide. But I just want to thank the joint committee for a job well done. I think the proposed maps are as fair as I've seen in recent years. You don't have maps that are stretching across bunches of counties that have the counties divided just to pick out a district for one party over the other. Just wanted to say job well done. And thank you for your efforts in this redistrict this year. Thank you.

Moderator (01:00:30):

Thank you for your comments. Marla Barthon representing the Legal Women Voters in Lower Cape Fear. If you could raise your hand. Still not here as a no-show. Bridget Tarrant. No-show. T1 Gozi representing Common Cause. Still do not see. And last, Alison Allen Mongo representing The Young Democrats of North Carolina. Nope. Well, thank you all so much for your comments that concludes the list of individuals who signed up to make public comment and therefore exhaust the agenda of this committee meeting. I thank you all for being here and thank you for your comments. And this meeting will stand adjourned.
Chair (00:00:00):
Committee will come to order. Members, the chair wishes to thank the members of the public who are here today, and those who have signed up to speak to us. Chair also wants to thank our sergeant at arms for the wonderful work that they do. We've got sergeant at arms, both here in person today, and at our sites across the state. So, I remind the members of the rules for public comment. Each member of the public who has signed up and on the list will have up to two minutes to speak. And so with that being said, we'll get right into the list.

The first person we have signed up is [Claire Stone 00:00:41], Claire Stone. Ms. Stone, if you will approach the dais and speak for a period of up to two minutes. Hold on one second, ma'am.

Speaker 1 (00:01:02):
Mr. Chair?

Chair (00:01:02):
We will. Let's make sure the microphone is on.

Claire Stone (00:01:09):
There we go. Thank you very much.

Chair (00:01:10):
Okay. Go ahead.

Claire Stone (00:01:11):
Okay. Cool. Thanks for having the hearings after some of the draft maps have been completed. And, please make sure all of the input on the portals is made public. North Carolina gained a congressional seat because the state's population grew, of course, 9.5%. Brennan Center points out the people of color amounted to about 90% of that growth. And half of all that growth was from Mecklenburg and Wake Counties. In spite of this, the proposed maps that have been posted by the chairs did not create any majority, new majority black or Latino districts. In fact, CMT-9 draws both back black incumbents out of districts where black voters cannot elect their candidates of choice. This would end up with North Carolina sending the entire delegation to Congress with no black representation. None of the congressional maps that have been posted by the chairs adequately preserve what voters of color have fought for decades to achieve.

You've made the claim that the federal court in Covington case found that there was no racially polarized voting in North Carolina. That's not true. The court clearly said that there is racially polarized voting in North Carolina. As a matter of fact, in the last five years, it's getting worse. So, North Carolina has to track the racial data. In the proposed Senate map, SST-4, two of the three black senators in Northeast North Carolina would lose their seats, a radical reduction in black representation. In Southeast North Carolina, the same Senate map draws a black incumbent into a district where black voters cannot reelect him. In the Triad, two state senators have been paired or double bunked and voters of color have been packed together in High Point and Greensboro. In Mecklenberg, two out of three black preferred candidates are paired, and the county has been pulverized. This exposes intentional partisan and racial gerrymandering despite your claim that you did not use this data. These proposed maps explicitly try to weaken voters' power based on race. Thanks.
Chair (00:03:02):
Thank you ma’am. And, for those folks with us today, we respectfully ask for no applause. We want to be able to listen to folks here today and so please hold your applause. Emily Keel from the Martin County NAACP. Emily Keel.

Emily Keel (00:03:18):
Okay. I'm Emily Keel, and I-

Chair (00:03:21):
And, I think she’s at ECU. Miss Keel, you’re recognized for up to two minutes.

Emily Keel (00:03:28):
Thank [inaudible 00:03:31] NAACP, as you said. I’m referring also to map CMT-9. It dramatically changes US District one, where I reside, by extending new population in low income counties with higher minority voters will likely be dominated by the coastal white population of higher income. Those of us living inland and farming communities have very little in common with coastal towns, which are focused on tourism, Marine pursuits, and even traffic, which is not an issue in many of our precincts. This inclusion of coastal counties suggests a direct attempt to dilute the vote in a, what has been a minority opportunity district. You’re not in compliance with the VRA without looking at racial data. Once again, it appears you're looking at the racial demographic that is obvious to all of us in an attempt to dilute US one. We are more fairly represented in CBK-4. Regarding the VRA, your process of mapping has flagrantly disregarded the lawsuits of the past decade brought on by this very packing of minority voters into districts to dilute their vote. You’re on target to repeat this and being really disingenuous about it.

    Map drawing must be, by law, include analysis of racial voting data in order to determine what creation of districts is appropriate for VRA compliance. We see what you are doing. It is a replay of the past decade, doing what you freely spent North Carolina taxpayer money on unnecessary lawsuits that you knew you would lose in order to have that period of time and an unstoppable majority to enact laws that could not be overturned except by the governor’s veto. If your party does not have policies that people will vote for, your first thoughts seem to be, to dilute the voting power of opponents, not to allow fair voting in which the citizens pick the person who represents them, and who will fight for their values and needs. Thank you for the post mapping hearings. Appreciate that, but it was rather quick, short notice, and minimal time to review and consider the maps. Small limits in the number of speakers. It certainly was not done in the spirit of transparency and discussion. Thank you.

Chair (00:05:34):
Thank you.

Speaker 1 (00:05:34):
Thank you.

Chair (00:05:36):
Susan McClanahan. Susan McClanahan. You're recognized for up two minutes.

Susan McClanahan (00:05:55):
I am Susan B McClanahan from Orange County. Just as you are targeting Butterfield and Adams in the congressional drafts, you are using the Senate and House drafts to gerrymander two of our democratic leaders in the General Assembly. They are Senator Valerie Foushee of Orange-Durham, District 23 and Representative Robert Reeves of Chatham-Durham, District 54. Both of these capable, hardworking legislators are minority leaders in the NCGA. They also happen to be black. Valerie Foushee is the Senate Democratic Caucus Chair who has been reelected three times by Orange-Chatham voters. Robert Reeves is the House Democratic leader who has been reelected three times by Chatham-Durham voters. And SST-4, Senator Foushee's new district, would have her serving Orange-Person-Caswell rather than Orange-Chatham with the hope that those new rural voters will not elect her. Orange and Chatham have been in a long term working relationship. And as our district 15B judges said in more eloquent words in 2017, "If it ain't broke, don't fix it."

You are clearly diluting the voices of urban voters. Keep Orange and Chatham together. HBK-11 changes Reeves' House District 54 by replacing Southwest Durham with strong GOP precincts in Randolph County that have nothing in common with the fast growing suburban precincts around Pittsboro. Once again, you are changing a district that has reelected Reeves multiple times with the hope that he will not be elected. This is unadulterated gerrymandering at its worst. Please respect the voters. Please keep Chatham whole while pairing it with Southwest Durham, and respect the voters who have put Foushee and Reeves into office. Thank you.

Chair (00:07:52):
Thank you. Our next speaker is Cheryl Tung from the League of Women Voters, Wake County, North Carolina. Ms. Tung, if you will approach the microphone, you're recognized for up to two minutes.

Cheryl Tung (00:08:15):
Afternoon. My name is Cheryl Tung. I serve as president of the League of Women Voters of Wake County. Our nonpartisan organization has advocated for fair redistricting for decades. We'd asked for a process that is authentically transparent, and one that produces competitive maps that allow voters to choose their candidates. The process that we've witnessed this round has achieved neither. What has been provided is similar to the game of Clue. From trying to figure out which computer monitor is producing what map; to who is sitting at the terminals, and what is being said; to determining in which rooms the maps may have originally been drawn. Much of this process remains a mystery. We don't even know if the maps that will be used have actually 33% unaffiliated, 36% Democrat and 30% Republican. Which group is rising the fastest? Unaffiliated voters. We are a purple straight state. And that is a fact.

These maps are not reflective of the voters in our state. They do not allow for competitive elections. The results have been predetermined. In addition, you've also allowed for incumbency protection. But you've applied it in a discriminatory manner. While the league does not support incumbency protection, we are especially concerned when we see it applied in a racially unfair manner. Lastly, we are a participatory democracy. We want to know what others are saying. However, you have not made public the public comments in the portal available. In addition, we want to know what you all have to say. There's been no justifications for any of the maps that have been produced, and if the maps we've seen so far contain the actual maps that will be used. This is not democracy at work. We ask for better maps and a better process for the citizens of North Carolina. Thank you.

Chair (00:10:07):
Mary Jo Espinoza from NC Counts. She's at Central Piedmont.

2021-10-26_Public-Hearing-Remote_Joint Transcript by Rev.com
Mary Jo Espinoza (00:10:25):
Good afternoon. My name is Mary Jo Espinoza. I've lived in Charlotte for most of my life. I'm here today on behalf of NC Counts, an unpartisan organization that has worked on census outreach and efforts across the state. I had coffee this morning. So, I'm a little twitchy. We are here because we believe that all North Carolina residents should have an opportunity to engage directly with the map drawing processes. As mentioned previously, this will be the last of several hearings, and the opportunity for residents to talk about the maps. All of our residents will be impacted by new maps for many years to come. And we must make sure that their voices are taken into consideration during the process. In addition, our district maps must be drawn to provide equal representation and should accurately and appropriately reflect the political makeup of our home state.

Drawing fair maps will allow our communities to be represented by leaders who know their communities and will advocate for resources we need to support our residents and communities. Our maps must be drawn to ensure that we meet our communities’ needs; not to meet politicians need for power. Redistricting will impact many aspects of our communities, including our education, healthcare, voting rights, political representation, and the rights of those that are currently incarcerated. We must advocate for a fair and good map drawing process to ensure that we have good and fair results. Thank you.

Chair (00:11:42):
Thank you. La'Meshia Whittington with Advanced Carolina. La'Meshia Whittington with Advance Carolina. John [Lingle 00:12:06] at Central Piedmont Community College. John Lingle. John...

John Lingle (00:12:15):
Yeah. I'm here.

Chair (00:12:17):
Okay.

John Lingle (00:12:18):
Hello, I'm John Lingle. I moved to Davidson, North Carolina 21 years ago drawn by good public schools and a balance of conservative and liberal voices. I was a raised Republican. I despair, however, watching today's GOP systematically undercut participatory democracy in North Carolina. This redistricting process is a frightening example. First, there are the compressed timelines, inconvenient meeting times, and locations. Plus the limiting of public testimony to fewer than 200 for only two minutes in a state of 10.5 million people. Second, the most common request in past hearings to protect communities of interest and avoid extreme partisan gerrymandering had been blatantly ignored. These are chilling examples of autocratic practices generally seen in other countries. Not surprising, the flawed process has produced terrific maps rated F by multiple independent rating groups. The GOP draft maps would drastically over represent Republicans in a 50/50 state. Maps dilute the voices of urban areas and Democrats across the state, including my own town of Davidson, would be unable to have a democratic representative for a decade.

Conclusion: I request: 1. That you allow us more time to study the maps so we can comment intelligently. 2. Meaningfully respond to the feedback you are and have received. 3. Adopt maps like CBK4 or SCH2 that are more compact, do not inappropriately split counties, precincts, or municipalities,
or double bunk incumbents. Your flawed maps will cost us millions in tax dollars in litigation once again that you will probably lose again. Thank you.

Chair (00:14:30):
Thank you. Michael [Shotter 00:14:33] from Craven Get Out the Vote Coalition. He's at East Carolina.

Michael Schachter (00:14:38):
Schachter

Chair (00:14:40):
Michael [Shatter 00:14:42]. You’re recognized for up to two minutes.

Michael Schachter (00:14:46):
I'm Michael Schachter from Craven Get Out the Vote Coalition. Thank you for holding this public hearing. We need more of them in other locations. I plan to make a general comment and then a comment on a specific map. We all know our state, as shown by the last election, is almost evenly split between the two major parties. If the final maps extremely favor one party over the other, then it is clear that there has been a political gerrymander and with it, a racial gerrymander of the voting districts. This will mean that the essence of one person, one vote, has been violated, and voters have no way of choosing candidates that they want to represent. This would be wrong, and a violation of the principles of democracy.

On a brighter side, I will comment on a map drawn for House District HBK-11. I am glad to see that District six in this map contains most of Craven County, and is not attached to any other county.

This means my community, Tuscarora-Rhems community and nearby Rocky Run Road community, is within the same district and not split into two as was done in the last redistricting. I ask that you keep the map that way. 30 seconds. Okay. It would be great if the entire Craven County would be in one district and include all of Havelock and Harlem, but I know the population number would be too large for the district. A possibility is to keep some of those areas in District six and move Fairfield Harbor, which is isolated area near Pamlico County into District three. Thank you again for this public hearing. Thank you.

Chair (00:16:57):
[Steven Kendrick 00:16:57]. Mr. Kendrick, you’re recognized for up to two minutes.

Steven Kendrick (00:17:10):
Good afternoon. My name is Steven Kendrick. I live in Apex and in Wake County, and I am a private citizen taking time off work to share my concerns with you here today. I'm concerned about the potential for an undemocratic gerrymander and the disempowerment of citizens to impact their representative government. In 2019, our courts ruled that the North Carolina constitution provides for free elections. To me, a free election is where the will of the people can be heard and reflected in election results. An unfree election is when political design all but assures many voices will be severely under represented. In 2020, there was a near 50/50 split in statewide votes going to Democratic and Republican candidates. But as yesterday’s News and Observer front page showed, most of the newly proposed maps would result in 70 to 80% of North Carolina's US House seats going to Republicans.
The Republican drawn maps do not allow for free elections, and they signal unconstitutional, hyperpartisan gerrymandering. Under map CST-2, I would drive through a virtual cork screw of alternating district lines to get to my in-law’s house, also in Apex. Under CBK-3, my subdivision is surrounded by different congressional districts on three sides. I could understand if these twisted lines dividing my town made a fair congressional map possible, one that reflected the state’s even split. But that is not the case with many of these proposed maps. Please use your district drawing powers to give everyone in this state a fair shot at having their vote matter. Vote for free elections and support maps CBK-4 or CBK-5. Thank you for your time.

Chair (00:19:04):

[Vicki Atkinson 00:19:04]. Ms. Atkinson, you’re recognized for up to two minutes.

Vicki Atkinson (00:19:15):

My name is Vicki Atkinson. I live in Chatham County. My remarks address map HBK-11. I support keeping Chatham County whole, and I’m glad to see that in this map the county is kept whole. Chatham is one of the fastest growing counties in the nation, and certainly in North Carolina. It is almost large enough already to be a district in itself with the addition of two smaller precincts, Liberty and Staley from Randolph County. Chatham is within the ideal district size. There is no reason to add Providence precinct to Chatham for population. Providence does not share a border with Chatham. If Providence is added, the district will come close to being 5% over the ideal size already. The district will very quickly be too large. This will disproportionately dilute the strength of voters of color in Chatham County.

New housing developments are popping up along 15-501 in Northern Chatham and in Pittsboro. The Chatham Park Development alone is adding tremendous population growth to the county every year. Chatham is rapidly urbanizing. It has nothing in common with Providence, which is rural and remote from Chatham. The only reason that I can see as to why Providence is included in this map is partisan manipulation. That is not fair. Chatham leans Democratic. It is not fair to pull in a precinct just to tilt the scales for partisan advantage. It’s not contiguous with Chatham. We don’t need it for population size. Combine Providence with one of the Randolph County districts, both of which are on the low side of ideal. Thank you for the opportunity to address you.

Chair (00:21:10):

Thank you. [John Lowe 00:21:11]. Mr. Lowe, you’re recognized for up to two minutes.

John Lowe (00:21:17):

Howdy. My name is John Lowe. I’m a resident of Chatham County, and I will make many of the same comments that the previous speaker made because my remarks address map HBK-11 and House District 56. I strongly support keeping Chatham County entirely in one house district. We’re fast growing, as you’ve heard, and we’re projected to rise another 20% in population over the next 10 years. Adding a few precincts from Randolph County to put our district closer to the legislature’s ideal size seems appropriate. However, this map does so in ways that are unfair to both counties.

First, Randolph’s Providence precinct doesn’t even touch Chatham County. This would add a far distant neighbors to Chatham and would deprive Providence folks, 7,000 of them, from their historic and geographical ties. Second, the three added Randolph precincts collectively put fast growing Chatham and House District 56 at nearly 5% over the ideal size already. With projected growth will be above the ideal size for the next 10 years.
This is certainly not ideal and dilutes the strength of Chatham County voters. In fact, there are only two proposed house districts in the entire state that are closer to the 5% limit than House District 56. Third, Randolph County House District 60 and 61, which are adjacent to Providence precinct, are under the ideal size by 4 1/2 and 2.6% respectively. What? Providence precinct is not worthy of being in one of the Randolph County districts. Finally, it's not a notice by Chathamites that this map cynically disadvantages Chatham County incumbent and House Minority Leader, Robert Reeves. Enough with the blatant partisanship already. Thank you.

Chair (00:23:39):
Miko McCarthy, Central Piedmont Community College, WZA consultant. Miko McCarthy at Central Piedmont Community College. [Carol Gottman 00:24:16]. Fearrington Dems. Ma'am, you're recognized for up to two minutes.

Carol Getman (00:24:19):
Okay. I am Carol Getman, and I live in one of the many retirement communities in Chatham County. I have seen 87 years, and in many of my adult years, I have joined with other citizens, citizens from both parties to ask for a bipartisan commission to develop voting districts. We are sick and tired of partisan pan haggling, and that's all you are offering. You don't play fair, and we're tired of it. How can you justify in a state in which we are politically divided to offer congressional districts which you anticipate to result in an 11 to four split? It's not just the youth who are losing faith in the system. The old are also. I don't know how much of my diminishing time and energy I have left, but I want to use it to save democracy. And, that starts right here. Thank you.

Chair (00:25:39):
Thank you, ma'am. [Sherry Picket 00:25:45] from Take Back Our Schools, GCS. Sherry Picket. [Christy Clark 00:26:02] from the Mecklenburg County Democratic Party at Central Piedmont Community College.

Christy Clark (00:26:11):
Good afternoon. My name is Christy Clark. I live in Huntersville, and I am the Huntersville Regional Vice Chair of the Mecklenburg County Democratic Party, and a former state legislator. North Carolina's congressional and general assembly delegations have not been representative of our people for the past 10 years. In 2010, North Carolina was represented in Congress by seven Democrats and six Republicans. By 2012, new Republican maps produced four Democrats and nine Republicans in Congress. Today, the Republican led General Assembly has again used surgical precision to gerrymander a congressional map for 11 Republicans and three Democrats in a 50/50 state. Precincts, municipalities, and counties should not be split to benefit one party or the other, or even one candidate or the other. Rural communities that are seemingly already forgotten should not be grouped with suburban and urban areas. Not even for the Speaker of the House who has plans for higher office. By my count, some voters in Precinct 134 in Huntersville will have been in a different state house district for the past three election cycles and will be again in 2022. This is unfair to those voters.

Renumbering state legislative districts is deceiving to voters by design. Renumbering causes confusion and discourages voting. This should be fixed in the final draft of the bill. Transparency and fairness were falsely implied at the onset of redistricting. Voters are not fooled. Maps were printed and taken to back rooms for review. Oddly shaped districts, dissected counties, severed towns and split precincts show voters the same old gerrymandering practices are being used. 65% of North Carolinians...
say ending gerrymandering is a priority for them. As our beautiful state continues to grow, the General Assembly must draw maps that reflect the diversity and strength of our state. Thank you.

Chair (00:28:01):
Thank you. [Madeline Parra 00:28:08] at Central Piedmont Community College.

Madeline Parra (00:28:17):
Good afternoon. My name is Madeline Parra. I'm born and raised in North Carolina, graduated from Davidson College, and now live in Cornelius, where I'm chair of my precinct. My dad is an immigrant from Bogota, Columbia. Him and my mom moved to North Carolina back in the early 80s with the dream of starting a career and starting a family. And even as outsiders, they were welcomed with open arms regardless of political party. I am here today to urge this committee to make the redistricting process more inclusive and fair, which is core to the North Carolina values I know that we all stand for. This means all North Carolinians need a reasonable opportunity to participate. To do that, we need a series of bilingual hearings to be inclusive of our Hispanic community, which grew by over 28% in North Carolina since the last census, well outpacing the national average. Without this, I don't see how this can be inclusive or fair.

We are potentially excluding the voices of over a million North Carolinians, and whether or not they feel fairly represented. For example, I don't see a bilingual translator here today. Nor have I been able to find any information pushed out by the General Assembly about this important process translated into Spanish. It is not too late to hold more meetings in both English and Spanish. If my parents' church can do that, the General Assembly can too. In conclusion, I am here today to ask the committee to make this process more inclusive so as not to exclude our valued Hispanic community from the fair representation that they deserve. Thank you.

Chair (00:30:33):
[Angeline Echeverria 00:30:33]. You're recognized for up to two minutes.

Angeline Echeverria (00:30:37):
My name is Angelina Echeverria. I comment today on behalf of NC Counts Coalition, a nonpartisan organization that builds a healthy, just, and equitable North Carolina through cross sector partnerships that advance systemic solutions for communities. Our organization supported a complete and accurate 2020 census count. And we continue to promote civic participation with partners across the state. Normally executive direct-
online tools to help users navigate them to see their current and proposed districts. No relevant context is provided to describe of how these maps relate to the stated criteria.

We previously submitted comments expressing our concern about the exclusion of racial data, and this concern has proven to be well-founded in our initial review of the maps. We have heard from partners who are concerned that black communities voting power will be diluted, and their local black incumbents will be disadvantaged. From partners in urban and suburban counties, with large communities of color, who are concerned about how their counties will be divided to prevent communities from electing candidates of their choice. From partners in the Northeast, who are concerned about how their counties are being clustered to disadvantaged black voters, and from partners in counties, such as Nash and Edgecombe, that have requested that those counties be clustered together and are not seeing their will reflected.

We respectfully request that you review the maps with the racial equity lens and modify them to protect the rights of black voters and other voters of color.

Thank you.

Chair (00:32:38):
Barbara Prophet, Mecklenburg County, Matthews Precinct 218 at Central Piedmont Community College. Miss, Prophet. You’re recognized for two minutes.

Barbara Prophet (00:32:49):
Thank you. Good afternoon. My name is ... Oh, let me take my mask off. Sorry. My name is Barbara Prophet, and I live in Matthews, and I’m a long time Precinct Chair. I have two requests for changes to the US Congressional Districts map.

I’m currently in CD-12. My first request is for equitable representation for Matthews. The new maps show us either in CD-8 or CD-9. Maps CST-2 and CBK-3 chop a strip, including Matthews, out of Mecklenburg County, and adds us into Congressional District 8.

Map CMT-9 puts Matthews and a large portion of Mecklenburg into Congressional District 9. Both districts will almost certainly be Republican.

Matthews, which is more and more Democratic, will never have a chance for a Democratic representative for any of its six precincts. Although, Matthews currently has more registered Republicans, Democrats have more unaffiliated, significantly more left leaning, unaffiliated voted in the 2020 primary. 1,664 than right leaning Republicans 487.

Lumping us into CD-8 or CD-9 will mean that we will have hundreds of wasted votes in primaries. A Democratic candidate will not have a chance to get elected.

My second request, the new 14th Congressional District has been added to Cleveland County. It should be added to an area which is underrepresented by non-white voters, even in Mecklenburg. We have a significant number of non-white voters, and we have more than 10 times the number of registered voters. It's important to note that the number of Cleveland voters is decreasing.

In conclusion, there is a more equitable location to put the new 14th district, one where the population is increasing and has an underrepresented population. Thanks for the opportunity to speak.

Chair (00:35:07):
Ray Dawson, you are recognize for up to two minutes.
Rea Dawson (00:35:14):

Good afternoon. I'm Rea Dawson, I'm here representing myself and neighbors on call. I live in Durham County, and my comments today are regarding this hearing process.

First, I can't overemphasize how difficult this process was for a regular citizen like me, giving us such short notice to comprehend such a complex set of maps seems designed to discourage participation, not encourage it.

Second, it seems illogical for a state that is divided nearly 50-50 by political party to have maps drawn that so heavily favor the Republican party. Y'all must have had a bug in your software.

Map CMT-9, for example, divides voters such that outcome is skewed five to two, in favor of GOP voters. It also defines only one minority majority district, representing 11% of the total for a state in which minority voters represent 36% of the population. Once again, illogical.

While I realize that maps cannot and should not be drawn based upon race alone, creating maps that deliberately dilute the votes of any class of voter is inappropriate. These maps, as currently drawn, are clear examples of minority, not majority rule. They can't win fairly, so you have to cheat. Contrary to a fair and Democratic small D process.

Chair (00:36:51):
Stephanie Powell. Stephanie Powell, you are recognized for up to two minutes.

Stephanie Powell (00:37:04):

Good afternoon. My name is Stephanie Powell, I live in Chatham County. I will address North Carolina map HBK-11, which creates house district 56.

District 56's map comprises all of Chatham County, which is a good thing, plus three precincts in Randolph County; Providence, Liberty and Staley. The inclusion of largely Republican Providence is unnecessary and is intended to dilute the Democratic votes of Chatham County voters. The evidence is as follows. Providence is not contiguous to Chatham County, and is geographically distant. The addition of this remote, rural area to the increasingly urban and suburban population of Chatham County blatantly defeats the goal of a community of interests among voters in a district.

In fact, Providence is contiguous with and has common interests with House District 60 and 61 in Randolph county, both of which are also largely agricultural. As such, Providence should be removed from 56 and added to District 60 or 61.

In addition, due to the inclusion of Providence, House District 56 is dangerously close to 5% over the ideal size. Chatham County's population is expected to increase dramatically as projected by the state. Given the many current and future to development projects already in the pipeline, District 56 will very quickly and soon exceed the 5%.

Conversely, House District 60 is under the ideal size by 4.5%, and House District 61 is under by 2.6%. Both of these districts could use Providence. It does not make sense for district 56 to include Providence considering its remote location, lack of community of interest with Chatham County, and unnecessary additional population. The inclusion can only be explained as a partisan attempt to add Republican votes to district 56 and dilute the democratic vote.

I request that you remove the Providence precinct from House District 56 and included in House District 60 or 61 instead.

Thank you.
Chair (00:39:03):
Thank you. Laurel Volker. You are recognized for up to two minutes.

Laurel Volker (00:39:15):
Thank you. My name is Laurel Volker. I live in Wake County, and while today's hearing is intensively an opportunity to provide comments on your proposed House and Senate maps, we have not seen ... You have not given us enough notice and information to meaningfully analyze those maps.

The maps have been available for less than five days, and were still being drawn this morning. The maps we see now may not even be the maps you're actually considering. Using a tight timeline as an excuse to limit our participation is one of the oldest tricks in the book, and you are creating a false sense of urgency surrounding this process.

There is no compelling reason to hold the 2022 primary in March. The associated December filing deadline places unnecessary limits on public participation. Prior to 2020, North Carolina had a May primary with a February filing deadline.

If you actually value transparency, it is well within your power to give us more time to participate in this process. And while you may say this process has been transparent, we know that it has been a sham. It was impossible to understand what was actually happening in the room when the maps were being drawn. We are unable to see the comments made on the portal by our fellow citizens, and we have not been provided with any justification or explanation for why by the maps you presented are good for North Carolina.

North Carolinians are more aware than ever of the harms caused by unfair maps. We have access to tools and data. We know it's possible for you to draw maps that give us a real chance to choose our representatives. We are tired of voting maps that place the desires of politicians above democracy. You can do better and I urge you to do so.

Thank you.

Chair (00:41:06):
Sharon Johnson, with CCDP. Sharon Johnson, you are recognized for up to two minutes.

Sharon Johnson (00:41:17):
Thank you so much. I'm Sharon Johnson. I reside in Cumberland County, and I serve as a Chair of Cumberland County Democratic Party.

At the public hearing that was held at FTCC in Fayetteville, I stood and asked the committee members to extend some equity to the Sandhills area of North Carolina and give us a Congressional District. I reminded you that we were the only geographical area in North Carolina without a Congressional District. I reminded ... And it's not right.

At the Fayetteville hearing, we heard from Republicans and Democrats calling for this Congressional District. I shared with the members there the similarities and the commonalities of the counties of Cumberland, Roberson, Hope, Moore, Scotland and Richmond County that make up the Sandhills, and their important nexus to Fort Bragg, North Carolina.

Yet, from the eight published Congressional maps that I found and reviewed, only four of those maps, CBK-4, CBK-5, CST-6, CST-8 reflects the will of the voters in Sandhills.
I come to date again, respectfully, to ask for some equity for the Sandhills region. I ask further that you implement one of those four maps, preferably CBK-4. It's simply the righteous and equitable thing to do.

In regards to Senate redistricting, it would appear that the authors of the three published maps, SST-4, SVK-5, SVK-6, heard our voices in the Sandhills. All of the ... Excuse me, of Moore and Cumberland County grouping.

All three of the published maps appear to have kept the precincts that were contiguous to Fort Bragg, which were Manchester Spring Lake, West Area One and Two, all three of these maps appear to have kept our historical areas together. We are asking that you implement SVK-6.

Finally, I ask again, humbly, that you consider to give equity to the Sandhills regions of North Carolina.

Thank you.

Chair (00:43:36):
Charles McKeller. You're recognized for up to two minutes.

Charles McKeller (00:43:59):
Good afternoon. Thank you for allowing me to speak. My name is Charles McKeller, Lieutenant Colonel US Air Force, retired. And a resident of federal North Carolina.

Committed members, we are like in our oath to support and defend the constitution of the United States. I come before you this afternoon to make a case in support of Sandhills Congressional District. We are a distinct, geographical area, location and population center, with the honor of hosting the largest active duty military population in the United States, and with a considerable veteran and military family members residing in Cumberland County.

We are also the only metropolitan area that does not have a Congressional District linked to it. With the addition of the 14 Congressional Districts to be added, there is no better time than now to honor the citizens in the Sandhills. This is an addition and does not take away from any District that now exists.

My specific request is to the people of the Sandhills, that we have representation in Congress and that the maps avoid splitting precincts and minimize splitting municipalities. Please maintain the continuity of the people of the region, county and precincts. The people of the Sandhills are better served when those of like regions and perspectives have a voice in Congress and in North Carolina legislature.

The three maps, I think best serves the Sandhills are CBK-4, CBK-5 and CST-6. The other Congressional maps only present the same that currently exist in different formats.

When the community-

I thank you for this time.

Chair (00:46:08):

Richard Valtarro (00:46:24):
Thank you for this public hearing. I'm Richard Valtarro, private citizen living in Winterville, North Carolina.

With modern technology, the way redistricting has been done for years in North Carolina is changing us. Now, the elected officials choose the voters. The voters do no longer elect the elected officials. The final decision of gerrymandering is done by elected politicians, Republican and Democrats. Sometimes, only one of them.

The present system of redistricting in North Carolina is a violation of the equal protection clause of the 14th amendment. We need a nonpartisan decision making. Most likely, I have only two choices, two polarized choices. One, an African American minority district, or two, conservative evangelical Christian white district.

Is anyone surprised that our democracy is in polarization danger and we are encouraged to choose only a strong partisans and no real moderates or real independence?

Thank you.

Chair (00:47:43):
Lisa Walker, Union County Democratic Party. She's at Central Piedmont. You are recognized for two minutes.

Lisa Walker (00:47:54):
My name is Lisa Walker, and I am the Chair of the Union County Democrat Party, and I'm here to provide comments on maps CMT-9, CBK-3, CST-2 and SST-4. These maps are unconstitutional and violate the 14th amendments guarantee of equal protection.

These maps motivated by partisan intent do not provide fair representation of our state. North Carolina is a 50-50 state, with 36% registered Democrats, 35% unaffiliated and 30% Republicans. And the co-chairs of this committee have drawn maps that are clearly gerrymandered providing 11-3, or 10-4 split.

One doesn't have to look far examples. Mecklenberg and Wake County split up into three to four districts, so democratic voters have little influence. Suburban Wake, one of the fastest growing areas in the state lumped together with far away rural counties. And in my little Union County, the house map has the city of Monroe cracked down the middle, diluting Monroe's voting power and splitting the black and Latino vote in the area of Union county with the densest population of people of color.

You have options, CBK-4 and CBK-5 provide a fair representation of our state and does not silence the voices of your constituents. We are tired of unfair maps. We are tired of North Carolina being the poster child for gerrymandering. We are tired of litigation that results in us having to redraw maps, come to meetings like this every four years.

We are tired and we are angry about the immense amount of time, energy, and expense this is costing the tax payers of North Carolina. This is wrong. There's a lot of at stake at this hearing today. Democracy is at stake.

Please put people over politics and vote for CBK-4 and CBK-5 are maps that provide a fair representation of our state.

Thank you.

Chair (00:49:58):

Ricky Lung (00:50:11):
Hi, good afternoon. I'm submitting comments on my personal capacity today. My name is Ricky Lung and I've been a resident of North Carolina for more than 25 years. Grew up in Greensboro, I currently live in the triangle. Asian-Americans are the fastest growing racial demographic in the state, along with a large population growth in the Latino community. This marks a significant increase in immigrant, migrant and refugee populations over the last decade.

With the state of things around the world, from Afghanistan to Sudan, to Hong Kong, we're likely only going to see an increasingly diverse community with increasingly diverse needs among North Carolina's residents.

This is why it's critically important to have ample time, opportunities and accessibility, including in languages other than English for our communities to comment on redistricting maps drawn by the committee. The current process is inadequate, as many have already pointed out yesterday and today. With only days notice for these public hearings, even those who are fluent in English and knowledgeable about the process, struggle to get here and voice our concerns, making it nearly impossible to gather input and uplift voices from the integral parts of our communities who have limited English proficiency.

In addition, not taking into account racial data in the redistricting process ignores the history and current reality of discrimination that indigenous people and communities of color, black communities in particular, face.

With limited time for analysis, I can already see that there may be potential concern for a dilution of the black votes in the Northeastern part of the state on one of the proposed maps. Without further intentional analysis for racial equity, there may very well be other areas of concern.

While I consider North Carolina home and love its people as family, I'm confused by leadership that does not appear to give enough value to the opinions of its people that it represents, and I hope that it's merely an oversight, and this sets a tone and motto for how people across the world will see our democratic values carried out. So I hope you'll take this responsibility seriously.

Thanks.

Chair (00:52:06):
Sarah Sakkatas, Catawba County Democratic Party. She's at Central Piedmont Community college. You are recognized for up to two minutes.

Sarah Sakkatas (00:52:19):
Thank you. It was difficult to be here today, too difficult. I heard about the hearings a mere day after they'd been announced, but still I barely snagged a spot before they were filled. Since the virtual slots were already gone, I had to leave work four hours early and drive an hour to be here in Charlotte.

I am privileged enough to be in a position to do so. How many are not? While the original series of public hearings on redistricting felt just as insincere as these, they were at least announced somewhat in advanced. There were quite a few of them and they were fairly spread out across the state. We had mere days notice to review your proposed maps before today. And yet, when I started reviewing them, I realized that perhaps not that much more time was necessary. I found that I was able to come to a conclusion pretty quickly.
The GOP controlled legislature's pledge to not use racial or partisan data in drawing these maps was a complete farce. It is absurd to think that any representative does not know his or her district well enough to know who lives where without having to reference the data.

Redrawing district maps is an incredibly complicated process, but what's wrong here is incredibly simple. Gerrymandering is wrong. Politicians should not be able to select their own constituents, period, but as we all know, and as the Republican party continues to prove, those in power will never seed their power willingly. So until we, as citizens of this great state decide to stand up to our representatives and demand change, we will be stuck with the status quo.

We cannot wait another six years to have the court strike down these unfair maps. We cannot wait until 2030 to see if those in power then are more willing to play nice. We must demand that our legislators represent their public's overwhelming desire to end gerrymandering once and for all, by moving the redistricting process under the control of an independent, nonpartisan commission.

Chair (00:54:32):
Bonnie McCarthy, with Neighbors on Call. You're recognized for up to two minutes.

Bonnie McCarthy (00:54:46):
My name is Bonnie McCarthy. I live in Chatham County and my comments refer to North Carolina house map HBK-11.

Chatham county is currently one of the fastest growing areas in the state. By adding the proposed three precincts from Randolph county, this would raise the district's population to 91,189, which is over 4,000 individuals above the ideal size. Excluding the Providence precinct would result in a population of 83,475, well within the ideal size parameters.

The addition of Providence precinct would then run up against the upper limit of the plus or minus 5% population change guidelines set by the state. The anticipated growth of just one mega development alone, Chatham Park, will quickly put us over those guidelines and calls into question the wisdom of adding in any unnecessary precincts.

Providence precinct border is not continuous with Chatham border, and it's geographically the most distant. These numbers alone, the addition of Providence precinct is simply not necessary. Chatham county enjoys an 85% turn out in the last election and voted 55% Democrat, 43% Republican.

However, the addition of Providence precinct, 16% Democrat and 82% Republican is proposed simply to dilute the current political distribution, making it far harder for any Democrat to win. Providence is rural, while Chatham is a rapidly growing and urbanizing area.

I want to be in a voting district that shares my interest and retains the character of Chatham County. I ask that you do not include Providence precinct Chatham County in the re drawn district 56 map.

Chair (00:56:51):
Brenda Fairfax, at east Carolina. Brenda Fairfax, she's signed up at east Carolina.

Brenda Fairfax (00:57:10):
Good afternoon. I'm Brenda Fairfax. I'm disappointed that Pitt County has been split into two districts. I'm more disappointed that Pitt County is now a part of the Outer Banks. Please tell me, what do we have in common with the Outer Banks?
We know that Pitt County is no longer a part of district 1, which was GK Butterfield, and he spanned from Durham to Elizabeth City. I find it interesting now that GK Butterfield is even cut out of its own district.

We'd like to be able to select our representatives and not have our representatives select us. Have you even thought about having an independent redistricting committee, which will look at all the facts? I think is so unfair with a 50-50 split North Carolina, that we are seeing Republicans just do their thing with no fear.

Our democracy is in chains and it should not be, so I'd like to speak on HBK-11 for Pitt County. I see where you have also put people in seven and eight, mostly Republicans. Please tell us how was those lines drawn.

Thank you.

Chair (00:58:54):

Marjorie Stwartch, at Central Piedmont Community College.

Marjorie (00:59:04):

Hello, I'm Marjorie Stwartch. I live in precinct 85 in Charlotte. North Carolina redistricting criteria prohibits consideration of voters race or election results, but aggregate data by precinct should be considered to ensure accurate representation of voters statewide.

I see that redistricting rules allow consideration of elected member’s residents. Are you more concerned with protecting incumbents than fairly reflecting the demographics and partisan preferences of North Carolina residents? The SST-4 state Senate District map received a grade of F from the Princeton gerrymandering project for partisan fairness.

The HBK-11 state house district map also received a grade of F for partisan fairness. Analysis of the GOP drawn maps yield heavy Republican majorities for our congressional and state legislative delegations. Based on North Carolina voter history in the 2020 presidential election, fair maps would have an equal amount of districts leaning democratic and Republican.

Also, there should be more minority majority districts based on our minority population over 31% than the maps proposed now. In 2020, white people were overrepresented in our state legislature with 78% of elected members. The impact of the proposed maps results in unfair representation for North Carolina voters and must be redrawn. The impact is what we all have to live with for 10 years, regardless of the intent or the criteria used.

Also, the primary date should be moved forward to at least May, so candidates and voters are able to understand the new districts and their constituencies.

Please reflect the will of the voters. Thank you.

Chair (01:01:09):

Harry Taylor, with the League of Women Voters. He's at central Piedmont Community College. You're recognized for up to two minutes.

Harry Taylor (01:01:34):

I'm Harry Taylor, speaking for myself and the League of Women Voters of Charlotte, Mecklenberg. Today's hearing is offered to comment on maps that have been posted to the website.
Deciphering the various iterations of this maps is complicated, but what you are doing is not. Half the 7 million person [inaudible 01:01:53] in North Carolina doesn't vote the way you do, so to retain power, it's your obvious intent to rig the maps to sequester and lock those votes, mine included-

PART 2 OF 4 ENDS [01:02:04]

Harry Taylor (01:02:00):
To sequester and lock those votes, mine included, away for the next 10 years. Making them powerless and meaningless. I've lived and voted Mecklenburg County precinct 32, for 34 years in 2020 for the very first time the legislative and congressional candidates, I vote for one best I can tell is the court order redraw resulted in the only fair and legal maps in a decade. Yet, here we go again, posted legislative maps are drawn with squirrly lines and double-bunked incumbents, conspicuously designed to run competent lawmakers out of the legislature. Ostensibly, we live of in a democracy. That's a place where we share and respect the ideas of others. It's a promise. It's a vision. It's a dream where we, the people play a role in the system that governors lives and our futures it's fragile and requires respect for people and their ideas for your colleagues and the legislature.

For the balance of power vision itself, rigging elections is not democracy. We know fair and proportional maps can be drawn. Duke University professor demonstrated how five years ago, example looking at Senate map SCH two, we see a far more fair than SST four. The former is indicative of what believers and democracy would draw. My community of interest is North Carolina, 10 and a half million people strong. This is our state. It's not you. It doesn't belong to your political party and we want a fair and functioning democracy for the next decade. Do not close us out again. Thank you.

Chair (01:03:45):
Jane Whitley with the Mecklenburg County democratic party, she's at central Piedmont community college. You're recognized for up to two minutes.

Jane Whitley (01:03:59):
Thank you. My name is Jane Whitley. I am chair of the Mecklenburg County democratic party, and I'm a resident of Charlotte in Mecklenburg County in the Plaza Midwood neighborhood, where I have lived since 1994, just four miles from downtown Charlotte. But I grew up in rural Rowan County in Ellis Crossroads when my brother still resides and he is the chief of the volunteer fire department there. So when I saw the proposed Congressional maps, I was shocked to see that under one configuration Mecklenburg County would be cut up into four pieces with each piece associated with a group of rural counties and surrounding Mecklenburg County, including Rowan. The piece of Mecklenburg County where I've lived for over 25 years would no longer be associated with other areas in the metropolitan area. Where we encounter issues such as traffic and through our taxes, pay for things commonly associated with urban areas, water, sewer, or fire protection.

Rowan County's a great place, but where I grew up, we have volunteer fire departments. Traffic's never an issue, and we don't have that much in common with the area where I live now. So what is going on here? How can this be considered zone of commonality? It appears to be simply a plan to chop up Mecklenburg County so that our votes don't count and our interests are not protected. Furthermore, I see that there is a plan to double [inaudible 01:05:21] Senator Mujtaba Mohammed and my Senator, Senator Joyce Waddell, Senator Waddell lives in a precinct that's just on the border of the new district. So the only conclusion that I can draw is that this is an attempt to eliminate representation of minorities and women in the state Senate. There's also a map that includes changing Senator Natasha
Marcus's district into Iredell County. So it's clear that there's no attempt to draw districts with communities of common interests.

There's no attempt to draw maps with any common sense. This is an attempt to reduce the number of minorities and women in the general assembly. For political purposes, we need better maps that include rather than exclude where our voices count. We can do better. We deserve better. Let's do better. Thank you.

Chair (01:06:12):
Jo Kloneger at Central Piedmont community college, you're recognized for two minutes.

Speaker 2 (01:06:23):
Thank you. And thank you for the opportunity to speak to you this afternoon. And thanks to the members I see wearing masks for you're protecting our children and helping to conquer COVID. My name is Jo Kloneger, and I've lived in one of these three towns, Davidson, Cornelius, and Huntersville over the past 25 years. And I'm currently an unaffiliated voter. For over 20 years, I have served children and parents in the Charlotte Mecklenburg schools as a teacher and a school superintendent. Today, I have two asks for you. Number one, I ask you not to gerrymander the maps as presented as it will dilute my vote rather than keeping me in the suburban community in Mecklenburg County, where I live and I call home and where I share issues with my neighbors. Now you are moving me and my vote to a rural district where my vote and my voice will be unnoticed and disregard.

Number two, I ask that you redraw the maps to consolidate communities with similar interests and not dilute the vote of my neighbors in precincts 127 and 206. The proposed maps are in affront to the free elections clause, section 10, and the state constitution. In summary, I plead with you not to gerrymander and for you to follow the state constitution regarding free and fair elections. I thank you for your service. And we all look forward to your using all of our valuable input, demonstrating to us that this hearing was informative, and will inform your changes to the maps because you are our representatives. Thank you.

Chair (01:08:11):
Marquez Thompson with Democracy NC at East Carolina University, Marquez Thompson, you're recognized for two minutes.

Marquez Thompson (01:08:32):
Thank you for having me and my apologies as you can see my son here normally he's with his babysitter, who we call grandma, but she was suddenly unavailable and his mom is at work like most people are at 3:00 PM in the evening. I work, as you said at democracy NC so technically I'm at work too, but this is my job. My job is to do this kind of work and you guys are making my job harder these days. My job is to teach people about how this democracy works and that their voice does matter. So it's hard for people to believe that you really care about their voice. When you have hearings in the middle of the day, when you drop maps on Thursday and Friday and have hearings about them on Monday and Tuesday, the next week, when you don't consider race data and the maps that you draw, I can go on and on about the process.

But, let's talk about the maps. There's a house map that I've seen that makes changes to district nine. It actually changes the number to district seven, as far as I can tell. So, that's going to make my job harder and for people to understand what's happening with their maps, post district nine was a very
competitive district. That means that who ever holds that seat has to work for both sides and really work hard for the local people. It means both parties put time and energy into that district and that those votes are important. It gives us power locally. So when you make that a safe seat, you really are taking power away from the local people. There's a Senate map that has County clusters, that run districts from Warren County, all the way to Colorado County. Just imagine a legislator trying and that district trying to fairly represent those people from all...

I mean, just think about the miles you would have to travel. It's really going to be hard. So what do people want in North Carolina is representation. I've talked to a lot of people and I can tell you that a regular democratic voter would rather have a Republican who understands his or her economic values than a Democrat from someplace else who doesn't. A Republican would rather have a Democrat who truly shares their values in a Republican from someplace else that doesn't really represent that. People won representation. When we say of, to, and by people we're talking about other people of us, people that know your values and live them. I believe in this democracy, it's my job to help other people believe in it. It's your job to draw off their maps that the people will justify their beliefs in this democracy. Please do your job. Draw off their maps. Thank you.

Chair (01:10:51):
Angela Lunking at Central Piedmont community collage, Senate district 37, house district 104, congressional district nine, Angela Lunking.

Angela Lunking (01:11:13):
Sick. Oh, my name is Angela Lunking and I am a resident of Charlotte. I live in the community of South Charlotte and I echo a lot of my fellow speakers today is when I last spoke, I asked for more time. I second others to say it's well within your power to give us more time for say, February filing or May primary. But given that you've put these maps up, I too had to take time off rearrange my schedule to be able to be here today. I confess that I had trouble even downloading the map. So I can't really speak to them directly. And I'm glad others have, but I would like to speak on this time on behalf of my community, which is South Charlotte. I live in the Stonecroft neighborhood, which is bordered by... It's the triangle sort of trapezoid below Fairview border on one side by Carmel, the other side by Providence, and at the bottom, it's got Pineville Matthews running below it.

And as I know, currently, Mecklenburg County exceeds the number for a district. So there are parts that will not be able to fit in 12 formally my precinct 69 and my community was lumped with congressional district nine. We had very little in common as well. So I echo others that at a minimum, we are a growing urban area with issues of rising density, loss of green spaces, housing issues, and infrastructural things. And we probably have very little with the good folks way far off in say, Robeson, Anson and I hear from the Sandhill area, they kind of wish to have their community represented as well. So I would ask that I continue to be included in communities, some of similar interests with either suburban urban areas, such as even redistricting in say Cabarrus, Union, Stanley configuration, more contiguous, more compact, and more representative of our common issues. Thank you very much.

Chair (01:13:13):
Joseph McCarthy, GOP. Joseph. Mr. McCarthy. You're recognized for up to two minutes.

Dr. Joseph McCarthy (01:13:33):
Thank you. I'm Dr. Joseph McCarthy. I live in Governor's Club in the Northern section of Chatham County. I'm a member of the Chatham County, GOP. And my last presidential, the primary vote was for in the Republican primary in Florida, before my wife and I moved to North Carolina. I'm not giving you any statistics or numbers. I am making appeal. I think that gerrymandering is inherently dishonest and anti-democratic. And I would wish that the legislature withdraw legitimate maps, which follow the popular vote in the state. I'm not optimistic you will do it. I'm very sure you won't. You may be forced to by others, but you won't do it on your own. I would ask that sometimes in the future, you institute either a bipartisan or nonpartisan committee to form these districts or else find a nonpartisan or bipartisan with computer algorithm to do the same. I must remind everybody here that democratic majorities can be just as pernicious as Republican majorities. And I think it is in the best interest of this state and the population in the state to do the right thing and do not gerrymander. Thank you.

Chair (01:15:15):
Sylvia Bjorkmand at East Carolina. You're recognized for two minutes.

Sylvia Bjorkmand (01:15:30):
Thank you. My name is Sylvia Bjorkmand. I'm in Greenville, North Carolina, and I'm a voter in district nine in Pitt County. And I'm concerned that the proposed redistricting maps will change the makeup of our district from one that has been balanced and bipartisan to one that is very partisan. The maps continue to reflect a history of gerrymandering in North Carolina to achieve certain political outcomes for specific parties, rather than fair representation for all people, while results of recent census will mean that Pitt County will have two, rather than three districts. I support and encourage finding small changes to the existing maps that will continue to maintain the bipartisan nature of our districts rather than the significant changes proposed here. In support of these comments, I wanted to share a couple of thoughts from a news article from the W-R-A-L that was posted yesterday that I think are relevant here.

Politically, North Carolina is a swing state with neither majority party, Republican or Democrat having a large advantage yet the new congressional district maps proposed here will give the Republican party a 13 to three advantage in US house seats by splitting democratic counties into different districts to reduce their political power. The proposed maps will have an overwhelming number of districts in North Carolina that are going to be Republican regardless of how authors play out. This continued gerrymandering for political advantage of a specific party. In this case, the Republican party is happening across North Carolina. It's not fair to voters. It will likely lead to continued court challenges, wasted money, and time away from other issues that could truly help the people of our state and our community. Thank you.

Chair (01:17:33):
Gil Pagan or I'm sorry, Gil Pegon. And you're recognized for up to two minutes.

Gil Pegon (01:17:50):
My name is Gil Pegon. I am the director of Hispanos del Sur. That's Hispanics of the South, a conservative grassroots outreach organization working in North Carolina and the Southern states to engage and activate the Hispanic community into the political process for their voices to be heard, [foreign language 01:18:19] for those who know Abla, Espanol, we mobilize Hispanics to push policy initiatives that affect them and their families. The Hispanic population is the fastest-growing minority group in North Carolina and the country from 2010 to 2020, those were census years. We grew 28%
faster in North Carolina than other states across the country. The nationwide growth for Hispanics was 19.6. We grew 28% in North Carolina. 56% of North Carolinians are Hispanics. They were born in the US there are one million banns in North Carolina right now. How is this relevant? When looking at new lines, using community of interest criteria, please look at Cumberland County districts, 42 and 44 Pitt County districts, eight, nine.

The community of interest criteria for you to review in those districts should have a high participation rate of opportunity, scholarships, charter schools, and homeschooling. Then overlay that to employers in manufacturing, food processing, and agricultural businesses. Hispanos del Sul has heard of an organization called All on the Line. A program of Eric Holder’s national redistricting committee, who is seeking to use public hearings as a way to assist in future litigation of district maps and training people on what to say in these hearings to move their agenda and not really care about equitable and redistricting lines. Those organizations do not represent us. Hispanos del Sul or Hispanics. We speak for ourselves. Please consider the community of interest criteria when finalizing the new lines. Gracias amigos y amigas.

Chair (01:20:04):
Thank you, sir. Minerva Freeman at East Carolina, Minerva Freeman. You’re recognized for two minutes.

Minerva Freeman (01:20:27):
Good afternoon. First. I would like to thank you all for coming to hear what the residents have to say. I have sat and I've listened at comments, and I really feel that I don't have anything additional to say. I hope that you would take the information that the people have said, take it back. And again, draw fair maps. I've heard gerrymandering, of course, I've heard pretty much rigging the system. As it is right now we are picking our voters instead of the voters picking our legislator. That is wrong. I represent many organizations in the community and we are all concerned about voting and getting the people to be more informed. I represent the NAACP, the Pitt Greenwood section of the national council for Negro women, Pitt County, Delta Sigma Theta sorority. Democracy North Carolina, Marcus were here a little early. And all we are saying is that we want everybody to have representative government.

That’s what we want. I encourage you to take that back, draw fair maps so that everybody will have an opportunity to do what is right. If I could say one other thing, if you would think of this, like a sports game or whatever players work hard, they work hard to play the game. They get out there, they play, they win some, they lose some, they shake hands. Then they go back and they work harder, not rigging the system so that they can win. So I would just encourage you to do that. Thank you.

Chair (01:22:37):
Ron Osborne, you're recognized for up to two minutes.

Ron Osborne (01:22:54):
I live on a small farm in Southern Alamance County. I'm a lifelong North Carolinian at one time or another. I've been registered Republican and well as a registered Democrat, I expect my elected representatives to reflect the desires of my neighbors out here, where I live in the country. I generally don't expect to have the same representatives as people in the cities, city dwellers have different interests, other needs, and priorities than where I live. I don't care for those folks to be controlling my voice anymore than I and my neighbors should control the city voices. But urban folks do deserve to be represented as they desire just as country folks do. Most of the proposed congressional Senate and

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house maps intentionally failed to respect this. CBK three CMT nine and CST two, which tear up the big cities and parcels their pieces out. And in amongst rural parts, some halfway across the state are outright offensive.

CBA two and CBK five are almost insulting. CST six, CST eight, and CBK four seem to strive for fairness and are tolerable. SST four seems troublesome to me and with HBK 11 districts, 54, 55, 56 here in my backyard have got problems that appear easy to mend. Why group Northeast Randolph with all of Chatham when you could leave it with the rest of Randolph, why stick West Burlington and Elon townspeople with rural elements and likewise lump rurals, Northeast elements with towns along the corridor. We all know why that's done. It's just like when I'm in a car that's across the center line. I think to myself, that driver wants my side of the road, as well as his. Please remember the golden rule. I realize doing the right thing rather than what's personally beneficial is hard. Maybe harder than y'all are up for trying. But if you don't try better than you've shown us so far, some of y'all ought to be ashamed of yourself. Thank you.

Chair (01:24:51):
David Amess. Folks, folks we respectfully ask not, not to clap or not to react to the comments, David Amess from the Sierra Club.

David Amess (01:25:03):
Yes, sir. I'm a resident of Greenville been here for some 40 years and active in the Sierra Club. Sierra Club supports the process of redistricting does not support gerrymandering. We feel it's bad for the political process. Results in decisions made in primaries, candidates with more extreme views. And the process becomes hyper polarized and districts are no longer competitive. Example of that is right here in Greenville district nine. This district is boundaries is used in the previous election, resulted in a very strong competitive outcome. Outcome that was different by 2%, between win and lose, just 2% of the vote. It was a hard-fought election. The new proposed map would show that this district would now go completely republican is predicted. How is this done? Well, what has happened is as many black folks as could be identified and democratic votings were placed in the surrounding districts. So that district nine now the decision is going to be made in the primary. We think this is a bad way to do things and would recommend that it not be used as the way of redistricting the County. Thank you.

Chair (01:26:35):
Jonathan Riley, with Durham, progressive Democrats, Jonathan Riley. He signed up for this auditorium. Christopher Cecorach at central Piedmont Community College, Christopher [inaudible 01:27:05] .

Speaker 3 (01:27:04):
Christopher [inaudible 01:27:06].

Chair (01:27:05):
You're recognized.

Speaker 3 (01:27:07):
Central Piedmont Community College. I am independently representing North Mecklenburg County. My family, well, my wife and I came to this area over 35 years ago when I was brought here by the Duke Power company to help with the relicensing of the McGuire nuclear station, my wife and I built our
home, raised our family in North Mecklenburg. We are intimately involved with this community and to see these redistricting maps, diluting the needs and interests of this area makes no sense at all. Our state representative is Natasha Marcus. She has done a very good job representing this area. The new redistricting map for the S one would dilute that whole situation with a rural population North of us. And this is clearly a gerrymandering effort. The US congressional map also lumping North Mecklenburg, basically a suburban community with the rural populations of Rutherford County. Come on now, Lincoln County. This makes no sense at all. And further, the covert dissemination of these maps buried in folders with obscure deviation abbreviations in the short timeframe in which to comment is outrageous. Clearly, you are not interested in public comment. Thank you.

Chair (01:28:58):
Jeanie Welch, Democrats of North Mecklenburg. She's a Central Piedmont Community College. You're recognized for up to two minutes.

Jeanie Welch (01:29:12):
Thank you for this opportunity to speak. I would like to echo the concerns of the other residents of North Mecklenburg County. I live in Cornelius in precinct 240. We are concerned about the attempt to divert Davidson to Iredell County. The three Northern towns of Davidson, Cornelius, and Huntersville are contiguous. Our concerns are common. We are in the same County and in the same County commission district. And so we urge you to respect County lines and keep Davidson with the other towns in North Mecklenburg. I also want to echo a previous speaker about gerrymandering. We have been the national poster child for gerrymandering, and we deserve better than this. Our state is better than this. So I urge you to reconsider SST four and keep Davidson within Mecklenburg County and the contiguous towns. Thank you so much for this opportunity.

Chair (01:30:33):
Darius Hanton the community warehouse venue he has signed up at central Piedmont community college, Darius Hanton. Darius Hanton. Charles McLawhorn chairman of the Pitt County democratic party at East Carolina. Charles McLawhorn. You're recognized for up two minutes.

Charles McLawhorn (01:31:20):
Thank you, Mr. Chairman. The proposed map of house districts in Pitt County is deliberately intended to give advantage to the Republican candidate by the alignment of voters partisan redistricting which is what this is means that the election and continual reelection of one candidate is assured by his or her affiliation with the party. The interest in needs of citizens in the other party can be ignored with impunity. This wasn't fair when the Democrats did it, and it's not fair for the Republicans to do it. Two wrongs don't make a right.

At the root of our political culture in America is the way districts are drawn in Pitt County by packing racial minorities in one district and diluting them in another district, you are deliberately disenfranchising them by using an essential North-south alignment of districts. You are moving Republicans into what has always been district nine in order to Dilute the votes of Democrats in Pitt County at the root of this unfair political outcome is redistricting. The branches are dysfunctional legislative process and meaningless public dialogue. Just like what we're having here today. Lift up your eyes in North Carolina and see the rampant harnessing bickering about-

PART 3 OF 4 ENDS [01:33:04]
Charles McLawhorn (01:33:00):
Carolina and see the rampant partisan bickering about every issue under the sun. Open your ears to the ugly words spoken about every aspect of public policy by otherwise civilized neighbors, by school teachers and business men and business women and even by pastors in our churches, using words, ugly words that are the product of divisive rhetoric and political conduct in Raleigh. And in Washington, I ask you to rise above politics and listen to the better angels of your nature and reject this nasty plan to carve up pit county for the partisan advantage of one party. If you will resist the urges to do this, we will be the first ones to thank you for it.

Chair (01:33:50):
Jim Womack, conservative coalition of North Carolina signed up here in the auditorium, Jim Womack. Barbara Dantonio, Wayne County Democratic Women. She signed up at East Carolina University, Barbara Dantonio. You're recognized for up to two minutes.

Barbara Dantonio (01:34:29):
Okay. I have been told that I don't speak loud enough. So I'll try to do my best. I'm Barbara Dantonio and I am here representing the Wayne County Democratic Women. I'm going to try and make it very easy because a lot of people have got good points that I also had. One is the fact that there were several groups that monitor our redistricting and one said we got an F. That F on fairness means we flunked. So I thought that I would make it real simple for you. Many years ago, 60, in fact, my brother decided he was going to share this bag of Twizzlers. It was his favorite candy, but what he did was he went and we had five members that he was going to share it with. And then he decided, "Oh no, Barbara doesn't like Twizzlers. I'm giving her one." And then he went through and all the family members got one piece and he got the rest of the bag. He was four years old.

This legislature that's doing these redistricting maps are not four years old. We expect you to be fair. And it's not fair when you get the big bag of candy and we, the opposing party, who's not in office at this time or has a majority is getting these crumbs. So I looked at the Wayne county map and it's showed that one of our legislators, one of our reps, he got a 3-4% advantage, give or take. The other one got a 17. Now why is there such a disparity? So I'm asking you to put the candy back in the bag and take it out and bring it out fairly to all of us. Thank you.

Chair (01:36:32):
Rebecca Powers at East Carolina University.

Speaker 4 (01:36:44):
Not present Mr. Chairman.

Chair (01:36:46):
All right, thank you. Gwendolyn Robinson Green at East Carolina. Do we have Gwendolyn Robinson Green there?

Speaker 4 (01:37:02):
Not present Mr. Chairman.

Chair (01:37:08):
Janice Robinson at Central Piedmont Community College.

Janice Robinson (01:37:19):
Good afternoon. My name is Janice Robinson and I'm chair of precinct 148, which is Valentine in South Charlotte. I am also Secretary of the Mecklenburg county Democratic Party and a member of the African American caucus of the Mecklenburg County Democratic Party. My first question is why in the world are we having this meeting out here at the CPCC campus by the airport? Again? How do you expect working class families who live in Charlotte and may use the public transportation to be here to have their voices heard? Do you not want to hear their voices?

I've only heard of these public hearings, literally two days before they're being held. Once again, their held and an inconvenient time and location during the day with little to no prior notice. I, too, had to take off work to be here. This year's process seems deliberately designed to give the appearance of transparency, but with little to no publicity on dates, on proposed maps and public hearings. It's clear that the committees want to proceed as usual and avoid representing the people. I absolutely demand more time to process these maps and understand how my community precincts and districts are affected. And I, again, advocate for an independent nonpartisan citizens' committee to perform this process.

Chair (01:39:16):
Sarah Jane Schaffer at Central Piedmont Community College.

Sarah Jane Schaffer (01:39:22):
My name is Sarah Jane Schaffer. I live in Davidson, North Mecklenburg County. I'm not a native North Carolinian. I've only been here about four years. My first comment is regarding the senatorial map, SST4. That is a major concern. Davidson representation is redrawn to Iredell County. You've crossed the county line and the precinct. That is wrong. My Davidson community is not rural as is most of Iredell County. In fact, when I first moved to North Carolina, I live of in Iredell County for a couple of years and specifically moved to Davidson because I wanted a suburban, urban and diverse community. Becklin Berg and Iredell Counties have different needs, and it makes no sense to connect it to Iredell County unless the purpose is to eliminate the current political voice in Davidson. Frankly, that's all I can conclude from that move.

My second comment is regarding your process. I'm shocked and appalled at the lack of interest in public comment. You're very transparent. You do not want public comment. A commitment to public involvement would be evidenced by hearing dates available on weekends and time for final review of approved maps. It took forever to figure out these maps. Multiple maps are confusing and it makes it very hard for anyone to be involved. Finally, the congressional map that makes sense is CBK4. The other maps split up Charlotte and put it with rural communities and it does not allow for adequate representation of the urban community. Is your purpose to dilute and destroy the voice of the community? And that's what would happen. My comments are consistent with others testifying, and I strongly urge you to link districts with similar issues in community. And on a final note, politicians are interested in demographics and who's their demographic. I am an educated woman that lives in the suburbs, and I am not doing anything with Republicans because of this gerrymandering. You need to fix it. Thank you.

Chair (01:41:54):
Maurice Holland from the Moore County Democratic Party, you're recognized for up to two minutes.

Maurice Holland (01:42:02):

Good afternoon. My name is Maurice Holland. I'm a native of Moore County. I'm the chair of the Moore County Democratic Party. I rise to speak in favor of congressional map CBK4 because of the establishment of a Sandhills rooted congressional district. I'm speaking against state Senate map SST4 in that it has extreme districts, especially districts 21 and 22. I am speaking against NC house, a map HBK11 in that Moore county for the first time since World War II will be divided into three districts. Moore County has historically had at least one district that represented the majority of Moore County. HB11 will split us between district 57, 59, and district 60. District 59 will only contain... Moore County will make up 49% of that district. Richmond County will make up 50.81%. District 60 will run us into Randolph County and district 57 will run us into Lee County, and it will be confusing for Moore County residents as to which district they live in. Thank you for your time.

Chair (01:43:43):

Sandra Deegan, you're recognized for up to two minutes.

Dr. Deegan (01:44:00):

My name is Dr. Sandra Jean Carolina Deegan. I'm a native born North Carolinian. I currently reside in Chatham County. As a Chatamite, I'm going to speak briefly to proposed house district 56 for the state house on proposed map HBK11. We Chatamites are of one mind about this issue. So my remarks would echo those of several previous speakers and I'll be brief about that. HD56 would join Chatham with three Randolph County precincts as part of a new four county grouping. Addition of the third of these Randolph precincts, namely Providence precinct, is going to adverse the effect Chatham County residents in several ways. It'll create a population imbalance in the districts of the county grouping. It ignores the accelerated current and projected population growth of Chatham county. It would result in the dilution of representational power for Chatham as ever growing numbers of Chatamites would be represented by only one member of the North Carolina state house.

As proposed, it is a clear example of partisan gerrymandering. So the answer is very simple, keep Randolph precincts liberty and staley in this new proposed district and remove Providence. With regards to the proposed North Carolina redistricting maps, they clearly reflect partisan gerrymandering, which violates the fundamental principle of one person. One vote of equal power. This is fundamental to our democracy. The redistricting process has been rushed and has been far from transparent. We can do better than this in North Carolina. I would also add extremely briefly that I affirm other speakers who have asked for translators and materials in other foreign languages, which reflect our changing demographics, so that we can include all of our residents in that process, regardless of the language they speak. Thank you all very much.

Chair (01:45:59):

Janice Parker, you're recognized for up to two minutes.

Janice Parker (01:46:42):

Good afternoon. My name is Janice Parker. I live in Chatham County in district 56, and I have many of the same concerns that have been addressed by other residents of Chatham County. We're concerned
about the proposed redistricting map HBK11, which would join three precincts in Randolph County to Chatham County to form a new district. The proposed district is not good practice. The addition of three precincts from Randolph County, Stacy, Liberty, and Providence, at a time when Chatham County is experiencing explosive growth would create a district that is over the desired population size for an electoral district.

The addition is not necessary. Providence precinct, which is the farthest away from Chatham County, could be joined to less densely populated areas in the county grouping. In addition, the proposed change would dilute the democratic vote in the new district. Chatham is more urban, democratic and diverse than the precincts proposed for addition. The new configuration creates a presumption of political gerrymandering. Racial gerrymandering, which have cost North Carolina untold thousands of dollars in litigation, depressed voter engagement as people feel that their votes are useless. This undermines foundational values of our country. So I request that you keep Chatham County whole, but do not join Providence precinct to district 56. It's not contiguous to Chatham County and as an agricultural area, it has different priorities. Thank you for the opportunity to comment.

Chair (01:48:49):
CN Jasmine, with Black Voters Matter at East Carolina University, CN Jasmine.

Speaker 4 (01:49:06):
Not present, Mr. Chairman.

Chair (01:49:12):
Mari Curry, at East Carolina.

Speaker 4 (01:49:19):
Not present, Mr. Chairman.

Chair (01:49:25):
Mary Jane Conti at Central Piedmont Community College.

Mary Jane Conti (01:49:36):
My name is Mary Jane Conti. I'm speaking today as both a citizen and a democratic precinct chair in Charlotte Mecklenburg County. Thank you for scheduling public hearings so that North Carolinians can provide their comments regarding the drawing of congressional and state maps. However, given that there are over 2 million registered voters in North Carolina, two days of hearings that only allow around 200 people to speak is not so efficient. And as others have stated, 3:00 PM hearings are not convenient for most working people. For the past two years, I have resided in state Senate district 40 in house district 99. Both of these districts include the town of Mint Hill, which is where members of my 55 plus community shop bank and support the various businesses in town. The proposed HBK11 and SST4 would move my voting precinct 201 out of both of those districts, and we would no longer be included with Mint Hill.

Since we consider Mint Hill our community of interest, I implore you to keep precinct 201 with the other Mint Hill area precincts. Prior to moving to my current neighborhood, I lived in Northern Mecklenburg County near Huntersville where we frequently went to Cornelius and Davidson to patronize the various businesses and restaurants. On map SCH2, you have grouped four Cornelius and
Davidson precincts with Iredell county instead of Mecklenburg County. Please leave precincts 206, 208, 240 and 242 in the same house on Senate districts as the rest of Northern Mecklenburg County. As these are cohesive and similar precincts and should not be grouped with the more rural Iredell county.

Regarding the proposed Congress congressional district maps, three of these maps split Mecklenburg County into three or four districts resulting in multiple precincts being divided. In the case of CBK3, it divides six precincts, including my precinct 201. Dividing up precincts is a very bad idea and creates unnecessary challenges for both citizens and a representatives. Please consider maps such as CBK4 and CBK5 that only split Mecklenburg County into two congressional districts and only divide one precinct. Thank you.

Chair (01:51:44):
Barbara Gladhorn at East Carolina, Barbara Gladhorn.

Dr. Deegan (01:51:55):
One moment, Mr. Chairman.

Barbara Gladhorn (01:52:10):
Good afternoon. Thank you for giving me this opportunity to speak with you. My name is Barbara Gladhorn, and I'm a resident of Pitt County. I'm pleased to have this opportunity to address you concerning an issue about which I care deeply, and I think all those people who have spoken prior to me today have shown their concern. I have this concern for myself, but also for my country as a whole. We are entitled people in that we are guaranteed the right to vote by the Constitution of the United States and that of the state of North Carolina. One person, one vote, but we are also entitled not only to cast a ballot, but to have that vote count. That is why this redistricting process is so vital to each and every one of us.

It is with that background that I'm asking that these maps, now in the process of being redrawn, be fair to all and not be designed to benefit a single party or to secure an incumbent reelection. The current maps presented to us clearly packs democratic and black voters into Representative Smith's district eight here in Pitt County, and is an attempt to dismantle district nine, currently held by Representative Farkas. In statement, after statement and earlier hearings, citizens of Pitt County ask that municipalities not be split. Winterville specifically asked that it not be split, yet the map does just this. And it makes me think that even though you've asked for feedback, input before you drew the maps, you really are not listening. Listening.

Chair (01:54:18):
James Davis. Is James Davis in the auditorium? I believe he's outside. Mr. Sars or Norms, can you see if James Davis is in the hallway?

(silence)

Mr. Davis, you're recognized whenever you're ready, for a period of up to two minutes.

James Davis (01:55:03):
Give me one minute.

Chair (01:55:04):
Yes, sir. Your time won't start until you start talking. Thank

James Davis (01:55:08):
Thank you.

(silence) Okay, good afternoon, all. My name is James Davis. My friends call me Jim. I'm a retired sheriff of Hoke County North Carolina. I'm here today to represent the ninth congressional district of the North Carolina Democratic Party. I served at the chair of that party. I'm here today to express my concerns regarding the entire North Carolina redistricting process.

While I want to advocate for total transparency and fairness in the redistricting process, I would like to advocate for transparency and fairness. I would also like to best specifically discuss Hoke County and the North Carolina Sandhills regions. Over the past 10 years, we in Hoke County have enjoyed and retained a county cluster relationship with Cumberland County, senatorial representative, and Scotland County in our legislative representative. Many of our colleagues today have talked about the Sandhills region. I'm here to advocate for a Sandhills district being created for a congressional district, as in the map that was created for CBK4. Thank you for hearing us today, and like many of the speakers before me please, hear our plea regarding fair and equitable maps. Thank you very much.

Chair (01:57:35):
Thank you, sir. Okay, members that is all of the members of the public who have signed up to speak. The chair's going to go back through those folks who signed up, but who were not present when I called their names out. So starting back from the beginning of the list, Lanisha Wittington, is Lanisha Wittington here in the auditorium? Miko McCarthy at Central Piedmont Community College, Miko McCarthy. Sherry Pickett, is Sherry Pickett here in the auditorium? Jonathan Riley, is Jonathan Riley here in the auditorium? Darius Hinton at Central Piedmont Community College, Darius Hinton. Jim Womack here in the auditorium. Is Jim Womack in the auditorium? Rebecca Powers, East Carolina University, Rebecca Powers. Gwendolyn Robinson Green at East Carolina, Gwendolyn Robinson Green. Mate Sands, Central Piedmont Community College, Mate Sands. CN Jasmine, East Carolina, CN Jasmine. Mari Curry, East Carolina, Mari Curry. Members, we have exhausted the committee's list, and they're being no further business before the committee, the committee is now adjourned.

PART 4 OF 4 ENDS [02:00:29]
Chairman (00:03):
Joint committee on redistricting, Tuesday, October 26th, 2021, 5:30 PM, room 643. Committee will come to order. Chair, as always, wants to thank our sergeant-at-arms for the great work that they do. We're going to go ahead and get into our list. Each member who signed up will have up to two minutes to speak to the committee. The first member of the public to sign up is [Chiek Tia 00:00:45].

Speaker 2 (00:48):
Raise your hand, [inaudible 00:00:49].

Chairman (00:49):
If you will raise your hand if you hear your name called, so that the tech folks can find you and bring you up in the screen. Do we have Chiek Tia? All right, you're recognized for up to two minutes.

Tia Chiek (01:04):
Can everyone hear me?

Chairman (01:12):
We can hear you.

Tia Chiek (01:16):
Okay, how y'all doing? I'm sorry I didn't raise my hand, I was busy doing something. My name is Tia Chiek, and I live in Stanford in Lee County, North Carolina. The reason why I speak on this today is because gerrymandering has been a big problem in our society right now when it comes to voting and issues and stuff, and it's so important for us to know that it is really best to make our maps for people that has a right to vote, because the gerrymandering affects everybody, no matter what race, color, or party affiliation or whatever. If we make better maps for all of us, then it would work out for the best and it would help solve our issues.

It's really best for us to draw the maps in the right way instead of the wrong way, because democracy is an American way of voting, right? It's really best for us to understand that everybody has a right to vote, and the founding fathers created democracy so we can vote and our voice is heard when it comes to our issues. Our issues just ain't going to go away with just not voting, we have to vote in an ethical way. If you can redraw the map the right way [inaudible 00:03:01], and democracy would have a better place in our country. Thank you very much.

Chairman (03:07):
Thank you, ma'am. [Roberta Waddell 00:03:09], please raise your hand so we can bring you up on the screen.

Roberta Waddell (03:22):
Good evening. My name is Roberta Waddell, I live in rural Cumberland County, I am a former Cumberland County democratic party chair, but I am speaking for myself. Regarding congressional redistricting, counties should not be split unless absolutely necessary. When I was county party chair from 2006 to 2009, Cumberland County was divided into three districts. Being in three districts is confusing for officials, candidates, and particularly voters. Voters did not know about the divisions,
didn't know who their representatives were. This was discouraging to people who wanted to vote, but had trouble figuring out who would be on their ballot.

Regarding the congressional maps that have been drafted, I prefer map CSK-5 or CST-6. The districts are compact, Cumberland County is whole, there is a Sand Hill center, the districts appear balanced, and several are competitive. Regarding the North Carolina house and senate, it looks like to me it's back to cracking and packing voters. Neither the house or the senate map represents my idea of a fair map. Particularly regarding North Carolina senate 21 as drawn in SST-4, it encompasses Cumberland and Moore County, it's a ridiculous district.

Its commonality may be that it is rural, but it will be impossible for a senator to properly represent it. The district is over 75 miles from one end to the other, and the connection between the two is mostly on two-lane roads. Neither Beaverdam in Cumberland County nor the [High Falls 00:05:20] community in Moore County will ever see their senator. Senate district 22 packs the minority community, that's the other district in Cumberland County, these districts should be redrawn. Thank you.

Chairman (05:37):
[Retrina Campbell 00:05:37], please raise your hand. She's with Common Calls NC

Retrina Campbell (05:49):
Hello?

Chairman (05:50):
You're recognized for two minutes.

Retrina Campbell (05:53):
All right. Hello, my name's Retrina Campbell, I am with Common Calls NC and I'm also a resident of Charlotte, and I have been here for 18 years since attending Johnson C. Smith University. We have asked the committee to keep communities of interest together, asked for transparency in the map drawing process, and having additional public hearings throughout the state after the maps are drawn. Unfortunately, this process still continues to not be the most transparent, and confusing. The legislator has the option of two county groupings for the senate map, option two would have kept Hertford, Bertie, and Martin Counties together, creating a district with substantial black population.

Instead, the committee went with option one, which separates these counties and the black population. The current proposed senate map can result in the loss of two of the three black senators for the northeastern part of the state. Congressional map CMT-9, CBK-3, CST-2 and CBA-2 could cause there not to be any black representation or any other minority representation, in a state that has 40% minority population that continues to grow, and has grown according to the recent census. The map drawing process is live streamed, but you can't always hear or see who's drawing the maps.

During these two late public hearings, only allowed 210 North Carolinians to participate and comment, for a state that has a population of over 10 million. The congressional and senate map came out last Tuesday, and the house map came out last Friday, and then the public hearings are yesterday and today, just followed quickly after, not giving North Carolinians the opportunity to view or analyze senate maps that would be for their community, and how it could affect their community. With that, maps still continue to come out even during this public hearing.
The state senate map SST-4, for one, was finished on October 14th, but was not put on the website for the public until a week later. This process has caused confusion and is leading to misrepresentation for the citizens of North Carolina, and has compromised them the power to vote for representation who will fight for our issues throughout the state. Thank you.

Chairman (08:01):
[Tessa Pindley 00:08:01], do we have Tessa Pindley?

Tessa Pindley (08:10):
I'm here.

Chairman (08:11):
You're recognized for two minutes.

Tessa Pindley (08:14):
My name is Tessa Pindley, I live in Greensboro, and I'm in my eighth year as an educator with Guilford County. As someone who is committed to both defending and transforming North Carolina's public schools, I am acutely aware of the impact that gerrymandered districts have on my profession. Approximately 60% of the funding for our state’s public schools comes from the general assembly, and when decisions about this funding are made by individuals who, counter to the will of the majority of North Carolinians, actively seek to undermine, under-resource, and ultimately privatize this public good, we all lose.

Furthermore, the boldness with which certain legislators have repeatedly and shamelessly manipulated our maps in order to grab and maintain power at the expense of my students and our communities is a national embarrassment. Rather than focusing on fully funding our public schools so that we can meet our constitutional obligation to the future of our state, leadership in the general assembly seems hell-bent on denying democracy, opting to literally choose voters rather than allowing the people of our state to have an actual voice in a free and fair election.

I say all of this not because I anticipate that it will really make any of you, that are guilty of these transgressions, reconsider your impact on our democracy, but rather to make it clear that we see you. We see you only offering two virtual sessions for public comment in a state of 11 million people. We recognize the violence of your intention. We live with the impact of your malicious disregard for our collective dignity, and we suffer because of your casual cruelty. Let the record show we refuse to do so silently.

Chairman (10:13):
Brenda Fairfax.

Brenda Fairfax (10:19):
Greetings, I'm Brenda Fairfax and I live here in Pitt County. There's no doubt that our democracy is in chains. We'd like to be able to select our representative instead of our representative selecting us. A prime example: [GK Butterfields 00:10:42] area spanned from Durham to Elizabeth City, now he and his house has been moved out of his district, Pitt County has been split into two districts. This isn't fair. One of the districts spans out to the Outer Banks. We don't have anything in common with the Outer Banks.
The way these maps are drawn, you have totally eliminated someone that looks like me and other minorities from voting.

This is not fair. The republicans have drawn these maps to make sure that minorities are not being heard. One more thing, we know about people who plan to vote, who plan to run for office, and they buy these one or little two-bedroom homes to establish residency in these states, just to say that we've lived there for a year before the election; this is not fair. We need to draw maps since North Carolina is a 50/50 state, and make sure that all residents are represented, including me, an African-American lady, as well as other minorities.

Chairman (12:01):
[Elizabeth Traxler 00:12:01], Elizabeth Traxler. Chair is informed that Ms. Traxler is not on the Zoom meeting. [Kathleen Barnes 00:12:15], from the Transylvania NAACP.

Elizabeth Traxler (12:20):
I'm here.

Chairman (12:30):
Ms. Barnes, you're recognized for two minutes.

Elizabeth Traxler (12:36):
Thank you. Thanks to the committee for opening a very limited virtual hearing on this important subject. My name is Kathleen Barnes, I live in Brevard, and I represent the Transylvania NAACP. I am still puzzled on the purpose of this so-called "public comment", since we are still without any real idea of what we're commenting on. As far as I can tell, there are at least five proposed maps for congressional districts, and living in the western part of the state in what was the old 11th district and may or may not be the new 14th district, I'm puzzled.

There is a weird little worm going into Watauga in version CS-2, CMT-9, and CBK-3; why? This is far from congruent or compact. Of course, I don't have access to all the political and racial demographics, but those who do have access estimate that 11 of the 14 congressional seats will go to republicans. That seems a little odd, well, really odd considering that the political divide in North Carolina is almost even. The courts have strongly weighed in on past gerrymandering efforts, and it appears we are about to embark on the entire legal exercise once more; why?

As we get closer and closer to filing deadlines, limiting the time for public comment and legal action, it's becoming clear that those in power will maintain their grip on that power despite the best interests of their constituents. We know both parties in North Carolina have historically engaged in political and racial gerrymandering. We now live in a state of hyper-partisanship, we have wasted taxpayer money defending indefensible gerrymandering. Why not just do it right for once and for all? Thank you.

Chairman (14:25):
[Claudia Koonz 00:14:25], you're recognized for two minutes. Claudia Koonz.

Speaker 2 (14:41):
She's here and unmuted.
Chairman (14:56):
Ms. Koonz, can you hear us? [inaudible 00:15:03] Chair is informed that Ms. Koonz is on the phone with the help desk, and so Ms. Koonz, we'll come back to you. [Jake Gellergode 00:15:17].

Jake Gellergode (15:26):
Hi, good evening.

Chairman (15:27):
You're recognized for two minutes.

Jake Gellergode (15:30):
Thank you. Hi everybody, I'm speaking as a Winston-Salemite, and I'm speaking against any map that would split our city apart, specifically I'm speaking against the proposed map that would put half of Winston-Salem together with half of Rocky Mount out east. These are two fine cities, but putting half of two cities together doesn't make sense for a population balance reason, nor does putting two cities together from different sides of the state make sense in terms of creating communities of interest, especially when the other half of Winston-Salem would be put in a district in the mountains which includes the western border of the state with Tennessee.

It's unreasonable to claim Winston as a part of the Tennessee border and as a part of the eastern section of the state. I do wish, given that this proposal to split Winston-Salem is being considered in at least one of the maps, that there had been a hearing within driving distance of my city. The closest one I could find was over 80 miles away, which is why I'm having to speak virtually tonight, and I feel lucky that my schedule worked out for one of these virtual hearings.

Generally speaking, I do want to say whatever criteria was used, these maps at the congressional and state level appear that they will have the effect of unfairly diminishing the power of voters of color. I don't think that's okay according to the Voting Rights Act, and I don't think that's okay morally either. That's really what I wanted to come here and say this evening, and have on the record. Thank you.

Chairman (17:06):
[Yoshi Newman 00:17:06], chair is informed that we don't have Yoshi Newman. [Charles York 00:17:21].

Charles York (17:20):
Good evening. Hi, my name's Charles York, I am from High Point in Guilford County, thank you for holding this hearing and taking public comments. I wanted to share my concerns about three of the member submitted maps that will divide the piedmont triad into three different districts, specifically CBK-2, CMT-9 and CST-2. These three maps all draw a district in northwestern North Carolina that snakes down into Guilford County to pick up population and clearly crack democratic voters. In all of these maps, Virginia Fox's little sliver of Watauga County just for one voting precinct has been added to a district spanning from Ashe all the way into Guilford.

This clear political plot to protect Fox and remove Representative Manning's triad district is at the expense of people like me in the triad and our proper representation in the US House. I understand that incumbent protection is of legitimate interest, but it should not trump preserving communities of interest such as the triad. No one in my community should be represented by someone that lives in
Watauga County. It's a lovely place, but we have different cultural, social, and economic interests than the beautiful mountain communities that Representative Fox already represents.

I just want to see someone that represents me that lives in the triad, I don't care if it's a democrat or a republican, just someone that lives at the same elevation as me, uses the same airport, that understands furniture market. There's no reason to chop up the triad, please try and keep my community, the triad, together. Thank you.

Chairman (19:15):
[Elerio Estevez 00:19:15], with the Chatham Caucus.

Elerio Estevez (19:23):
Hello? [crosstalk 00:19:24]

Chairman (19:23):
You're recognized for two minutes.

Elerio Estevez (19:26):
Good evening. My name is Elerio Estevez, I'm a resident of Chatham County, a proud immigrant, and a proud American. I've come to you to express my strong disappointment with the redistricting plan represented before us. I was born in a developing country where democracy had been co-opted by corrupt officials, who manipulated the elections to keep themselves in power, and cynically presented itself to the world as true defenders of democracy. I'm afraid I'm seeing something quite similar now.

When I came to this beautiful country, I felt excited because the United States was the cradle of modern democracy, was a beacon on the hill and a role model for the entire globe. However, today our country and our state don't look like that way anymore, since a group of leaders from a particular party wants to perpetuate themselves in power without any shame, without any sense of morality. This process would reduce and ultimately may lead to silencing opposing views, to the silencing of minorities like my Latino community, like the community of my African-American sisters and brothers, among others.

It truly upsets me to see the amoral actions of many in the general assembly. I know that most likely the worst feelings and the statements expressed yesterday and today opposing this maneuver will not sway the hearts and minds of those in charge of this mockery. It's painful and tragic to see how someone preferred to lead our country and state to darkness than to relinquish power. Our country deserves better, our state deserves better, we deserve better. Goodnight.

Chairman (21:16):
[Paige Anderholm 00:21:16], from the Campus Vote Project, Paige Anderholm, you're recognized for two minutes.

Paige Anderholm (21:28):
Thank you. My name is Paige Anderholm, I am a graduate of Appalachian State University, and I have called Watauga County home for eight years. I am also a redistricting fellow with Campus Vote Project. I am grateful for this opportunity to speak directly to the committee, as I have emailed my state representatives, and my questions and concerns have gone unaddressed. There are three points I want
to make tonight. The first point is rather fundamental: the maps proposed on NCGA website provide little insight on how these districts will cut communities at street level, but this is not the first time this process has been constructed to be inaccessible to the general public.

Working to exclude public input at any and all parts of redistricting is inherently anti-democratic, and the continued exclusions have been noted by constituents across the state. My second point is, in a state that has had a near 50/50 party split in presidential elections over the last 20 years, one would expect a near even divide in districts that are safe or likely for both parties. However, that assumes the redistricting process is truly representative of the populous. I support Senator Clark's map, CBK-4 and CBK-5, that divide the districts evenly in an effort to make fairness a reality.

Thirdly, I'm concerned about the splitting of various communities of interest. As a resident of Watauga County, I'm concerned about the three maps submitted by the senate redistricting committee, CMT-9, CBK-3, and CST-2, that would split Watauga County. Similarly, Representative Hall's map, CBK-11, splits the community of Boone, and that is unacceptable. As a redistricting fellow with Campus Vote Project, I am here to ask that you bring together college campuses in an effort to ensure that the almost 250,000 students enrolled in the UNC system have full representation as they deserve, and as they directly contribute to a thriving North Carolina.

I thank you for listening to me this evening, and I hope at the end of this process that you as the representatives of North Carolinians will be able to honestly say these maps were drawn with communities in mind, and not your political careers. Thank you.

Chairman (23:32):
[Anne Tourak 00:23:32].

Anne Tourak (23:34):
Yes.

Chairman (23:36):
You're recognized for up to two minutes.

Anne Tourak (23:39):
Thank you. My name is Anne Tourak, I'm a registered voter and I live in Southern Pines in Moore County. I'm trying to follow this legislative map drawing, I'm sure the process is complicated and hard, but it's so important that it's done fairly and right. I've looked at the map HBK-11 of the NC house districts, and this won't work in Moore County, as Moore County is divided up three ways. I've read the criteria published by the joint commission, and it says that counties should not be divided if at all possible, so I want to see more counties whole.

I've seen several proposed US congressional maps, the one that I've seen that seemed best for Moore County, CST-6, CBK-5 or CBK-4, while it's a fact that the counties near Moore County are included in the district. When personally when we shop or go to the theater, we might drive to Fayetteville, which is in Cumberland County. I've been to Sand Hills Community College, they have a branch in Hope County. Now these counties are a short drive from Moore County, so I'd like to see the district compact. Some of the proposed maps in our district run all the way to Mecklenburg County, that's similar to what it is now, and it's very awkward, it doesn't represent us truly.

If the district is compact, hopefully we will know our legislators, and they will be responsive to our needs and requests. Thanks for the opportunity to speak virtually today. I live in a retirement...
community, and with people getting COVID still, where driving a long way and meeting in person, sitting close to other people is still worrisome to me, so thank you for the opportunity. I do hope the legislative maps will be drawn fairly. I really do not want to see expensive lawsuits as we’ve had in the past, I want to be proud of the redistricting in North Carolina. Thank you.

Chairman (26:07):
Thank you, ma’am. Amy Spears, AOTL. Chair is informed that Amy Spears is not on the call. [George McGinn 00:26:22], you’re recognized for up to two minutes.

George McGinn (26:28):
Thank you. My name is George McGinn, my wife and I have been residents of Durham City since 1996. Thank you for this opportunity to comment on the redistricting maps. My comments are about US House of Representatives map CBK-4. I didn't realize there were so many maps out there. We have always registered to vote as unaffiliated, looking to vote at all levels for the candidate we think will represent us best. I like the clustering of counties into compact areas which should have many common needs. They should also allow our US House members to focus on the needs of that area, and be accountable to the people who reside in that area.

Many of our services are supplied at the town, county, or city level, safety, libraries, I could go on, so I feel an extension of that is to have each county having a clear voice in congress. This translates, in my mind, into having as few counties as possible represented by multiple congressional members. Some splitting is inevitable, but it should be kept to a minimum. For CBK-4, this leads me to just one suggestion, and it relates to district 13. This district includes two counties, but it also splits or has parts of four counties. It is the only district within that map that fragments so many counties.

Perhaps there's some way to make this district more compact at the county level, by some minor adjustments. I would agree with the comments that Roberta Waddell made, about compact and county representation, and a heart to having good maps. Thank you for your time.

Chairman (28:31):
[Beth Bronson 00:28:31], Ms. Bronson, you're recognized for up to two minutes.

Beth Bronson (28:40):
Thank you for your time this evening. My name is Beth Bronson, I'm a lifelong North Carolinian, and more recently a global observer who, like many of the commenters before, have been awaiting this process of redrawing the maps. They've previously been determined unconstitutional, and I would like to point out in general that trying to find information on the state and local level is never easy to find, regardless of how transparent the intention is. Given the census delays, I would recommend that these maps stop being considered, because the full information is not out. With more population data coming out in December, the actual data coming out projected for December 2021, I think that they're using evaluation estimates and not actual, so are not going to be representative of these redrawn maps.

The cracking of large counties in an effort to maintain power will simultaneously [inaudible 00:29:46] becoming very apparent. Just locating all of these different maps and trying to understand based on where I'm from versus where some of these commenters are from, it has been an extremely long process that should involve the public, and it obviously has not, despite best intended efforts. The house map that I was able to find was most recently released on October 22nd, the HBK-11. CBK-3 is the...
other map that was released on October 18th, both of those maps seem to be the prevailing maps for both state and committee.

Holding both of the hearings before the data of redistricting was even available in September, for the sake of transparency, I would not consider it genuine effort. I would agree that self-selection does contribute to awkward district lines, however this is not a reason for the committee to avoid making a concerted effort to balance that out. I think a larger conversation needs to be had with that, and while I do not have well-prepared comments of some of these previous speakers, I think it is important to realize that regular citizens are watching and regular citizens do have a voice, and deserve to have a voice.

Chairman (31:10):
Thank you, ma'am.

Beth Bronson (31:10):
Mm-hmm (affirmative). So the bipartisan committee can be-

Chairman (31:16):
[Sohenny Sengupta 00:31:16]. Chair is informed that Sohenny Sengupta is not on the call. [Valerie Restreppo 00:31:26]. Chair is informed that Valerie Restreppo is not on the call. [Adams Didi 00:31:37]. Chair is informed that Adams Didi is not on the call. [Catherine Anne Walsh 00:31:54], Ms. Walsh, you're recognized for a period of up to two minutes.

Catherine Anne Walsh (32:01):
Thank you. I am a resident of Asheville in Buncombe County here in North Carolina. I'm asking the district maps be drawn to ensure the voters can choose their leaders fairly. Politicians should not be able to cherrypick their voters to get the election outcomes they desire. North Carolina legislators have pledged to not use race or partisan data to draw the maps, yet several of the publicly released congressional maps, for example, split Charlotte, where the largest concentration African-American North Carolinians live into three or four house districts.

This dilutes the pull of citizens who have a community of interest from being in one district, into three or four districts. The US Constitution guarantees equal protection under the law. If you weaken voters' power based on race, you may again, as was done a decade ago, be violating the US Constitution's guarantee. The districts need to comprise a plurality of voters with similar sets of interest and concerns, so that they can elect their preferred candidates and be represented fairly. I am asking that you please consider that in drawing these maps. Thank you.

Chairman (33:36):
Chair has the name Forza Horizon listed on here, and chair is informed by the IT folks they believe that's not a real person who has signed up, but is anyone named Forza Horizon on the call? Chair is informed that they are not here. [Victoria Kobell 00:33:57], Ms. Kobell, you're recognized for up to two minutes.

Victoria Kobell (34:06):
Good evening. Thank you for the opportunity to address the redistricting committees this evening. My name is Victoria Kobell, I am a mother of two young children, a graduate student at UNCG, and a Guilford County resident. I am speaking to you tonight about the impact the proposed maps have on my
home in Greensboro. I have reviewed all of the proposed maps by the house and senate redistricting committees, and I must ask, where exactly is Greensboro on these maps? Our city and our county, according to these renderings, is unrecognizable.

Greensboro is the third-largest city in the state, as you all know. It's a purple county, and some of these proposed maps as it stands have been quite obviously and deliberately cut into sections to subvert the will of the people that live here, and create unfair partisan advantage that disenfranchises the voters in this area. Specifically, maps CMT-9, CS-2, CBK-3, SST-4, HBK-11 are so grossly gerrymandered that it has incensed me, a very busy mother of two children under four, to take time away from my graduate studies and my household demands to address you this evening.

What these maps are trying to do is circumvent my voting power, and those that may also vote against the GOP. It's blatant, it's deliberate, it's undemocratic, and it's unethical, and I am not the only one who finds these proposed maps by the NCGOP preposterous. The Princeton Gerrymandering Project has given those maps a grade F, and states that it provides a significant partisan and republican advantage. My question to you all this evening is, why should NC residents have to settle for anything less than a grade A rating for partisan fairness?

Several maps have been drawn by other members who have been given A ratings, so why would those maps not be chosen? And why would we willingly accept a grade A map when grade A maps are readily available? What you're trying to sell us today is that our current map, that was mandated by the North Carolina court with an eight-five republican advantage, is so unfair that current districts need to be cut up yet again to provide a 10-to-four or 11-to-three advantage to republicans, to somehow make it more fair?

You all know that this is wrong. You were told directly by the North Carolina courts just two years ago, and yet here we are again in 2021.

Chairman (36:37):
Thank you, ma'am. Thank you.

Victoria Kobell (36:39):
I implore you to turn away from [inaudible 00:36:40] of cheating, and to give us the grade A map that we all deserve.

Chairman (36:44):
Thank you for your comments. Pam Jones. Chair is informed that Pam Jones is not with us on the call. [Bridget Tarrent 00:36:56], Ms. Tarrent, you are recognized for a period of up to two minutes.

Bridget Tarrent (37:03):
Hi, my name is Bridget Tarrent, and I'm in New Hanover County. Thank you for holding these virtual hearings so I'm able to attend. I know we're supposed to be talking about legislative maps tonight, just talking about the senate map that has been drawn which has split up Wilmington and New Hanover County, and I realize it's based on population, but it would be nice if you took district six and included Wilmington Airport with the main part of Wilmington, and then district seven would be divided north of the Wilmington Bypass. This seems to make sense when you look at the maps, then for the house map HBK-11, where New Hanover County is split into three districts.

It's very confusing for people who live in New Hanover County. One of the suggestions that seems to make more sense is that if you took district 21, 22, and changed them so that one of the
districts, possibly district 21, would keep the coastal towns all together, and then district 22 would include the remainder of Wilmington that's not included in district 15, so hopefully you got all that. Then since I was unable to come to the virtual hearing last night when you were talking about congressional maps, because I work and I worked late and was unable to get on the call, I was asking for the congressional maps that you include the seven counties that our regional medical center provides services to.

The way you have the different maps split up does not really make any sense. The ones that are closest to including the seven counties that New Hanover Regional Medical Center covers are CBK-4 and CBK-5. These counties are New Hanover County, Pender, Brunswick, Columbus, Onslow, Duplin, and Bladen, and I realize Onslow County to many people the whole county, but CBK-4 and CBK-5 include a large portion of Onslow County, and it just makes sense to keep all those counties together, since they're served by-

Chairman (39:18):
Thank you, ma'am.

Bridget Tarrent (39:19):
[crosstalk 00:39:19] Medical Center. Okay, thank you.

Chairman (39:22):
[Christopher Laiken 00:39:22]. Chair is informed that Christopher Laiken is not on the call. [Stephanie Hare 00:39:31], NC Democrats.

Stephanie Hare (39:36):
Hello, I'm here.

Chairman (39:37):
You're recognized for two minutes.

Stephanie Hare (39:40):
My name is Stephanie Hare, and I was born in North Carolina and live currently in Chatham County. I'm asking you to please keep Chatham County whole, as proposed, but do not combine Randolph County's province precinct with us. Apparently, this proposed new combination is unbalanced in relation to the rest of the state. Chatham is growing very quickly, and this proposal to include Randolph County's province precinct makes that new district too large. This proposal dilutes the impact of the Chatham County voter, and smacks of partisan gerrymandering.

This story is repeating itself here, this body is not operating [crosstalk 00:40:30], but rather is focused on their own partisan power. It is shameful and it's going to result in more lawsuits, more taxpayer money blown down the drain because of your legislative irresponsibility. It is shameful that you do not represent your state fairly. Thank you for your time.

Chairman (40:58):
[Harold Eustache 00:40:58] with the Forsyth County Republican Party.
Harold Eustache (41:03):

Thank you. My name’s Harold Eustache, I live in Forsyth County in Winston-Salem, I am the president of the trial lawyers in Winston-Salem and vice-chair of the Forsyth County Republican Party. I think one of the things that we recognize here in Forsyth County is the task that you guys have as a committee to draw these maps, it’s a gargantuan task, it’s a tough task, so thank you for doing that. What we’ve seen come out of the case law is that the courts have essentially asked our legislature to do three things: not take race into account, not take political parties into account, and to try to keep communities of interest and counties whole.

I think when we look at a lot of the maps that have been proposed, that’s been attempted. I’ve heard a lot about, "Well, North Carolina is a 50/50 state," that’s not the way to really look at this. The way to look at this is, North Carolina has 100 counties, and 80-ish of them are red counties, and so what’s happened in North Carolina and a lot of what’s happened in the United States is that people are living next to people that they agree with in a political sense. This challenge that the North Carolina state legislature has is to draw these maps when we have 80 counties that are potentially red, and so on and so forth.

That’s part of what’s driving this. When we look at the maps themselves, I think that Representative [Dustin Hall 00:42:39] and the whole committee has tried to do as good a job as possible under the circumstances. What we’ve had in North Carolina prior to 2010 was 100 years of democrat rule in the North Carolina legislature, 100. Now, how did that happen? That happened because the democratic party gerrymandered the maps for a century, and in 2010, republicans won on those very maps that democrats wrote.

Of course, in the last 11 years it’s been litigation after litigation because fairness is only true when it seems the democratic party is in power, but that’s not the standard. The standard is that the party in power is able to draw these maps, and the state legislature via the North Carolina constitution is given the authority to draw these maps. I think given the provisions by the case law, they’ve done a fine job, so thank you to the committee for that.

Chairman (43:38):

Thank you, sir. All right members, we’re going to get back to Claudia Koonz, who was having some technical difficulties earlier. Do we have Ms. Koonz now? If so, you’re recognized for two minutes.

Claudia Koonz (43:47):

Okay, can you hear me?

Chairman (43:48):

We can hear you.

Claudia Koonz (43:51):

My name is Claudia Koonz, and I’ve lived in Orange County for 30 years. I’m very happy to say we like our county, all of the county is in one district, and so I appreciate living here, no worms. But as a resident of the state, I appreciate the one person, one vote principle. North Carolina stands out as one of the two or three most gerrymandered states in the union, and when the news media wants an example, they take an election where the democrats won by a hair but only ended up with [15 00:44:27] out of 13 seats. This is so egregious, we’re the poster state for gerrymandering.
As a resident of the triangle, I'd like to comment on the congressional maps. I couldn't be here yesterday. I object to maps CS-2 in southern Wake, and thanks to our growing population, our state received a 14th congressional district. Locating that new district in counties where population is shrinking smacks of corruption. The new 14th district should include Wake County intact, move Jones and Onslow with their coastal interests to districts one and four respectively, the expanded Johnston would then be intact with district three. I support this change because it groups together voters within our rapidly urbanizing triangle, with concerns that differentiate us from other rural areas.

I conclude again with, as a resident of North Carolina, in 2010 mathematicians didn't have the formula to be able to evaluate gerrymandering and redistricting, so I object now to the rush to redistricting without an analysis by not only the Princeton Institute, but the second of the nation's most respected nonpartisan team of mathematicians, it's the quantifying gerrymandering team at Duke University. How much cheaper would it be to pay them a small fee, and maybe they would do nothing? To get us fair maps, save ourselves the court expenses, we need their expertise.

I'd like us to get a grade A. North Carolina already ranks so low on the [inaudible 00:46:11] charts nationwide, I think it's time to fight back against our reputation for gerrymandering, have an A-plus right now, always consult the experts. Thank you for your time.

Chairman (46:26):
Thank you. Okay members, that's the entire list. The chair is going to run back through the no-shows just to see if anybody has shown up, and there are several of them. Yoshi Newman, do we have Yoshi Newman? The chair is told we do not. Amy Spears, do we have Amy Spears? We don't have Amy Spears. Sohenny Sengupta, we do not have Sohenny Sengupta. Valerie Restreppo, we don't have Valerie Restreppo. Adams Didi, we don't have Adams Didi. Forza Horizon, which again we feel like is probably not a real person, but do we have them anyway? We don't. Pam Jones, Pam Jones is not present. Christopher Laiken, Christopher Laiken is not present.

Members, that being the end of our list and there being no further business before the committee, the committee is now adjourned.
2016 Contingent Congressional Plan Committee Adopted Criteria

Equal Population

The Committee will use the 2010 federal decennial census data as the sole basis of population for the establishment of districts in the 2016 Contingent Congressional Plan. The number of persons in each congressional district shall be as nearly as equal as practicable, as determined under the most recent federal decennial census.

Contiguity

Congressional districts shall be comprised of contiguous territory. Contiguity by water is sufficient.

Political data

The only data other than population data to be used to construct congressional districts shall be election results in statewide contests since January 1, 2008, not including the last two presidential contests. Data identifying the race of individuals or voters shall not be used in the construction or consideration of districts in the 2016 Contingent Congressional Plan. Voting districts (“VTDs”) should be split only when necessary to comply with the zero deviation population requirements set forth above in order to ensure the integrity of political data.

Partisan Advantage

The partisan makeup of the congressional delegation under the enacted plan is 10 Republicans and 3 Democrats. The Committee shall make reasonable efforts to construct districts in the 2016 Contingent Congressional Plan to maintain the current partisan makeup of North Carolina’s congressional delegation.

Twelfth District

The current General Assembly inherited the configuration of the Twelfth District from past General Assemblies. This configuration was retained because the district had already been heavily litigated over the past two decades and ultimately approved by the courts. The Harris court has criticized the shape of the Twelfth
District citing its “serpentine” nature. In light of this, the Committee shall construct districts in the 2016 Contingent Congressional Plan that eliminate the current configuration of the Twelfth District.

**Compactness**

In light of the Harris court’s criticism of the compactness of the First and Twelfth Districts, the Committee shall make reasonable efforts to construct districts in the 2016 Contingent Congressional Plan that improve the compactness of the current districts and keep more counties and VTDs whole as compared to the current enacted plan. Division of counties shall only be made for reasons of equalizing population, consideration of incumbency and political impact. Reasonable efforts shall be made not to divide a county into more than two districts.

**Incumbency**

Candidates for Congress are not required by law to reside in a district they seek to represent. However, reasonable efforts shall be made to ensure that incumbent members of Congress are not paired with another incumbent in one of the new districts constructed in the 2016 Contingent Congressional Plan.
NORTH CAROLINA GENERAL ASSEMBLY
JOINT COMMITTEE ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Tuesday, February 16, 2016
Reported by Carol M. Smith

Worley Reporting
P.O. Box 99169
Raleigh, NC 27624
919-870-8070
SEN. RUCHO: Let's come to order for a few moments. Would everybody please take their seats? We're going to have about a 10- or 15-minute break to get some papers printed up and ready to go as a part of our agenda, but what we will do first is identify the Sergeant-at-Arms that are here today. We've got -- for the House side, we've got Reggie Sills, Marvin Lee, David Layden and Terry McCraw, and then we've got our Senate Sergeant-at-Arms Jim Hamilton, Ed Kesler and Hal Roach. These folks help us make this meeting organized and run efficiently, and we wouldn't be able to do a good job without them.

I appreciate everybody yesterday coming out and helping us accomplish our public hearing. We had a lot of good thoughts and advice, and I hope that you've taken some time to read the public comments that came over the Internet so that we can be able to talk about the subject matter on an intelligent level.

Representative Lewis and I want to again remark about the fact that the staff has done a remarkable job for us in putting together yesterday's public hearing and this meeting, and the IT folks were miracle workers in trying to coordinate six sites plus Raleigh to do a good job and allow us to be able to reach out across the state with this public hearing that is -- that was yesterday, and it was successful, and we're thrilled that they could do such a good job for us.

All right, the first point -- and I'm going to have Mr. Verbiest, our clerk, do a roll call, and you would just, as your name is mentioned, please recognize it, or if we hear quiet, we know you're not here.

SEN. RANDLEMAN: Senator Johnson?
REP. BRAWLEY: Present.
REP. HARDISTER: Here.
REP. DAVIS: Here.
REP. MCGRADE: Here.
SEN. MCKISSICK: Here.
CLERK: Senator Smith-Ingram?
SEN. MCMICHAUX: Here.
SEN. SMITH: Here.
SEN. MARTIN: Here.
SEN. SMITH-INGRAM: Present.
SEN. STEVENS: Here.
SEN. THOMPSON: Here.
SEN. WYLIE: Here.
SEN. WOOD: Here.
SEN. BAREFOOT: Here.
SEN. JOHNSON: Here.
SEN. JORDAN: Here.
SEN. MCKISSICK: Here.
SEN. RUSSELL: Here.
SEN. SMITH: Here.
SEN. SMITH-INGRAM: Here.
SEN. STEVENS: Here.
SEN. THOMPSON: Here.
SEN. WYLIE: Here.
SEN. BAREFOOT: Here.
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SEN. WYLIE: Here.
SEN. BAREFOOT: Here.
SEN. JOHNSON: Here.
SEN. JORDAN: Here.
SEN. MCKISSICK: Here.
SEN. RUSSELL: Here.
SEN. RUCHO:  Okay.  Then just at ease for about 10 to 15 minutes.  Thank you.

(DISCUSSION OFF RECORD)

SEN. RUCHO:  Spend a few minutes taking a look at that, and see from its beginning on through the latest maps what has transpired.  I think it would be very educational.  Thank you.

(RECESS, 10:14 - 10:23 A.M.)

SEN. RUCHO:  All right, let's call this Joint Select Committee on Redistricting back into order.  You have a copy of the agenda before you, and there's just one correction on the agenda.  On the right quadrant, under Senate, it had Harry Warren.  It should be Senator Harry Brown, so fix that.  Okay.

Well, yesterday we had a chance to have a public hearing, and I think each of you knows that the General Assembly, based on the Harris case, there was an opinion given by the three-judge panel, and we are responding to that.  We still believe that the maps that are presently enacted are fair, legal, and constitutional, as has been validated by five different bodies, including the Justice Department, including a three-judge panel, including the Supreme Court on three occasions, and including the Supreme Court on three occasions, and Justice Department, including a three-judge panel, validated by five different bodies, including the Supreme Court on three occasions, and

so under the circumstances, we are taking a precaution, and we anticipate some reaction from the Supreme Court on the motion for stay which will allow the election to continue forward, and then will allow the court case to continue on its normal course, which would be, in my judgment, a better way to go, since the election has already been started, and we don't want to disenfranchise the voters in any manner.

That being said, we are going to begin our agenda.  Representative Lewis, would you have any comments at this time?

REP. LEWIS:  No, sir.

SEN. RUCHO:  No?  Okay.  Then we're going to go on to the second, which is discussion of the criteria of the 2016 Contingent Congressional Maps, and what these are, are criteria as to how these maps should be drawn to try to meet the requirements imposed by the Court and also remain within the legal limits of the law.  Representative Lewis?

REP. LEWIS:  Mr. Chairman, ladies and gentlemen of the Joint Select Committee on Congressional Redistricting and members of the public, I too would like to offer a brief
1. For purposes of my discussion today, I will refer to the 2011 plans as the enacted plans. The enacted congressional redistricting plan of 2011 was first precleared by the United States Department of Justice, as was required by Section 5 of the Voting Rights Act. The enacted Congressional redistricting plan was then challenged in state courts through what is known as the Dixon versus Rucho case. The plan was affirmed by a three-judge panel and by the North Carolina Supreme Court.

The enacted Congressional redistricting plan has been used to elect members of the US House of Representatives in 2012 and 2014, and has also been a subject of citizens' efforts to file election in each of the 13 districts this year. Further, voting has begun, and we are informed by the State Board of Elections that more than 16,000 citizens have already requested to vote by mail.

Unfortunately, the enacted plan was challenged again in what is known as the Harris versus McCrory case. In that decision, in which we respectfully disagree with the three-judge panel, it was found that the 1st Congressional District and the 12th Congressional District are racial gerrymanders, and that a new map be drawn by February 19th, and that the election for US House not be held under the current maps.

While, as Chairman Rucho said, we are confident that a stay of this decision, which interrupts an election already in progress, will be granted, and that the enacted map will ultimately be upheld on appeal, we are required to begin the process of drawing a 2016 contingent Congressional map. I reiterate that while the 2011 plan was dictated by the Cromartie and Strickland decisions of the US Supreme Court, we will move forward to establish a plan based on the Harris opinion.

The process -- this process began with the appointment of this joint select committee, and continued yesterday with the public hearings held in six locations across the state, with more than 70 speakers participating. There were also more than 80 comments submitted online.

The chairs thank all the citizens who participated yesterday. The chair reminds the members that the written comments have been placed on the General Assembly's Web site, and a link e-mailed to each of your e-mail accounts.

Mr. Chairman, at your direction, I would like to submit to the committee a series of proposals to establish criteria for the drawing of the 2016 contingent Congressional map.

SEN. RUCHO: Yes, sir, Chairman Lewis.

You can begin and go through the rotation as -- as you planned.

REP. LEWIS: Mr. Chairman, I'd like staff to distribute the 2016 Congressional -- pardon me -- the 2016 contingent Congressional plan proposed criteria, beginning with "Equal Population," to the members.

SEN. RUCHO: Sergeant-at-Arms will be passing this out, and we're going to take our time, read it thoroughly, and then -- so Representative Lewis will explain it, and then we'll debate each of them as we move forward. (Pause.) Has everyone received a copy of the first one? They're not in any order as far as priorities or anything. They're just going to be set forward. VARIOUS COMMITTEE MEMBERS: No, no.

SEN. RUCHO: Okay. Hang on. This first one is called "Equal Population." (Pause.) All right, does everyone have a copy that -- now, let's be clear. Ladies and gentlemen in the audience, the members of the committee will be participating within this meeting. I know we have a number of members that have come here with interest, and we're delighted to have them, and recognize that every member that is here can submit a reimbursement form, but the people that are on the committee will be the ones participating in today's business activity of this committee meeting.

All right, Representative Lewis, first one.

REP. LEWIS: Mr. Chairman, as I explain this one, I would request that the Sergeant-at-Arms go ahead and distribute the second one, which is entitled "Contiguity."

Mr. Chairman, the first criteria that I would urge the committee to adopt is that each district should be of equal population. This is

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pretty self-explanatory. This is in line with one
person, one vote. It simply says, as members can
read, that the number of persons in each
Congressional district shall be as near equal as
practicable, as determined under the most recent
Census, which of course would be the 2010 Census.
Mr. Chairman, I move adoption of this criteria.

REP. STEVENS: Are you waiting for a
second?

SEN. RUCHO: I've got a motion from
Representative Lewis to move forward with this
adoption of this first equal -- equal population.
Representative Stevens, thank you. We've got a
second. Discussion, ladies and gentlemen?

(No response.)

SEN. RUCHO: All right, I see none. All
in favor of the adoption of the equal population --
yes. I'll go back. We're going to go ahead and
we're going to do roll-call vote on this. And so
I'm saying we're going to have a roll call from the
clerk on the equal population. Please identify --
or just say "Aye" or "Nay," please. Mr. Verbiest?

CLERK: Senator Rucho?

SEN. RUCHO: Aye.

CLERK: Chairman Lewis?

REP. LEWIS: Aye.

CLERK: Representative Jones?

REP. JONES: Aye.

CLERK: Representative Brawley?

REP. BRAWLEY: Aye.

CLERK: Representative Cotham?

REP. COTHAM: Aye.

CLERK: Representative Davis?

REP. DAVIS: Aye.

CLERK: Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Aye.

CLERK: Representative Hager?

REP. HAGER: Aye.

SEN. RUCHO: Please speak up, please.

CLERK: Representative Hanes?

REP. HANES: Aye.

CLERK: Representative Hardister?

REP. HARDISTER: Aye.

CLERK: Representative Hurley?

REP. HURLEY: Aye.

CLERK: Representative Jackson?

REP. JACKSON: Aye.

CLERK: Representative Johnson?

REP. JOHNSON: Aye.

SEN. BROWN: Aye.

CLERK: Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Ford?

CLERK: Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Senator Hise?

SEN. HISE: Aye.

CLERK: Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Lee?

SEN. LEE: Aye.

CLERK: Senator McKissick?

SEN. MCKISSICK: Aye.

CLERK: Senator Randleman?

SEN. RANDLEMAN: Aye.

CLERK: Senator Sanderson?

SEN. SANDERSON: Aye.

CLERK: Senator Smith?

SEN. SMITH: Aye.

CLERK: Senator Smith-Ingram?

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Wade?

(No response.)
SEN. RUCHO: Okay. Ladies and gentlemen, we had the roll vote, and there was just one negative, so the first criteria establishing equal population has passed. All right. Representative Lewis?

REP. LEWIS: Thank you, Mr. Chairman.

Mr. Chairman, the next criteria I propose the committee adopt -- adopt is "Contiguity." This simply says that --

REP. STEVENS: Mr. Chairman, we don't have copies of it yet.

SEN. RUCHO: I'm sorry? Please repeat that again. You don't have the second?

REP. STEVENS: I do not have a copy, and perhaps I'm sitting a little out of the way.

SEN. RUCHO: Okay. Sergeant-at-Arms, would someone please get the contiguity criteria?

REP. LEWIS: Mr. Chairman, if it pleases the Chair, I would respectfully request that -- the next criteria I intend to offer is "Political Data." If that could be distributed to the committee, perhaps to save a little time?

SEN. RUCHO: Okay, that's fine. Sergeant-at-Arms, would you please distribute the third criteria, which is "Political Data"?

Representative Lewis, would you want staff to read this, the specifics as they're presented, or do you prefer to do it yourself?

REP. LEWIS: Mr. Chairman, are you trying to imply I can't say "contiguity"?

(Laughter.)

SEN. RUCHO: That is a mouthful. I agree with you. All right. We have before us -- would you please read this first -- or the second, "Contiguity"?

MS. CHURCHILL: "Contiguity: Congressional districts shall be comprised of contiguous territory. Contiguity by water is sufficient."

SEN. RUCHO: Representative Lewis?

REP. LEWIS: Members, this is a standard redistricting practice, and I would move the adoption of the criteria by the committee.

SEN. RUCHO: All right. Senator Blue?

SEN. BLUE: Question of Representative Lewis: Does this contemplate single-point contiguity in water?

REP. LEWIS: Senator Blue, thank you for that question. Let me be clear that it does not, and I would be opposed to any form of single-point contiguity has been ruled as not a legal form of mapmaking in the past.

SEN. RUCHO: Follow-up?

SEN. BLUE: Does it contemplate any minimal distance on the water that is used to determine that geographically, areas are contiguous?

REP. LEWIS: Senator Blue, I don't believe it contemplates the Atlantic Ocean, but, I mean, as you know, sir, we have beautiful sounds in our state that that is a community, and so the water -- I can't give you an exact -- an exact definition of how much water is too much water.

SEN. BLUE: Last point.

SEN. RUCHO: Follow-up?

SEN. BLUE: Does it contemplate the point in the Cape Fear River in one of your counties that's currently used as a basis for connecting geographically parts of the 4th Congressional District?

REP. LEWIS: Senator Blue, I appreciate that inquiry. I would -- I would point out that inquiry. I would -- I would point out that...
REP. FARMER-BUTTERFIELD: Aye.

CLERK: Representative Hager?

REP. HAGER: Aye.

CLERK: Representative Hanes?

REP. HANES: Aye.

CLERK: Representative Hardister?

REP. HARDISTER: Aye.

CLERK: Representative Hurley?

REP. HURLEY: Aye.

CLERK: Representative Jackson?

REP. JACKSON: Aye.

CLERK: Representative Johnson?

REP. JOHNSON: Aye.

CLERK: Representative Jordan?

REP. JORDAN: Aye.

CLERK: Representative McGrady?

REP. MCGRADY: Aye.

CLERK: Representative Michaux?

REP. MICHAUX: Aye.

CLERK: Representative Moore?

REP. MOORE: Aye.

CLERK: Representative Stam?

REP. STAM: Aye.

CLERK: Representative Stevens?

REP. STEVENS: Aye.

CLERK: Senator Rucho?

SEN. RUCHO: Aye.

CLERK: Senator Apodaca?

SEN. APODACA: Aye.

CLERK: Senator Barefoot?

SEN. BAREFOOT: Aye.

CLERK: Senator Blue?

SEN. BLUE: Aye.

CLERK: Senator Brown?

SEN. BROWN: Aye.

CLERK: Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Senator Hise?

SEN. HISE: Aye.

CLERK: Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Lee?

SEN. LEE: Aye.

CLERK: Senator McKissick?

SEN. MCKISSICK: Aye.


SEN. RANDLEMAN: Aye.

SEN. RUCHO: All right. Representative Lewis, that is before the committee.

REP. LEWIS: Mr. Chairman, I --

SEN. RUCHO: Let him explain it, please.

REP. LEWIS: I believe it explains itself. I’ll be happy to yield to --

SEN. RUCHO: All right. Question,

Senator Blue?

SEN. BLUE: Yeah. This might be one for
the staff. Mr. Chairman.

SEN. RUCHO: All right. Staff?

SEN. BLUE: The second -- the second full paragraph, can you restrict -- and I think I know where you're trying to go to, but can you restrict the use of race in drawing the two districts in question and be in conformity with the Voting Rights Act as the Court enunciated in its decision several weeks ago?

SEN. RUCHO: Representative Lewis, do you want to respond to that?

REP. LEWIS: Mr. Chairman, thank you.

Senator Blue, I appreciate that inquiry. It is my understanding and reading of the opinion that race is not to be a factor in drawing the districts.

Adoption of this criteria would mean that the ISD staff of the General Assembly would be instructed to establish computers, and I believe the software is called Maptitude, and the staff would be instructed not to include race as a field that could be used to draw districts.

I'll go one step further and say respectfully that race was not considered when the General Assembly passed the 12th District of the enacted plan, but the Court still questioned its use. This would contemplate that that data would not be available to mapmakers who make maps to comply with the Harris order.

SEN. RUCHO: Follow-up?

SEN. BLUE: You're saying that notwithstanding all of the jurisprudence in this area, at least that I've seen over the last 25, 30 years, that you're going to draw minority districts without taking into account whether minorities are in the minority district?

REP. LEWIS: Senator Blue, I believe the Harris opinion found that there was not racially polarized voting in the state, and therefore, the race of the voters should not be considered. My proposal would be that we use political data only, and do not use race to draw Congressional districts.

SEN. BLUE: One last --

SEN. RUCHO: Follow-up?

SEN. BLUE: I long for the day, just like you do, Representative Lewis, when we can do that, and I hope it's sooner rather than later, but I don't think it's wise to spit in the eyes of three federal judges who control the fate of where we're going to go with redistricting, and I understand what you're trying to do here, but I think it's an insult to their intelligence to take this approach, and I think that they will show you the ultimate power of the federal judiciary that's existed since 1802 in Marbury versus Madison if you do this.

REP. LEWIS: Respectfully, sir, it would never be my intent to offend or to question the dignity of the office of a federal judge. If anything I said hitherunto has done that, I apologize; however, it is my understanding that when we drew the enacted plan, we applied the Croamartie and Strickland decisions as best we knew how to do in drawing the 1st. We did not use race when we drew the 12th.

The Court has found those both to be racial gerrymanders. It would be my -- they also found, based on my reading of the opinion -- I'm certainly not splitting in their face; I'm trying to read what they said -- that there's not racially polarized voting. If that is indeed the case, then race should not be a factor.

SEN. RUCHO: Smith-Ingram?

Representative Smith-Ingram? I'm sorry. Before I do that, I -- Senator McKissick got me first.

Please, Senator McKissick.

SEN. MCKISSICK: Sure. The thing that I'm deeply concerned about is that the Voting Rights Act and the courts have historically indicated that it's appropriate to use race in drawing Congressional districts, and I don't understand why we would abandon it as a criteria.

From what I understand from reading the most recent decision, Harris versus McCrory, what they were concerned about was the fact that it was a predominant consideration, so there was an overconcentration of African-American voters because majority-minority districts were created, and I think that was what I understood to be the finding, the creation of these majority-minority districts, when historically the 1st and 12th districts could elect a candidate choice without being a majority-minority district. I think it would be a misreading of the case to say that race could not be used as a consideration.

REP. LEWIS: Senator McKissick, as always, I appreciate your counsel. I would reiterate that in drawing of the 12th, race was not con-- race was not a considered factor. In the drawing of the 1st, we attempted to comply with the Croamartie and Strickland cases, which we believed...
SEN. MCKISSICK: First question.

SEN. RUCHO: Okay.

SEN. MCKISSICK: So how would you propose that you comply with the requirements, say, of the Voting Rights Act, which basically indicates that racial consideration if it’s not even a factor that can be selected on the computer.

SEN. MCKISSICK: Follow-up, Mr. Chair?

SEN. RUCHO: Follow-up.

SEN. MCKISSICK: Why would we not here want to consider the election results of the 2008 and 2000 -- I guess ’12 presidential elections? Is there a specific reason why we want to exclude those specific election results and include other potential election results within that same general time frame?

REP. LEWIS: Yes, sir.

SEN. MCKISSICK: Because, I mean, the thing that’s obvious to anybody is we had an African-American running for President in those two election cycles.

REP. LEWIS: Yes, sir, and I don’t recall which pages it’s on, but in the Harris opinion, one of the judges wrote that using the 2008 Obama/McCain data was really a code for trying to use black versus white, so we simply say we exclude -- we take that off the table. We can use all the other ones.

SEN. MCKISSICK: And I would suggest that we should --

SEN. RUCHO: Follow-up?

SEN. MCKISSICK: Yes. Thank you, Mr. Chair. I would suggest that there’s nothing improper in considering those particular races within a greater context of all races that we might have used as benchmarks for consideration for the performance of districts or how they might vote, but I think to eliminate those specifically would be an inappropriate criteria.

I would have to go back to the decisions, I think things can be used as code in combination with other actions that are taken, like drawing minority -- majority-minority districts, but yet saying race is not a factor, and it was done for political reasons. I think within the greater context, perhaps the Court might have viewed it that way, but if you identify this discretely as being one parameter among many, I don’t think that would be inappropriate to consider.

I find it fine -- you know, I don’t think I would agree that cannot be done, and should not be done, but I’m trying to understand how you do that otherwise if you completely eliminate race as a criteria that you look at in drafting the maps, and then secondly -- and this shifts gears a little bit -- why would we not want to consider the --

SEN. RUCHO: Which question? Is this your --

SEN. MCKISSICK: Okay, yeah.

SEN. RUCHO: -- first question?

SEN. MCKISSICK: Yeah, first question.

SEN. RUCHO: Okay.

SEN. MCKISSICK: Go ahead, Representative Lewis. Thank you, sir.

REP. LEWIS: Senator, I believe that my earlier answer that -- and I have a great deal of respect for you. I understand that you are an attorney, and I am not an attorney. It’s my reading of the case that the Court has found that there was not racially polarized voting, which is called for, and still believe called for the -- if a district is drawn under the Voting Rights Act to be a majority-minority district, that it contain a majority of minorities. The Court has found that racially polarized voting does not exist to the extent to do that.

During the trial, which I know Senator Blue attended -- I don’t remember who-all else was there -- there was various testimony offered from the stand of how much minority population is enough. The judges were well aware that that conversation had gone on from the stand. They offered no guidance how much minority population should be used; therefore, I simply say we draw the maps without using minority -- without using any race considerations. That way, they cannot -- the federal court will be clear that in the construction of districts that we did not use racial consideration if it’s not even a factor that can be selected on the computer.

Therefore, if that is not the case, then we believe the enacted maps should stand as they are. If we’re going to redraw the maps with the Harris order, which says there’s not racially polarized voting, then we believe that race should not be a consideration in drawing the maps.

SEN. MCKISSICK: Follow-up, Mr. Chairman.

SEN. RUCHO: Follow-up.

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I find it fine -- you know, I don’t think...
Joint Redistricting Committee 2_16_16
N.C. General Assembly Extra Session on Redistricting 2016
Worley Reporting

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<td>1.</td>
<td>SEN. SMITH-INGRAM: So I can assume from what you are saying that the only reason we had split counties and split precincts in the previous plan is because we were trying to meet the mandate of the zero deviation?</td>
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<td>REP. LEWIS: No, ma'am, that's not at all what I said. What this says is in drawing the map, this contingent plan that we are -- that we are talking about is that the VTDs should be split only when necessary to comply with the zero deviation requirements. I was not at all speaking about the enacted map, in which I'm certain that some precincts and voting districts were split for political purposes.</td>
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<td>SEN. SMITH-INGRAM: Just a statement. I understand that our voters across the state are very sophisticated; however, there was a lot of confusion created with the split counties and the split precincts, and so I just -- as we're moving forward, we need to be careful that they are not disenfranchised by that confusion. Thank you, Representative Lewis.</td>
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<td>REP. MICHAUX: Yes. I like this criteria.</td>
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<td>REP. LEWIS: -- believe that was a statement, to which I'll just respond I respectfully disagree with the gentleman from Durham.</td>
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<td>SEN. RUCHO: Mr. Chairman, respectfully, I --</td>
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<td>SEN. RUCHO: Thank you. I've got Representative Stam.</td>
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<td>SEN. SMITH-INGRAM: Last follow-up, Mr. Chair.</td>
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In regards to the proposed criteria as it relates to the voting districts and the split, one of the concerns that resonated across the state, as shown in the hearings, and as we talked to constituents, particularly in the finger counties in Congressional District 1, there is some concern about precincts being split, and a lot of voter confusion because of split counties and split precincts. Do you think the language in the last sentence goes far enough to help us alleviate that problem, and not have that issue as we move toward drawing new maps? 

REP. LEWIS: Senator, I thank you for that question. I would say that, as I’ve maintained all along, I believe that voters are sophisticated enough that split political districts do not cause confusion, but to the extent that we can not split them, we shouldn't, so I do think this sentence goes far enough in saying the only reason you would want to split a VTD, or a voting district, is to help with the zero population requirement that this committee has already adopted. 

SEN. SMITH-INGRAM: Follow-up. 
SEN. RUCHO: Follow-up. 

SEN. RUCHO: Thank you. I’ve got Representative Stam. 
REP. STAM: Yes. I like this criteria. 
It’s very principled, and it’s principles that I’ve heard, for example, the Senate Minority Leader state publicly many times. Let’s not -- let’s not consider race anymore. We’re past that. 
SEN. RUCHO: Okay. Representative Michaux? 
REP. MICHAUX: Mr. Chairman, I’m having a problem not identifying race, and if I recall, Mr. Lewis -- and I’m reading from the opinion. It says here that “This does not mean that race can never play a role in redistricting. Legislatures are almost always cognizant of race when drawing district lines, and simply being aware of race poses no Constitutional violation.” What they’re saying to you is that you still can use race in the matter, but you cannot make it the predominant factor. That’s the way I read it, and I think that this -- 
SEN. RUCHO: Representative Lewis? 
REP. LEWIS: Representative Michaux, thank you for that. My response to that would be that not being aware of race means that you
couldn’t have been motivated by race.

REP. MICHAX: May I follow up?

SEN. RUCHO: Follow-up, Representative Michaux?

REP. MICHAX: What did you say just now?

REP. LEWIS: Sir, I believe you read from the opinion, which I don’t have before me, that in which the judges said being aware of race does not necessarily mean that race was a predominant factor, but it doesn’t require it. And if that’s not what you read, understand that you have the opinion in front of you, and I don’t.

REP. MICHAX: What they’re saying is it cannot be a predominant factor, Mr. Lewis, but you can use race.

SEN. RUCHO: Representative Michaux, I think what Senator -- Representative Lewis is saying is you can use race, but it doesn’t require you to use race.

REP. MICHAX: It says you can use race, but it must not be the predominant factor.

REP. LEWIS: Mr. Chairman, I would say “can use” does not say “must use.” Therefore, I would move the adoption of this criteria.

SEN. RUCHO: Representative Hager,

please?

REP. HAGER: Thank you, Mr. Chairman.

Representative Lewis, I want to commend you on the -- when you said only when necessary when you split districts and precincts. I come from a district and precinct prior to these maps. My precinct was split, and we worked it out, like I said, and I appreciate what you said about the sophistication of the voters. It was there, but this criteria does help that situation, and prior to these maps, we see -- we saw that with the previous maps in Rutherford County, so thank you very much.

SEN. RUCHO: I’m sorry. I’ve got Senator Blue. Excuse me.

SEN. BLUE: Just a comment, since the motion to adopt it has been made. Mr. Chairman, I agree totally with Representative Stam. As I told Representative Lewis, there are places in this state where considering race in redrawing districts is inappropriate under the Voting Rights Act, under the 14th Amendment. There are places in this state where the Voting Rights Act requires that race be considered to some degree to ensure that, based on history, that minorities can elect people of their choice.

We know that this three-judge panel has the power of its own to draw districts, and we can play these games with them. I thought that as a body from the standpoint of letting the Legislature, the reason that we ordered -- or at least required that the Court, if reversing these districts, sent it back to the Legislature to have an opportunity or a shot at fixing it is because it was felt that the Legislature could fix it, but I can assure you that if you go about doing this, then those three gentlemen are going to draw districts for you.

Maybe that’s what you want, and if that’s what you want, I will vote with you on this amendment, but I think that you -- that it’s transparent the game that you’re trying to play. Some of us do strongly believe that we should move away from using race in making any decision in American life, but we also believe that you comply with the law until we get to that point, and I think that you’re aware of the fact, just as I am, that if you take this blind approach, you’re in direct violation of Section 2 of the Voting Rights Act. And so I’m just -- I just say that to you.
SEN. MCKISSICK: Representative Lewis, are you aware of any racially polarized voting studies which have been conducted since the 2010 Census occurred?

REP. LEWIS: Senator McKissick, respectfully, I would direct you to the redistricting tab of the General Assembly Web site. I believe there are some studies that are listed there. Certainly there are numerous studies that are referenced in the various lawsuits. I know the General Assembly did commission a study on racially polarized voting. I do not believe the Harris court admitted or considered it.

SEN. MCKISSICK: Follow-up, Mr. Chair.

SEN. RUCHO: Follow-up.

SEN. MCKISSICK: Is it not possible to go back and find that data, which is reasonably current, since it was done since 2010, to examine the racially polarized voting patterns throughout the state, because different parts of the state are different? Our urban areas have different characteristics, and there's more coalition politics. Other parts of our state, racially polarized voting patterns are present, and continue to exist.

I would suggest that we go back and look at those studies, analyze them, and use those studies as part of the database that would be used to move forward in drawing these districts. Any reason why we cannot do that?

REP. LEWIS: Respectfully, sir, I may -- I may agree with you, but the Court does not. SEN. MCKISSICK: And I'd have to respectfully disagree on that.

REP. LEWIS: Noted.

SEN. RUCHO: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman. With regard to the language on the voting districts in here, would it not be more appropriate to separate that and have it stand alone as its own criteria? I don't understand the rationale for including it in the criteria about political data.

REP. LEWIS: Senator, I appreciate that question. Frankly, we could have had an additional criteria. I prefer just to let it stay as it is.

SEN. RUCHO: Excuse me. Representative Lewis, do you make the motion to adopt the political data criteria?

REP. LEWIS: I do, Mr. Chairman.

SEN. RUCHO: All right.
CLERK: Brown?
SEN. BROWN: Aye.
CLERK: Clark?
SEN. CLARK: No.
CLERK: Harrington?
SEN. HARRINGTON: Aye.
CLERK: Hise?
SEN. HISE: Aye.
CLERK: Jackson?
SEN. JACKSON: Aye.
CLERK: Lee?
SEN. LEE: Aye.
CLERK: McKissick?
SEN. MCKISSICK: No.
CLERK: Randleman?
SEN. RANDLEMAN: Aye.
CLERK: Sanderson?
SEN. SANDERSON: Aye.
CLERK: Smith?
SEN. SMITH: No.
CLERK: Smith-Ingram?
SEN. SMITH-INGRAM: Nay.
CLERK: Wells?
SEN. WELLS: Aye.
SEN. RUCHO: What have we got?

CLERK: Nine nays. Nine nays. (Pause.)
There's 11. 11 out of 34.
SEN. RUCHO: 11 out of 34 nays. Okay.
The result of that is 23 ayes, 11 nos, and two were
not present. Okay. Representative Lewis?
REP. LEWIS: Mr. Chairman, I would ask --
with your permission, I've asked the Sergeants-at-
Arms to distribute the criteria labeled "Partisan
Advantage." If you could direct the staff to read
that, I'd be happy to speak on it.
SEN. RUCHO: Ms. Churchill, would you
read the one on partisan advantage?
MS. CHURCHILL: "Partisan Advantage: The
partisan makeup of the Congressional delegation
under the enacted plan is 10 Republicans and 3
Democrats. The committee shall make reasonable
efforts to construct districts in the 2016
contingent Congressional plan to maintain the
current partisan makeup of North Carolina's
Congressional delegation."
SEN. RUCHO: Representative Lewis, explain.
REP. LEWIS: Mr. Chairman, the
explanation of this is reasonably simple. As we
are allowed to consider political data in the
REP. LEWIS: Thank you for your question, Senator. I propose that we draw the maps to give a partisan advantage to 10 Republicans and 3 Democrats because I do not believe it's possible to draw a map with 11 Republicans and 2 Democrats. (Laughter.)

SEN. MCKISSICK: Follow-up, if I could. przed π. RUCHO: Follow-up.

SEN. MCKISSICK: Were you aware of the fact that in the 2012 election cycle, if you total the total number of votes received by Democrats running for Congress versus the total number of votes cast for Republicans running for Congress, that Democratic candidates had a higher number of total votes, but ended up with fewer seats? Were you aware of that factor in drawing up this criteria?

REP. LEWIS: I am aware, Senator -- first of all, thank you for your question. I am aware that there are numerous examples, especially through the 2000s, when the majority of seats went to a party that had the fewer votes. We elect our representatives based on a system of drawing districts and the people in those districts being able to vote. We do not elect at large. I know you're very much aware of that, and we will -- this will maintain that system.

SEN. MCKISSICK: Last follow-up, Mr. Chairman.

SEN. RUCHO: Follow-up. Last follow-up.

SEN. MCKISSICK: I would simply say this: If we were looking at a fair and reasonable division as a criteria moving forward, it wouldn't necessarily have to be an even division. It could -- obviously, since majority -- Republicans are a majority now, give Republicans a slight edge, but to come up with such an imbalance in a split I think is highly inappropriate. It's unfair. It does not recognize the way votes have been cast in this state as recently as 2012. It doesn't recognize the division of registered voters in this state between Democrats, Republicans, and Independents, and it's really a matter of political gerrymandering in the worst sense in which we can do so.

REP. LEWIS: Come up with something different. It could be 5 Democratic seats, and there's no reason why that couldn't be accomplished. It could be 6 Democratic seats and still give the Republicans an edge, but to say you're going to marginalize with only 3 seats as a criteria, let the voters decide.

SEN. RUCHO: Follow-up. Last follow-up. Represented Lewis, in the case Senator McKissick brought forth, you see some districts that tend to have a larger voter turnout than others, that could easily explain what Senator McKissick described. Am I not correct?

REP. LEWIS: Yes, sir. I think that's a constant variable in this. If you have an area that has a lot of contested races, those areas tend to produce more folks to the polls. If you have -- you know, we don't want to get into the Electoral College, but I can remember this debate's been going on since 2000 because of the use -- you know, there are times -- do you maximize or, for lack of a more polite term, do you pump up or boost up votes in certain areas to try and create the larger cumulative total, or do you file, run, and win in the districts in which you live? Our system has historically been the latter.

SEN. RUCHO: I have a follow-up there. Senator McKissick go ahead.

SEN. MCKISSICK: Yeah. Simply this: I think what voters want are more competitive districts, more competitive districts where they have a clear choice between a Democrat, a Republican, and perhaps an unaffiliated candidate that's running, but not ones that are gerrymandered to give one party or the other just a clear partisan advantage. More competitive districts, I support completely, but that means drawing the maps in a way where you're not from the outset establishing criteria that gives one party an unfair advantage.

SEN. RUCHO: Representative Lewis?

REP. LEWIS: Mr. Chairman, the only thing that I could add is that we want to make clear that...
25 we to the extent are going to use political data in
drawing this map, it is to gain partisan advantage
on the map. I want that criteria to be clearly
stated and understood. I have the utmost respect
for those that do not agree with this particular
balance.

7 I will say -- and the gentleman from
Durham did not say this, but I will say that during
the public comment yesterday, more than one speaker
referred to, "Can't we just draw them where there's
5 this way or 6 that way?" That is partisan
gerrymandering if you're drawing 5 and 7 or 6
and -- whatever it is. I'm making clear that our
intent is to use -- is to use the political data we
have to our partisan advantage.

SEN. RUCHO: Representative Michaux?
REP. MICHAUX: Yeah. Mr. Chairman, you
know if we were where you are today and we came up
with this idea, you-all would be jumping all over
the place, trying to dissuade us from that. First
you want to -- you really want to dissuade race
from being put in here. Now you want to make sure
that you keep your 10 to 3 advantage, the same
situation that got you in trouble before, and now
you're going to -- what you're telling us is, "We
want you to do this, and you vote for it, and this
is the way it's going to be," period, end of
report.

SEN. RUCHO: Okay. There was no
question, I don't think, so -- unless you want to
respond to his comment.
REP. LEWIS: No.
SEN. RUCHO: Okay. I've got
Representative Stam first.
REP. STAM: Yes. I'd like to share a
statistic that I haven't used in about 10 years,
but I'll tell you why. During the last
redistricting by the other party in 2004, I did
jump up and down because I saw what was coming. In
the election of 2004 for the House -- write these
statistics down -- 52 percent of the voters chose
the Republican candidate, 44 percent, the
Democratic candidate, and 4 percent, Libertarian.
Well, that should be a landslide for Republicans,
but it ended up that we were in the minority, 57 to
63.

The reason I stopped using those type of
statistics is I realized that it can be totally
skewed by whoever happens to not have a candidate
opposing that person. That shows a huge advantage.

For example, near a military base, they have much
fewer voters than the population -- in other words,
it's a bogus statistic, so I don't use it anymore.

SEN. RUCHO: Thank you. I've got
Representative Hager.
REP. HAGER: Thank you, Mr. Chairman.
You know I haven't been here long, but I guess in
the House, I've become one of the more senior
members with my colleagues that came in in 2011,
but, you know, I got to thinking -- and I have the
utmost respect for Senator McKissick and
Representative Michaux, but, you know, if I beat my
dog every day for 4 or 5 years and then I quit
doing it and I told David to quit beating his dog,
you'd consider me a little bit hypocritical,
wouldn't you, David?

If you look at that map on the wall and
look at the 1992 map and look at District 10 and
District 1, District 10 is my district now. Look
at where we've come with District 10 since then. I
mean, it's just -- it's amazing to me that we can
argue that we shouldn't -- that the folks that have
been here for a long time can argue that we
shouldn't gerrymander these on political reasons,
and they're some of the same people that developed
that map of District 1 and District 10 in 1992.

SEN. RUCHO: Thank you. Any additional
questions? Senator Smith-Ingram?
SEN. SMITH-INGRAM: Thank you, Mr. Chair.
Can you be specific as to what constitutes partisan
advantage? Do we have to tie it to a number?
REP. LEWIS: No, ma'am, but I will --
first of all, thank you for the question. To
perhaps expound on a bit, this would -- this
would contemplate looking at the political data,
which was an earlier criteria adopted by this
committee, and as you draw the lines, if you're
trying to give a partisan advantage, you would want
to draw the lines so that more of the whole VTDs
voted for the Republican on the ballot than they
did the Democrat, if that answers your question.

SEN. SMITH-INGRAM: I think that --
SEN. RUCHO: Follow-up?
SEN. SMITH-INGRAM: Thank you. Follow-
up. It answers about 50 percent of my question.
If I could ask you another one, maybe a different
way? You threw out some numbers. Would there not
be partisan advantage with 8/3?
REP. LEWIS: Thank you for that question,
Senator. I would point out that indeed, you could
use political numbers to draw a partisan -- to draw
districts in which 8 Republicans would win or 5
Democrats. I'm saying to the extent that you can,
make it 10/3.

SEN. SMITH-INGRAM: Last follow-up.
SEN. RUUCH: Last follow-up.
SEN. SMITH-INGRAM: Just a statement. I
am concerned that we are trying to mimic the
outcome of the previous election that never existed
for a very long time in North Carolina until this
district was redrawn in 2011. The challenge here
is we are balancing where we are with where we have
been historically, but at the end of the day, we
are elected to come together, to work together, to
serve the constituents and citizens of North
Carolina. This is one of the concerns resonated
 yesterday, and many of us have it here. We are
drawing these lines so that we get to pick our
voters as opposed to them choosing us. It is
unfair. It should not be perpetuated in this
process, and I will not be supporting it.

SEN. RUUCH: Thank you. Representative
Jones?
REP. JONES: Thank you, Mr. Chair. I
appreciate it. I want to say how much I have
enjoyed this discussion about -- about
gerrymandering. You know, that's a word that seems
to me, as someone who has lived in North Carolina
for all my life and has really kind of studied the
political process particularly over the last few
decades, a word that was never really used until
somehow the Republicans came to a majority in 2010.
Just as we're taking this little trip
down memory lane for just a moment, I -- I remember
tings like multi-member districts in North
Carolina when we were drawing the legislature. I
thought what an extreme opportunity that was to
gerrymander.

I saw it happen in my own area where, you
know, we couldn't do single-member districts. We
couldn't even do double-member districts.
Sometimes it had to be three- or four-member
districts in order for the political party in
charge at the time, which was the Democratic Party,
to gain a political advantage, so Representative
Lewis, I appreciate your honesty as you come
forward today, and we -- and we explain that
political gerrymandering I guess is what it is, but
I just find it very interesting to hear some of the
comments coming from some of the avenues that we're
hearing them come from today. We never heard those
comments for decades and decades and decades in
North Carolina, whether it was the media, whether
it was the majority party, whomever, and so I guess
the process is what it is.

I'm glad that we have had some court
decisions that have led to what I think is a lot
less gerrymandering than what we had in prior
decades, where we -- now we do have single-member
districts. Now we do have where we don't just
split counties in any possible way, and we have the
district pod system and things like that, so I really take
offense when I hear those that say that somehow the
political gerrymandering of today is greater than
somehow it was in prior years, when anybody that
goes back and studies the history knows that that's
simply not the case.

That's my comment, and I will ask I guess
a question for you, Representative Lewis. Is it
possible that people might choose to vote for a
candidate that is of a different political party
than what their political affiliation is?

REP. LEWIS: Well, thank you for that
question, Representative Jones. Of course it is.
I mean, we all offer ourselves, and the voters in

our districts decide that we best represent what we
believe the direction of the government should be
and that's how they cast their votes, so certainly
a person is free to vote ever how they choose to
vote.

REP. JONES: Well, that's what I think,
and I think regardless how you draw these
districts -- you know, I come from an area where I
can remember a time where voting for the Democratic
party was extremely -- extremely high, and that
time has changed, and those votes have changed. A
lot of people that I can tell don't necessarily
vote for the same party that they're registered,
and so I -- you know, I think we ought to respect
the voters as individuals, and whether they're
registered Democrat, Republican, Libertarian,
unaffiliated, whatever, recognize that they do have
an opportunity to vote for any candidate that is on
the ballot before them. I appreciate your answer,
and I appreciate your honesty and integrity and
going forward with the process.

SEN. RUUCH: Thank you, Representative
Jones. Senator Clark?
SEN. CLARK: Thank you, Mr. Chairman.
I'm having difficulty understanding why I should
RUCHO: Thank you. Representative Jackson?

REP. JACKSON: Thank you, Mr. Chairman. Senator Clark took one of my points that I was going to make, but part of my uneasiness with this is that it refers to the current Congressional plan. I think you could make reference just saying that you want to do it to a partisan advantage and maximize Republican members, and I could agree with that, I guess, but you have that opportunity. I would point out that your maps originally had a 9/4 split, and that any reference to 10/3 is not what your maps were; your maps were a 9/4 split. What you've done is taken out the advantage that was achieved through the use of unconstitutional maps. Could you explain that to me?

REP. LEWIS: Well, to be clear, sir, we -- we are proposing that the maps that are drawn now under this criteria which we have passed a plank of, and continue to move forward, one of the goals in drawing the map will be to preserve the 10/3. With all due respect, I've listened to this, and we can of course continue to discuss this as long as the committee wants to. It's always sort of amazed me that if the map elects one side, the other side considers -- considers it a gerrymander, and something bad. If it elects their side, they consider it a work of art, and good government, so this is saying that one of the goals will be to elect -- to speak directly to your point, the goal is to elect 10 Republicans and 3 Democrats.

SEN. RUCHO: Thank you. Representative Lewis, there was a comment earlier about the districts, the 13 districts that exist, 10 presently Republican, and 3 Democrat, and under the circumstances, could you explain a little bit about the makeup of the Republican districts and who they're composed of, and what is necessary for that Republican to win an election?

REP. LEWIS: Thank you for the question, Mr. Chairman. First of all, it would be necessary to go back and review the stat packs and whatnot from the 2011 districts, which are online if anybody would like to do that, but to the best of my knowledge, Republicans hold no majority as far as voter registration in any of those districts. It's also -- well, and it is firmly my belief that it's the responsibility of each of the political parties to nominate quality candidates who can appeal to the entire political spectrum. It was pointed out yesterday during the public hearing that the unaffiliated ranks in our state continue to grow. If you don't get them -- if you don't get a large percentage of the unaffiliated vote in most of our districts, you're not going to win, and so I would say that you are required to have a good-quality candidate that appeals to the political expectations of the majority of the folks in that district.

I can go back, and we can go through some of the points. I do still -- I actually maintain that the districts that we have now are largely competitive. I pointed out before that in the race for attorney general that Attorney General Cooper won nearly all of these. We can go back through this 2011 debate if we'd like to, but I would again maintain that you've got to put forward a good candidate that appeals to the majority of folks, and that the majority of folks in these districts in the enacted plan are not registered Republicans. In fact, to the best of my knowledge, in all but perhaps one, we are the minority in all of the districts.

SEN. RUCHO: Thank you. Okay, Representative Jackson?

REP. JACKSON: Thank you, Mr. Chairman. In fact, to the best of my knowledge, in all but perhaps one, we are the minority in all of the districts. 2012 election, but that's not my question. My question is, are we going to rank these criteria in any order, because you've used words in this criteria like "reasonable efforts." Well, if -- are the -- how will the mapmakers know what a reasonable effort is? In trying to come up with 10 Republican districts, will they be able to make a reasonable effort that means they can now consider race? Will they be able to make a reasonable effort that means that now they can consider the 2008, 2012 elections? Will they be able to split precincts as part of making a reasonable effort to make a 10/3 split?

REP. LEWIS: Representative Jackson, thank you for that series of questions. The answer to your question, the first part was -- I'm sorry, Mr. Chairman, I'm sorry.

SEN. RUCHO: Go ahead, please.

REP. JACKSON: Will there be any type of ranking of these criteria anywhere?

REP. LEWIS: No. No is the answer. That's why these criteria are being presented individually and discussed and debated individually. Map -- drawing maps is largely a balancing act. We are trying to specify certain...
things that you cannot use. You asked about race. You cannot use that, and I apologize; I don’t remember what else you asked about, Representative Jackson.

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

SEN. RUCHO: Follow-up.

REP. JACKSON: Okay. So it would be your contention, then, that making reasonable efforts would not include violating any of the other criteria that we have passed?

REP. LEWIS: Absolutely. Mr. Chairman?

SEN. RUCHO: Yes?

REP. LEWIS: If there aren’t further questions, I move adoption of the 2016 contingent Congressional plan proposed criteria labeled "Partisan Advantage."

SEN. RUCHO: All right.

REP. JONES: Second.

SEN. RUCHO: Representative Jones has seconded. All right, members of the committee, there has been considerable discussion, and if there’s any additional thoughts, this is your opportunity.

(No response.)

SEN. RUCHO: Seeing none, Mr. Clerk, please go through the roll.

CLERK: Jordan?

REP. JORDAN: Aye.

CLERK: McGrady?

REP. MCGRADY: Aye.

CLERK: Michaux?

REP. MICHAUX: No.

REP. MOORE: No.

CLERK: Stam?

REP. STAM: Aye.

CLERK: Stevens?

REP. STEVENS: Aye.

CLERK: Rucho?

SEN. RUCHO: Aye.

CLERK: Apodaca?

SEN. APODACA: Aye.

CLERK: Barefoot?

SEN. BAREFOOT: Aye.

CLERK: Blue?

SEN. BLUE: No.

CLERK: Brown?

SEN. BROWN: Aye.

CLERK: Clark?

SEN. CLARK: No.

CLERK: Harrington?

SEN. HARRINGTON: Aye.

CLERK: Hise?

SEN. HISE: Aye.

CLERK: Jackson?

SEN. JACKSON: Aye.

CLERK: Lee?

SEN. LEE: Aye.

CLERK: McKissick?

SEN. MCKISSICK: No.

CLERK: Randleman?

SEN. RANDLEMAN: Aye.

CLERK: Sanderson?

SEN. SANDERSON: Aye.

CLERK: Smith?

SEN. SMITH: No.

CLERK: Smith-Ingram?

SEN. SMITH-INGRAM: No.

CLERK: Wells?

SEN. WELLS: Aye.

CLERK: 23-11.

SEN. RUCHO: All right, members of the committee, roll call on the “Partisan Advantage” criteria was ayes, 23, nos, 11. We’ll be going on to the next one, and that is -- okay, got it. This is the 12th
Congressional District in a shape that the judges
the mapmakers will make an effort to draw the 12th
criteria stand on their own and have to be
Wake, Representative Jackson's, words. As these
This largely goes—I'll try to use my friend from
REP. LEWIS: Thank you, Mr. Chairman.
SEN. RUCHO: And, Representative Lewis,
Database: '12th District: The
current General Assembly inherited the
configuration of the 12th District from past
General Assemblies. This configuration was
retained because of the -- because the district had
already been heavily litigated over the past two
decades, and ultimately approved by the courts.
The Harris court has criticized the shape of the
12th District, citing its serpentine nature. In
light of this, the committee shall construct
districts in the 2015 contingent Congressional plan
that eliminate the current configuration of the
12th District."
SEN. RUCHO: And, Representative Lewis,
would you explain the criteria under the '12th
District' heading?

REP. LEWIS: Thank you, Mr. Chairman.

This largely goes—I'll try to use my friend from
Wake, Representative Jackson's, words. As these
criteria stand on their own and have to be
considered together, what this is saying is that
the mapmakers will make an effort to draw the 12th
Congressional District in a shape that the judges

would not consider serpentine.
SEN. RUCHO: Does that conclude your
explanation?
REP. LEWIS: Yes, sir.
SEN. RUCHO: Okay. Members of the
committee.
SEN. BLUE: Mr. Chairman?
SEN. RUCHO: Senator Blue?
SEN. BLUE: I want to commend
Representative Lewis. I agree that the 12th
District ought to be contiguous, it ought to be
compact, as all of the other districts in the
state, and I think a good starting point for
drawing constitutional maps would be to start with
the 12th District and make it compact, and let it
impact the other districts.

I think differently about the 1st,
because I think that the law requires it. I have
no particular love for the shape of any of these
strange districts, but if you're serious about
creating a district that's compact, that's
 contiguous, and that covers as few counties as
possible by not unreasonably splitting county
lines, by not splitting county lines except where
necessary to comply with population, I think it's a
good idea.
SEN. RUCHO: Members of the -- oh, I'm
sorry. Go ahead, Chairman Lewis.
REP. LEWIS: Mr. Chairman, I just -- I
just wanted to thank Senator Blue for his words.
I'm glad that after two decades of drawing maps,
we've found something we can agree on.
SEN. RUCHO: All right, members of the
committee. Senator McKissick?
SEN. MCKISSICK: While I appreciate the
fact that the 12th District has an unusual shaped
appearance, I'm also aware of the fact that it's
gone up before the Supreme Court previously, and
when I think of the fact that one of the things we
have to consider is communities of interest, and
communities of interest is certainly something
that's a very valid consideration in drawing
Congressional districts, and I've heard it stated
on numerous occasions that communities of interest
test here is met and satisfied with the shape being
what it is today.

Now, while it may appear a bit
serpentine, a little bit unusual, I think it's
possible to reconfigure the district, perhaps to
make it somewhat more compact, but it links
together significant cores of the urban parts
of our state along the main street of the state, which
is now Interstate 85. Interstate 85 is the main
corridor.

Those urban areas are linked from
Charlotte going through Greensboro and back up into
the Piedmont area of our state, so I would not want
to abandon it. I'd want to perhaps reconfigure it,
but keeping in mind the communities of interest
that it ties together, major urban cores with
populations that have similar interests and
concerns, along with major banking centers.

One of the -- I've heard before that that
particular district had more banking headquarters
than any Congressional district in our country, and
I rely upon that based upon the sources of that
data, so I would not abandon it; I would simply try
to reconfigure it, perhaps make it more compact,
but to respect the communities of interest that it
does unify.

SEN. RUCHO: Thank you. Any additional
questions? Well, let me first say, Representative
Lewis, do you want to make a comment to that?
REP. LEWIS: (Shakes head.)
SEN. RUCHO: Representative Hanes?
REP. HANES: Thank you, Mr. Chairman. I think both the senators have -- have excellent points. I agree especially with Senator Blue and his statements with regard to what we need to be looking at as a whole as we consider what these districts look like. Certainly when it comes to Democrats -- and I know we're trying to avoid the word "race" here, but when it comes to folks who look like me, we want our voices heard everywhere, and so in that regard, part of the way we do that is to put our communities together within our counties. I think while we certainly don't have to abandon what the 12th is right now, certainly we need to be looking at very strongly doing what Senator Blue suggests, and so I will be supporting it. Thank you.

SEN. RUCHO: Thank you. Members of the committee, any additional questions or comments? (No response.) SEN. RUCHO: Representative Lewis, do you have a motion?

REP. LEWIS: Mr. Chairman, I move that the 2016 contingent Congressional plan proposed criteria labeled "12th District" be adopted. SEN. APODACA: Second.

SEN. RUCHO: Second by Senator Apodaca. Members of the committee, you have this motion before you. Any questions or comments prior to a roll call vote? (No response.) SEN. RUCHO: Seeing none, Mr. Clerk, would you go through the roll call, please?

CLERK: Lewis?
REP. LEWIS: Aye.
CLERK: Jones?
REP. JONES: Aye.
CLERK: Brawley?
REP. BRAWLEY: Aye.
CLERK: Cotham?
REP. COATHAM: Yes.
CLERK: Davis?
REP. DAVIS: Aye.
CLERK: Farmer-Butterfield?
REP. FARMER-BUTTERFIELD: Yes.
CLERK: Hager?
REP. HAGER: Aye.
CLERK: Hanes?
REP. HANES: Yes.
CLERK: Hardister?
REP. HARDISTER: Aye.

SEN. BLUE: Aye.
CLERK: Brown?
SEN. BROWN: Aye.
CLERK: Clark?
SEN. CLARK: Aye.
CLERK: Harrington?
SEN. HARRINGTON: Aye.
CLERK: Hise?
SEN. HISE: Aye.
CLERK: Jackson?
SEN. JACKSON: Aye.
CLERK: Lee?
SEN. LEE: Aye.
CLERK: McKissick?
SEN. MCKISSICK: No.
CLERK: Randleman?
SEN. RANDLEMAN: Aye.
CLERK: Sanderson?
SEN. SANDERSON: Aye.
CLERK: Smith?
SEN. SMITH: Aye.
CLERK: Smith-Ingram?
SEN. SMITH-INGRAM: Aye.
CLERK: Wells?
SEN. WELLS: Aye.
SEN. RUCHO: So 33 aye and 1 no, correct?  
CLERK: Yes.  
SEN. RUCHO: Members of the committee, the roll call vote on that, the criteria for the 12th District adoption, is 33 aye and 1 no.  All right.  

Before we go on to the next criteria, I'll make a statement to the committee that under the House rules, there is a way of amending or submitting an amendment forward.  If you'll contact Ms. Churchill on this, she will assist you in doing so if you desire.  

All right, that being said, Representative Lewis, before us is --  
REP. LEWIS: "Compactness."  
SEN. RUCHO: -- "Compactness."  All right.  Please, Ms. Churchill, would you read that?  

MS. CHURCHILL: "Compactness:  In light of the Harris court's criticism of the compactness of the 1st and 12th Districts, the committee shall make reasonable efforts to construct districts in the 2016 contingent Congressional plan that improve the compactness of the current districts and keep more counties and VTDs whole as compared to the current enacted plan.  Division of counties shall only be made for reasons of equalizing population, consideration of incumbency, and political impact.  Reasonable effort shall be made not to divide a county into more than two districts."  
SEN. RUCHO: Representative Lewis, would you please explain the "Compactness" criteria?  
REP. LEWIS: Thank you, Mr. Chairman.  To be clear, the -- trying to explain compactness is very difficult, as I don't know that there is a hard-and-fast definition that I can offer to the committee.  The way that I will interpret it is again trying to keep as many counties whole as possible, to split as few precincts as possible, and again, only to -- and to only do that to equalize population.  

I would -- I would point out, again going back to my friend, Representative Jackson's question, these criteria kind of layer on each other, and so I would -- I would urge the committee to adopt the guideline on compactness.  
SEN. RUCHO: Senator Blue?  
SEN. BLUE: Thank you.  Representative Lewis, other than in 3 counties, are there multiple incumbents?  I know that there's more than 1 in Mecklenburg.  There's only 1 in Wake, I believe.  There's only 1 in Wake, and so 2 counties. There may be 2 in Guilford.  Is there any other county with more than 1 incumbent?  
REP. LEWIS: Senator Blue, thank you for that question, and candidly, I don't believe so, but I don't know that, either.  
SEN. RUCHO: -- Follow-up?  
SEN. BLUE: So if the only place that you would worry about splitting the county to protect the incumbency would be Mecklenburg County based on the current layout -- I know that there are some of us counties that are split 3 and 4 different ways, but I know in Wake County, there's only 1 resident Congressperson, although we have 4 districts here, and I think that the same is true of every other county except Mecklenburg, with the exception of Guilford.  There may be 2 from Guilford.  I'm not sure, but nevertheless, why should we split counties if you don't have to, to protect the incumbents?  Why shouldn't we leave counties whole all over the state except where you have to split them because of population?  
SEN. RUCHO: Representative Lewis?  
REP. LEWIS: Thank you for that question.
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<td>1. going to split counties except to protect incumbents when you don’t have any incumbents to protect, and you ultimately say that you will split them for political impact, which means that you can indiscriminately split counties however you want to anyhow if you determine what the political impact is? Why would you say that, and why would you put that provision in there?</td>
<td>1. SEN. BLUE: If there is no incumbency, then incumbents won’t be considered in splitting districts, and that can’t be the reason for splitting it. I’m simply saying that when you say “political impact,” you take away everything else you put in that phrase, and if we believe in keeping counties whole to the extent possible, especially small counties, if we believe in that, then all we’ve got to do is say we’re only going to split counties to equalize population, and I’m wondering why it’s so critical that you say “political impact,” since that phrase is loaded with all kinds of subjective determinations, with the ability to totally disregard this earlier portion saying that you’re not going to split counties, or you’re only going to split counties to put them into two districts, because you don’t say you won’t split them; you say you’ll make reasonable efforts not to. I’m saying why don’t we have an absolute prohibition on splitting counties except when it’s necessary to comply with one person, one vote?</td>
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<td>SEN. RUCHO: Representative --</td>
<td>REP. LEWIS: Thank you for that question, Senator Blue. My response to that would be that we will look forward to reviewing maps that you may submit that follow that criteria. I feel very comfortable that we’ve made clear through this process of what our -- what our intents are, and I would prefer that this criteria remain as it’s written.</td>
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<td>SEN. BLUE: And that being said, would you be willing to --</td>
<td>SEN. RUCHO: Thank you. Representative Jones?</td>
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<td>you answer this one first, please.</td>
<td>REP. JONES: Thank you, Mr. Chairman. I just wanted to clarify the record that there are two Congressmen that live in Guilford County, Mark Walker of the 6th District, and Alma Adams of the 12th District.</td>
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<td>SEN. RUCHO: One question. Let him answer this one first, please.</td>
<td>SEN. RUCHO: Okay. I’ve got -- I’ve got Senator Smith.</td>
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<td>SEN. BLUE: It’s part of the same question. That being said, would you be willing to strike after the comma and the word “population” on the third from the bottom line the phrases “consideration of incumbency” and “political impact” so that there’s a clear signal that you’re not going to split counties since you don’t have to split them to protect incumbents, so that you’re not going to split counties except where you have to, to get to the one person, one vote requirement?</td>
<td>SEN. SMITH: Thank you, Mr. Chairman. I certainly appreciate the idea of compactness. I very much want to see precincts and counties left whole. I would respectfully tell you that in 2011, there was a district drawn where an incumbent was drawn out. It was the district that I lived in, and so the 7th Congressional District drew -- was changed to the 8th Congressional District, and the Congressman McIntyre, who was the incumbent, was drawn out essentially of his own district, and my concern is what Senator Blue has said. The idea of</td>
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<td>SEN. RUCHO: Representative Lewis, why don’t you answer his first question first? He</td>
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<td>REP. LEWIS: Senator Blue, thank you for that series of inquiries. I do apologize because I don’t remember exactly what you asked.</td>
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<td>SEN. BLUE: Do you need me to reask it?</td>
<td>REP. LEWIS: Let me just say that it is my intent to split as few counties as we possibly can, and to not allow the counties to be divided more than two times. Our overarching goal of this, as Representative Jackson and I have had some continued conversation, all of these criteria kind of overlap on each other. I would agree with you that equalizing population is a mandatory reason that a county may have to be split. I would also say that it would be dishonest of me to say that political impact can’t be considered in how you draw districts. I don’t see any harm in leaving the words “consideration of incumbency” because there’s no requirement that the districts be drawn to include the current seated members. It just allows for the -- the consideration that they are -- that they are in fact there.</td>
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<td>REP. LEWIS: Senator Blue, thank you for that series of inquiries. I do apologize because I don’t remember exactly what you asked.</td>
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<td>SEN. RUCHO: Thank you. Representative Jones?</td>
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<td>SEN. RUCHO: Last follow-up.</td>
<td>REP. JONES: Thank you, Mr. Chairman. I just wanted to clarify the record that there are two Congressmen that live in Guilford County, Mark Walker of the 6th District, and Alma Adams of the 12th District.</td>
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compactness is great, but when we leave in this other phrase about incumbency, we have taken away the other reason, the only reason that really should be the case, and that is population.

REP. LEWIS: Senator, I appreciate that. Again, I would state that equalizing population is definitely the required reason that a county may have to be split. This simply allows for consideration of incumbency and consideration of political impact. I don’t -- I don’t see that that would interfere with us being able to use compactness in drawing the maps.

SEN. SMITH: Follow-up, Mr. Chair?

SEN. SMITH: I just would point out that population was not the case in 2011, and my concern is that if we agree to this and keep this as up trumping population, and splitting counties and precincts.

SEN. RUCHO: Thank you. Representative Lewis, do you want to comment?

REP. LEWIS: No.

SEN. RUCHO: You’re all set? Just a quick -- is it -- a question for the Chair,

REPORT LEWIS: The way this is drafted now, what I’m seeing is a statement of an aspirational goal, but not a strict requirement. Is that correct, or is that a misreading? It’s one thing to aspire to accomplish these things, which I support. It’s another thing if you make it a litmus test, so can you clarify that?

REP. LEWIS: Thank you for that question, Senator McKissick. Let me say that this is an aspirational goal.

SEN. MCKISSICK: In which case, I embrace it.

SEN. RUCHO: Okay. From the Chair, Senator McKissick [sic], a question that Representative Jackson asked earlier, and when you talk about the criteria, is it accurate to say that all of them are weighted at the same level, and it’s a matter of harmonizing to try to get to a map that meets those criteria?

(No response.)

SEN. RUCHO: David?

REP. LEWIS: I’m sorry, Mr. Chairman.

SEN. RUCHO: Oh, I’m sorry. From the Chair, a question for you.

REP. LEWIS: Yes, sir?

Representative Lewis: Is it a requirement for a Congressional candidate to live in the district they’re running in?

REP. LEWIS: No. A candidate for Congress is not required to reside in the district in which they run.

SEN. RUCHO: Okay, thank you. I’ve got Representative Hager.

REP. HAGER: Thank you, Mr. Chairman, and thank you, Representative Lewis, for -- for this particularly, because as I said earlier, Rutherford County, prior to the Rucho-Lewis maps that we’re under today, split Rutherford County between the 10th and the 11th. Now, I find it -- and I have a question for you. I find it very ironic that that split for the 11th included -- came down Main Street in Rutherfordton to include Walter Dalton’s house, so the question I have for you is we won’t split districts depending on who we think may run for that Congressional district; would that be correct?

REP. LEWIS: Yes, sir, that’s correct.

SEN. RUCHO: Okay. All right. I’ve got Senator McKissick.

SEN. MCKISSICK: Let me ask you this,

SEN. RUCHO: Based on what Representative Jackson asked earlier, all of these criteria listed that’s being submitted and voted upon, is it fair to say that the criteria established are not ranked as far as priorities, but are a matter of harmonizing until you can get a map that meets those criteria?

REP. LEWIS: That’s correct, sir. We are seeking aspirational harmony. (Laughter.)

SEN. RUCHO: Okay. Do you have a motion?

REP. LEWIS: Mr. Chairman, I would move that the 2016 contingent Congressional plan proposed criteria labeled “Compactness” be adopted by the committee.

SEN. RUCHO: All right. I’ve got -- Representative Davis has seconded that motion. Members of the committee, any questions, comments prior to a roll call vote? Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Thank you. I want to ask about the hearings yesterday and how much impact they had on the criteria, if any, based on what you’re presenting today.

SEN. RUCHO: Representative Lewis?
REP. LEWIS: Thank you for that -- thank you for that inquiry, Representative. I will tell you that many things that stand out in my mind are do away with the 12th, keep counties whole, all of which we've addressed in this, so I would say that they had a great deal of impact on the criteria that you have before you.

SEN. RUCHO: All set? Okay. Yes, Representative Stevens?

REP. STEVENS: Thank you, Mr. Chair, and I just wanted to commend Representative Lewis and perhaps answer some of the things that some of the people are talking about, and I'd like to read -- I guess it's about one and a half paragraphs of one of the most recent redistricting cases in March of 2015.

It says, "Now consider the nature of those offsetting 'traditional race-neutral districting principles.' We have listed several, including 'compactness, contiguity, respect for political subdivisions or communities defined by actual shared interests,' incumbency protection, and political affiliation," those things that we've done.

The next paragraph says, "But we have not listed equal population objectives. And there is a reason for that omission. The reason that equal population objectives do not appear on this list of 'traditional' criteria is that equal population objectives play a major -- different role in a State's redistricting process. That role is not a minor one. Indeed, in light of the Constitution's demands, that role may often prove 'predominant' in the ordinary sense of that word,'" because the equal population, it goes on to talk about in the voting rights districts we really have to take a different focus on, so I commend you for all of the criteria you've set forward. It seems to comply with the most recent case law.

SEN. RUCHO: Representative Lewis?

REP. LEWIS: Yes, sir, Mr. Chairman?

SEN. RUCHO: All set? We've got a motion before us that we approve of the criteria that was listed and debated on the compactness. We've had a second from Representative Davis. Mr. Clerk, would you call the roll?

CLERK: Lewis?

REP. LEWIS: Aye.

CLERK: Jones?

REP. JONES: Aye.
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1. CLERK: Lee?
2. SEN. LEE: Aye.
3. CLERK: McKissick?
4. SEN. MCKISSICK: Aye.
5. CLERK: Randleman?
7. CLERK: Sanderson?
8. SEN. SANDERSON: Aye.
9. CLERK: Smith?
10. SEN. SMITH: No.
11. CLERK: Smith-Ingram?
12. SEN. SMITH-INGRAM: Aye.
13. CLERK: Wells?
15. SEN. RUCHO: Members of the committee, the roll was taken. We have the ayes, 27, the noes, 7. That was adopted. Okay, everyone, pay close attention here. We have before us another criteria entitled "Incumbency." Ms. Churchill?
16. MS. CHURCHILL: "Incumbency: Candidates for Congress are not required by law to reside in a district they seek to represent; however, reasonable efforts shall be made to ensure that incumbent members of Congress are not paired with another incumbent in one of the new districts constructed in the 2016 contingent Congressional plan."
17. REP. LEWIS: Mr. Chairman, I’d call this the Senator Smith criteria, and I’d move its adoption.
18. SEN. RUCHO: All right. That was the explanation?
19. REP. LEWIS: Well, this is also aspirational, and attempting to harmonize the other criteria.
20. SEN. RUCHO: All right. Members of the committee, any questions or comments on the criteria before you dealing with incumbency?
21. (No response.)
22. SEN. RUCHO: Seeing none, Representative Lewis has a motion that we -- that we approve -- adopt the incumbency criteria. Representative Brawley seconded. We have before us -- any additional thoughts or questions?
23. (No response.)
24. SEN. RUCHO: If not, we’ll take a roll. Mr. Clerk?
25. CLERK: Lewis?

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1. REP. JONES: Aye.
2. CLERK: Brawley?
3. REP. BRAWLEY: Aye.
4. CLERK: Cotham?
5. (No response.)
6. CLERK: Davis?
7. (No response.)
8. CLERK: Farmer-Butterfield?
9. REP. FARMER-BUTTERFIELD: Yes.
10. CLERK: Hager?
12. CLERK: Hanes?
14. CLERK: Hardister?
15. REP. HARDISTER: Aye.
16. CLERK: Hurley?
17. REP. HURLEY: Aye.
18. CLERK: Jackson?
20. CLERK: Johnson?
22. CLERK: Jordan?
23. REP. JORDAN: Aye.
24. CLERK: McGrady?
25. REP. MCGRADY: Aye.

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1. CLERK: Michaux?
2. REP. MICHAUX: Aye.
3. CLERK: Moore?
4. REP. MOORE: Aye.
5. CLERK: Stam?
7. CLERK: Stevens?
8. REP. STEVENS: Aye.
9. CLERK: Rucho?
10. SEN. RUCHO: Aye.
11. CLERK: Apodaca?
12. SEN. APODACA: Aye.
13. CLERK: Barefoot?
15. CLERK: Blue?
16. SEN. BLUE: Aye.
17. CLERK: Brown?
18. SEN. BROWN: Aye.
19. CLERK: Clark?
20. SEN. CLARK: No.
21. CLERK: Harrington?
22. SEN. HARRINGTON: Aye.
23. CLERK: Hise?
25. CLERK: Jackson?
SEN. JACKSON: Aye.
CLERK: Lee?
SEN. LEE: Aye.
CLERK: McKissick?
SEN. MCKISSICK: Aye.
CLERK: Randleman?
SEN. RANDLEMAN: Aye.
CLERK: Sanderson?
SEN. SANDERSON: Aye.
CLERK: Smith?
SEN. SMITH: Aye.
CLERK: Smith-Ingram?
SEN. SMITH-INGRAM: Aye.
CLERK: Wells?
SEN. WELLS: Aye.
SEN. RUCHO: All right.
REP. MICHAUX: Mr. Chairman?
SEN. RUCHO: One second. Let me call the vote, please. We had aye, 31, no, 1. That criteria for incumbency has been adopted. All right. Question, Senator -- Representative McKissick -- I mean, excuse me -- sorry. Mr. Michaux, did you have a question?
REP. MICHAUX: No.
SEN. RUCHO: Okay. I thought I heard something from over there.
REP. LEWIS: Thank you, Mr. Chairman, members.
SEN. RUOCHO: Okay, let me see. All right. We -- I mentioned earlier that -- amendments being submitted. Are there any amendments that are going to be submitted? All right. Representative Blue?
SEN. BLUE: I have one that --
SEN. RUCHO: Excuse me, Senator Blue. I'm sorry.
SEN. BLUE: I have one. I had to change it after the adoption of one of the other amendments. I had given it to Erika earlier.
SEN. RUCHO: All right. It's being worked on?
SEN. BLUE: Yeah.
SEN. RUCHO: Okay. I think Senator Hise has an amendment. Okay. Senator Hise, do you have an amendment?
SEN. HISE: I have a motion.
SEN. RUCHO: Motion. One second. They need to have copies for distribution. [Pause.] I'd like to have the committee stand at ease for a few moments while we have some copies made of the amendments, so a couple of minutes to break.
(RECESS, 12:04 - 12:22 P.M.)
SEN. RUCHO: All right. Members of the committee, I think you have on each of your desks a copy of an amendment submitted by Representative Paul Stam, "Amendment to Political Data Criteria #3." Representative Stam?
REP. STAM: Yes. It's just sort of technical. I kept reading that thing, and the way it read, you could read it that you couldn't consider data from the 2008 election, since it said "since 2008," so this makes clear that yes, you can consider 2008 and things forward.
SEN. RUCHO: All right. You've explained it. Is that a motion you're making?
REP. STAM: I move the amendment.
SEN. RUCHO: Representative Lewis?
REP. LEWIS: Mr. Chairman, if I could, to the maker of the amendment, Representative Stam, would the gentleman consider striking "#3" to make clear that these are in no particular order? In other words, it would say, "Amendment to Political Data Criteria,"
REP. STAM: Oh, sure. Well, it would be -- yes, yes, I do. Whether it's spelled "criterion" or "criteria," I will.
SEN. RUCHO: All right. So therefore, the amendment that you've having strikes out -- or it just says "Amendment to Political Data," and then you're striking out -- excuse me -- "Political Data Criteria." You're striking out "#3"?
REP. STAM: We're striking out "#3."
SEN. RUCHO: Just "#3." Members of the committee, is that clear?
REP. LEWIS: Mr. Chairman?
SEN. RUCHO: Who's calling me? Oh, Representative Lewis?
REP. LEWIS: I would support the gentleman's amendment.
SEN. RUCHO: All right. Representative Stam has submitted an amendment before you, and it's open for discussion. Members of the committee?
(No response.)
SEN. RUCHO: Seeing none, would you have a roll call, Mr. Clerk?
CLERK: Lewis?
REP. LEWIS: Aye.
CLERK: Lewis, aye. Jones?
REP. JONES: Aye.
CLERK: Jones, aye. Brawley?
REP. BRAWLEY: Aye.
CLERK: Brawley, aye. Cotham?
REP. COTHAM: Aye.
CLERK: Cotham, aye. Davis?
REP. DAVIS: Aye.
CLERK: Davis, aye. Farmer-Butterfield?
REP. FARMER-BUTTERFIELD: Aye.
CLERK: Farmer-Butterfield, aye. Hager?
REP. HAGER: Aye.
CLERK: Hager, aye. Hanes?
REP. HANES: Aye.
CLERK: Hanes, aye. Hardister?
REP. HARDISTER: Aye.
CLERK: Hardister, aye. Hurley?
REP. HURLEY: Aye.
CLERK: Hurley, aye. Jackson?
REP. JACKSON: Aye.

SEN. MICHAUX: Aye.
CLERK: Michaux, aye. Moore?
REP. MOORE: Aye.
CLERK: Moore, aye. Stam?
REP. STAM: Aye.
CLERK: Stam, aye. Stevens?
REP. STEVENS: Aye.
CLERK: Stevens, aye. Rucho?
SEN. RUCHO: Aye.
CLERK: Rucho, aye. Apodaca?
SEN. APODACA: Aye.
CLERK: Apodaca, aye. Barefoot?
SEN. BAREFOOT: Aye.
CLERK: Barefoot, aye. Blue?
SEN. BLUE: No.
CLERK: Blue, no. Brown?
SEN. BROWN: Aye.
CLERK: Brown, aye. Clark?
SEN. CLARK: No.
CLERK: Clark, no. Harrington?
SEN. HARRINGTON: Aye.
CLERK: Harrington, aye. Hise?
SEN. HISE: Aye.
CLERK: Hise, aye. Jackson?
SEN. JACKSON: Aye.
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<td>because they're extensions of the state, and to set forth clearly that we are -- we're only going to divide counties when you're equalizing population, although that's a federal requirement, too, and when you're complying with federal law. It's something you've got to do. You might as well admit that we have to comply with federal law. Federal law is supreme, and so this says that we will split counties only when you're trying to get down to zero deviation in population, which we're going to try to do, I take it, and only when you're complying with a federal law regarding redistricting. All of the other reasons that have been given would not be justification for splitting counties, and I move the adoption of the amendment.</td>
<td>were looking at. I can't really look at all that I want to.</td>
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<td>SEN. RUCHO: Representative Lewis?</td>
<td>SEN. RUCHO: Okay. You all set? Members of the committee -- oh, excuse me. Senator Hise?</td>
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<td>REP. LEWIS: Thank you, Mr. Chairman, and thank you, Senator Blue, for that explanation. Let me be clear, ladies and gentlemen. We of course are going to comply with federal law. We would not be here were we not attempting to comply with the federal decision issued by the courts. I would submit that this amendment is not necessary, and should not be adopted because we of course are going -- as Senator Blue said, of course we're</td>
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<td>SEN. RUCHO: Senator Hise, and the amendment is entitled Committee Lewis?</td>
<td>SEN. RUCHO: Okay. Representative -- excuse me. Senator Blue, would you please answer that question?</td>
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<td>going -- as Senator Blue said, of course we're</td>
<td>SEN. BLUE: I'll be happy to answer that.</td>
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<td>discussion, that consideration, the word &quot;consideration&quot; of incumbency and political impact may be considered. It's not required to be considered, and I've already stated for the record that equalizing population is the most important reason that a county would be divided. I would respectfully ask the members to vote against this amendment.</td>
<td>Certainly not. As I said, the only two counties that absolutely would be guaranteed to be represented by two Congresspeople would be Mecklenburg and Wake, since each of them has a population in excess of the 700-plus thousand</td>
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<td>SEN. RUCHO: I've got Representative Stam.</td>
<td>that's necessary to draw a Congressional district.</td>
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<td>REP. STAM: I would oppose the amendment, and point out what may be obvious. Senator Blue as the Minority Leader is going to be perfectly entitled to submit his own plan, and nothing in what we've written would prohibit him from striking those two criteria from his maps. He doesn't need this amendment to do what he wants to do.</td>
<td>If you started drawing a district toward an urban area, then you could split that urban area when you got to it so that it's in two separate districts. This would in no way prohibit having two Congresspeople from whichever other urban areas other than Wake and Mecklenburg, where you'd be guaranteed at least two, where you could bring them into one of the urban counties, but you couldn't split it but one time, so you get -- you could get two from Guilford, two from Cumberland, two from Forsyth, two from any of the counties, including the smallest, if you paired it with a much bigger population.</td>
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<td>SEN. RUCHO: Yes, Senator Blue?</td>
<td>SEN. RUCHO: Representative Lewis, comment?</td>
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<td>SEN. BLUE: Just a comment. My cape disappeared, and I'm not Superman anymore, so I can't do a map in a day that takes into account all of the stuff that we have as criteria. I was thinking we were narrowing the things that we</td>
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<td>REP. LEWIS: No, sir. I would say I'm sure that the answer Senator Blue gave is correct to Senator Hise's question. I just again would not support the amendment as it's drafted for the reasons that I've already stated.</td>
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<td>SEN. RUCHO: All right. Members of the committee, you have an amendment before you from Senator Blue, and the amendment is entitled &quot;Amendment, Compactness Criteria.&quot; Any additional</td>
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SEN. RUCHO: Seeing none, the roll call, Mr. Clerk?

CLERK: Lewis?

REP. LEWIS: No.

CLERK: Lewis, no. Jones?

REP. JONES: No.

CLERK: Jones, no. Brawley?

REP. BRAWLEY: No.

CLERK: Brawley, no. Cotham?

REP. COTHAM: Yes.

CLERK: Cotham, yes. Davis?

REP. DAVIS: No.

CLERK: Davis, no. Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Yes.

CLERK: Farmer-Butterfield, yes. Hager?

REP. HAGER: No.

CLERK: Hager, no. Hanes?

REP. HANES: Yes.

CLERK: Hanes, yes. Hardister?

REP. HARDISTER: No.

CLERK: Hardister, no. Hurley?

REP. HURLEY: No.

CLERK: Hurley, no. Jackson?

REP. JACKSON: Yes.

All right, we have another one before us, and this one will be Senator Erica Smith-Ingram's amendment on criteria.

SEN. SMITH-INGRAM: Thank you, Mr. Chair.

In light of our previous discussions and our effort to promote harmony, you can have one-part harmony, two-part, three-part. In this case, this will add the four-part harmony, and I would ask staff if there is needed discussion about the actual language, it came from the federal case.
REP. LEWIS: Mr. Chairman?

SEN. RUCHO: Representative Lewis, comment?

REP. LEWIS: Yes, sir. I appreciate the amendment and the sentiment expressed by the Senator. I would offer that it appears to me that the language that's attempting to be added is somewhat vague and nebulous, as I don't know that we have a defined -- or an actionable definition of what "community of interest" is, or "community of shared interest," so respectfully, I would ask the committee to defeat this amendment.

SEN. RUCHO: Members of the committee, any questions or comments?

(No response.)

SEN. RUCHO: We have a motion before us dealing with "Amendment to Compact Criteria" submitted by Senator Erica Smith-Ingram. You have that before you. Seeing no comments or questions, Mr. Clerk, roll call, please?

CLERK: Lewis?

REP. LEWIS: No.

CLERK: Lewis, no. Jones?

REP. JONES: No.

CLERK: Jones, no. Brawley?

REP. BRAWLEY: No.

CLERK: Brawley, no. Cotham?

REP. COTHAM: Yes.

CLERK: Cotham, yes. Davis?

REP. DAVIS: No.

CLERK: Davis, no. Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Yes.

CLERK: Farmer-Butterfield, yes. Hager?

REP. HAGER: No.

CLERK: Hager, no. Hanes?

REP. HANES: Yes.

CLERK: Hanes, yes. Hardister?

REP. HARDISTER: No.

CLERK: Hardister, no. Hurley?

REP. HURLEY: No.

CLERK: Hurley, no. Jackson?

REP. JACKSON: Yes.

CLERK: Jackson, yes. Johnson?

REP. JOHNSON: No.

CLERK: Johnson, no. Jordan?

REP. JORDAN: No.

CLERK: Jordan, no. McGrady?

REP. MCGRADY: No.

CLERK: McGrady, no. Michaux?

REP. MICHAUX: Yes.

SEN. RUCHO: Members of the committee, on "Amendment to Compactness Criteria" from Senator Erica Smith-Ingram, the ayes, 11; the noes, 23. That amendment was not adopted. All right, we have another one, and I believe it's already at your desk, and this one is "Communities of Interest," submitted by Senator
Floyd McKissick. Senator McKissick, would you like to explain your amendment?

SEN. MCKISSICK: Sure, and it's very straightforward. It's not seeking to amend any other criteria. This would just be a criteria that is aspirational, as many of the others. It does follow case law in terms of what is stated, and what this says is that the committee will make reasonable efforts to respect political subdivisions, cities, towns, what have you, as well as communities as defined by actual interest. What I would like to do is recognize Kara as well as Erica, perhaps, to provide further clarification in terms of existing case law.

I think we are -- we would be remiss if we did not include this as one of the benchmarks that we would seek to use in drawing the plans as we move forward. I can't imagine why we would want to ignore communities of shared interest or not respect political subdivisions other than counties.

This is talking about other political subdivisions or towns that might be within these Congressional districts, which should also be respected to the extent it's possible and feasible to do so, not just counties.

Kara, Erika, if you could comment, please?

SEN. RUCHO: Please identify yourself and respond to Senator McKissick's request if you can.

MS. MCCRAW: I'm Kara McCraw, staff attorney with the Legislative Analysis Division. Senator McKissick is referring to the last part of this amendment. The term -- the language "respect political subdivisions and communities defined by actual shared interests" is language that was used by the Supreme Court in the Miller v. Johnson case from 1995 as part of the list of traditional race-neutral districting principles.

SEN. RUCHO: All right. Representative Lewis?

REP. LEWIS: Thank you, Mr. Chairman, and thank you, Senator, for offering this additional criteria. As best I can understand it, to the extent it's required by federal law, of course we're going to be mindful of that, but as you and I had an aside conversation earlier, I don't believe we have defined in this state at least what a community of interest is. I don't understand, actually, what "actual shared interests" means, so therefore, I would have to ask the committee, based on the vagueness of these terms, to reject this additional criteria.

SEN. MCKISSICK: Follow-up, Mr. Chair?

SEN. RUCHO: Senator McKissick?

SEN. MCKISSICK: Let me ask you this, Representative Lewis: I see you have some problems with that terminology that was used by the Supreme Court, which I think is pretty clear in terms of a directive, but what is the objection to respecting political subdivisions, because I would think that we would all want to do so for the cities and towns and communities --

SEN. RUCHO: Representative Lewis?

SEN. MCKISSICK: -- represent, and they are used collectively by the Supreme Court, but I mean, if you have problems with that, I think you've got still to follow it, or you end up in litigation. I don't think any of us want to end up in litigation any more than we already are in this state. I don't know why -- what's the objection to respecting political subdivisions?

REP. LEWIS: Well, sir, to be clear, as I pointed out when we adopted the compactness criteria, it's not our intent to split -- we're going to do the best we can to keep as many counties and as many VTDs whole. I'll give you a direct example of why I think this is vague.

We've already heard from the gentleman from Wake, Senator Blue, as he I think correctly stated that a county is the most important political subdivision. I actually -- I actually agree with that. Your city, Durham, has annexed into Wake County, so when I say it's vague and nebulous, how do you know which -- which interest you're going to follow? I think we've done a good job in this committee of saying we're going to keep as many counties and as many VTDs whole as we can.

SEN. RUCHO: Okay, I've got Representative Stam.

REP. STAM: Yes, I was about to make the same point. Cary has annexed into Chatham, so under this, it would give mapmakers an excuse to break the Wake/Chatham line so they could keep Cary together. Angier, if you can believe it, has annexed into Wake County. I don't know how David Lewis let them do that. With this amendment, mapmakers could depopulate Wake County just to get a few more Republicans into the Harnett County district.

REP. LEWIS: Mr. Chairman?
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| 122 | SEN. RUCHO: Representative Lewis?  
REP. LEWIS: For the record, while I do not support Senator McKissick's amendment, I think anywhere Angier can be shared is a positive thing.  
(Laughter.)  
SEN. RUCHO: Senator McKissick?  
SEN. MCKISSICK: I would simply say that we ought to try to respect those political subdivisions. I don't think with the current mood of this General Assembly, we have to worry about too many more annexations occurring for a while, so, you know, respecting political subdivisions is a valid criteria regardless of what those political subdivisions might look like, so obviously I support it, but I can certainly put my finger in the air and see the way these winds are blowing.  
SEN. RUCHO: Members of the committee, any additional questions?  
SEN. SMITH-INGRAM: Yes. Representative Lewis, I'm a little bit confused about your objection to the use of this language inasmuch as it relates to not having a definitive definition.  
is it possible for staff to be able to comment on what is the definition used in North Carolina of "communities of interest" as we have applied it in the past?  
SEN. RUCHO: The chair will allow that.  
Which staff member would like to define "communities of interest"?  
MS. MCCRAW: I'm Kara McCraw, staff attorney with the Legislative Analysis Division.  
North Carolina has not adopted a definition of "communities of interest."  
SEN. RUCHO: Follow-up?  
SEN. SMITH-INGRAM: Follow-up. As I recall, Representative Stevens just read from -- I believe she was citing case law, but it just seems that all the other elements that you have already in the criteria are there, with the exception of communities of interest, and so I'm just concerned about why you have adopted the other three, and why you feel comfortable with that, but not with the communities of interest.  
SEN. RUCHO: Representative Lewis?  
REP. LEWIS: Well, again, thank you for that inquiry, Senator. I would just say again that as we've never defined what a community of interest is -- and the example I tried to use with Senator McKissick, how do you define -- is the City of Durham a more important community of interest than the citizens of Wake County? I don't think we've ever defined it. I certainly think that to the extent that it's not restricted from being used as the maps are prepared that, you know, I think that's something that the map drawers may wish to try and use, but I don't know that it -- I don't understand -- I don't understand it enough, and I do want to take this opportunity to respectfully let my friend from Durham know that, as I reminded him, I'm not an attorney, and in no way have I tried to disrespect or disregard any ruling from the US Supreme Court, nor from this federal trial court, but I'm not prepared to stand before this committee today and say that I understand what this is trying to do; therefore, I continue to oppose this new criteria.  
SEN. RUCHO: Members of the committee?  
(No response.)  
SEN. RUCHO: From the Chair, Representative Lewis, I recognize, and I think the committee recognizes the full effort to keep counties whole. I think the counties are relatively stable in their -- in their borders, but yet a municipality and a town and the like, with annexation, deannexation and the like, is more variable. Do you think that that may be one of the reasons for what could be adding confusion?  
REP. LEWIS: I think that's fair. I think that's a good indication of why I say this is vague, and not really defined. We got a request from a member for the central staff to explain how communities of interest are defined in the state, and they're not, so since there's not a definition, they shouldn't be in the criteria.  
SEN. RUCHO: Members of the committee, we've had discussion on this issue. We have an amendment before us, submitted by Senator Floyd McKissick dealing with communities of interest. Any additional questions, comments?  
(No response.)  
SEN. RUCHO: Seeing none, Mr. Clerk, a roll call, please?  
CLERK: Lewis?  
REP. LEWIS: No.  
CLERK: Lewis, no. Jones?  
REP. JONES: No.  
CLERK: Jones, no. Brawley?  
REP. BRAWLEY: No.  
CLERK: Brawley, no. Cotham?  
REP. COTHAM: Yes. |
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<td><strong>CLERK:</strong> Cotham, yes. Davis?</td>
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<td><strong>REP. DAVIS:</strong> No.</td>
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<td><strong>CLERK:</strong> Davis, no. Farmer-Butterfield?</td>
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<td><strong>REP. FARMER-BUTTERFIELD:</strong> Yes.</td>
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<td><strong>CLERK:</strong> Farmer-Butterfield, yes. Hager?</td>
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<td><strong>REP. HAGER:</strong> No.</td>
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<td><strong>CLERK:</strong> Hager, no. Hanes?</td>
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<td><strong>REP. HANES:</strong> Yes.</td>
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<td><strong>CLERK:</strong> Hanes, yes. Hardister?</td>
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<td><strong>REP. HARDISTER:</strong> No.</td>
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<td><strong>CLERK:</strong> Hardister, no. Hanes?</td>
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<td><strong>REP. HANES:</strong> Yes.</td>
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<td><strong>CLERK:</strong> Hanes, yes. Hager?</td>
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<td><strong>REP. HAGER:</strong> No.</td>
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<td><strong>CLERK:</strong> Hager, no. Randleman?</td>
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<td><strong>SEN. RANDLEMAN:</strong> No.</td>
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<td><strong>CLERK:</strong> Randleman, no. Sanderson?</td>
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<td><strong>SEN. SANDERSON:</strong> No.</td>
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<td><strong>CLERK:</strong> Sanderson, no. Smith?</td>
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<td><strong>SEN. SMITH:</strong> Aye.</td>
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<td><strong>CLERK:</strong> Smith, aye. Smith-Ingram?</td>
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<td><strong>SEN. SMITH-INGRAM:</strong> Aye.</td>
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<td><strong>CLERK:</strong> Smith-Ingram, aye. Wells?</td>
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<td><strong>SEN. WELLS:</strong> No.</td>
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<td><strong>CLERK:</strong> Wells, no.</td>
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<td><strong>SEN. RUCHO:</strong> Members of the committee, the result of the vote on Senator McKissick's amendment dealing with communities of interest, aye, 11; no, 22. The motion is not adopted. Members of the committee, any additional amendments? Any motions?</td>
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<td><strong>REP. LEWIS:</strong> Mr. Chairman --</td>
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<td><strong>SEN. RUCHO:</strong> Senator Hise? Oh, excuse me.</td>
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<td><strong>REP. LEWIS:</strong> Mr. Chairman?</td>
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<td><strong>SEN. RUCHO:</strong> Yes, sir?</td>
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<td><strong>REP. LEWIS:</strong> I just wanted to thank the members for their indulgence this morning, and I'm proud of the 2016 contingent Congressional plan proposed criteria that we have adopted. I did want to say for the record that it's my intent that these be used in the drawing of the 2016 contingent Congressional plan in response to the lawsuit only. This is not an attempt to establish any other long-running criteria.</td>
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<td><strong>SEN. RUCHO:</strong> Okay. Senator Hise, you have a motion?</td>
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<td><strong>SEN. HISE:</strong> Mr. Chairman, I have a motion, a written motion.</td>
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<td><strong>SEN. RUCHO:</strong> Okay. Has that been sent out to each member?</td>
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<td><strong>SEN. HISE:</strong> Sergeant-at-Arms --</td>
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<td><strong>SEN. RUCHO:</strong> Are the Sergeant-at-Arms distributing it? Let's take about a two- or three-minute break so everybody can read this motion. (Pause.) Has everyone had an opportunity to review Senator Hise's motion? Representative Jackson?</td>
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<td><strong>REP. JACKSON:</strong> Thank you, Mr. Chairman. One question would be the way this is worded --</td>
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<td><strong>SEN. RUCHO:</strong> Well, let me do this: if it's dealing with what's in there, I'm going to give Senator Hise a chance to explain it. I was giving everybody a chance to review it.</td>
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All right, everybody has it. Senator Hise, would you like to explain that motion, and then we'll open it up for discussion?

SEN. HISE: Thank you, Mr. Chairman. Basically what this does is it consolidates the criteria we've already adopted and voted on into one piece, and then directs the co-chairs to go through the process of developing the maps on the basis of those criteria, and provides the sum of $25,000 under the way we need to appropriate it, with approval of the speaker, and those type of things in the interim that are coming in, and then allows the minority party to have access to the same funds, and to draw maps under those criteria or any other criteria that they would establish. It also rescinds that provided that the Supreme Court issues a stay. 

SEN. RUCHO: Representative Lewis, comment?

REP. LEWIS: Thank you, Mr. Chairman and members. Just to be clear where I hope we're going with this, as you know, we are still optimistic that we'll receive a stay from the Supreme Court. If we do not receive a stay, it would be the chairs' intent to bring a map before this committee for recommendation for introduction to a special session that would be held later this week. The chairs would encourage in the issue -- in the -- for the goal of increased transparency that should other people have maps that they'd like this committee to consider, that they get them prepared and submitted as well, but to be clear, once the General Assembly convenes, there would also be an opportunity for maps to be presented to either the House or the Senate redistricting committees when they meet. However, the House rules, and I believe the Senate rules -- I won't speak for the Senate rules, but I know the House rules will require that any amendments that are offered to the plans that are submitted in fact be complete plans. In other words, you would have to have all 13 districts drawn to -- you would -- instead of trying to amend whatever plan that this committee will release, you would have to in essence prepare and release a plan to compete with this plan. 

SEN. RUCHO: All right. Members of the committee? Senator Blue? Oh, excuse me. Let me do this: Representative Jackson asked a question earlier. Go ahead, please.

REP. JACKSON: My question, I guess, was directed to you as chairman, or either Senator Hise. I was just wondering if we could change the first sentence of Paragraph 3. The way you've got it written is that the co-chairs, Lewis and Rucho, can pick their mapmakers, but our entire caucus would have to do it, the members of this committee, which means we'd have to stay together and vote and do things like that, and I would just ask that you consider substituting that, and as Minority Leader of the Senate, let Senator Blue make that choice for us, and our entire caucus not be involved and have to make that decision.

SEN. RUCHO: Senator Hise, do you have a thought or a comment, or would you like to ponder that one a little bit?

SEN. HISE: I don't see what's written as requiring that type of vote or operation from the minority caucus. This coming in would allow them to decide if they want to allow their leader to make that decision all on his own. I think that's within the way it's written here, so I don't necessarily see that issue in the way it's written, but however the minority -- the members of the minority part of this committee choose to select for us, and our entire caucus not be involved and have to make that decision.

SEN. RUCHO: Okay. Senator Blue?

SEN. BLUE: Two questions, basically, practical questions. I assume that the co-chairs have consulted with somebody who's available to be the consultant to draw a map. We haven't, but I can assure you that anybody that you consult with normally isn't going to do it, at least not for us, on a contingent fee basis, and we don't know when there may be an order one way or the other on this stay if the plaintiffs have until midafternoon to submit their papers. I don't know what the Chief Justice is going to do or when he's going to do it, but practically speaking, first, we haven't consulted with anybody, but secondly, if you consult with somebody, you've got to promise them you're going to pay them, and this says that you won't pay them even if they work two or three days if a stay is granted.

SEN. RUCHO: All right. Representative Lewis?

REP. LEWIS: Mr. Chairman and Senator Blue, if we need to have the attorney review this, we certainly can, and correct any offending language. I just wanted to state for the record...
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me, because he maintains our databases, but there
have been no changes to the 2011 database. It
still has the 2010 Census data in it. It still has
the voter registration data in it. It still has
the election data in it. We still have the
capability of running exactly the same reports off
of that database.
SEN. MCKISSICK: Last follow-up.
SEN. RUCHO: Follow-up.
SEN. MCKISSICK: Yeah. Erika, I mean --
and I know this is not a fair question, perhaps,
but to what extent can we get reasonably quick
turnaround, considering the time frame that we're
in? I think our challenge is obviously we relied
upon consultants and experts before, Mr. David
Harris and Mr. Bill Gilkeson, but they are both
attorneys engaged in private practice, handling
clients, and to think that we can displace them
this quickly to get them reengaged on less than 24
hours notice is not a -- perhaps a reasonable
expectation.
I'm trying to see if we want to get these
maps drawn, I think Senator Blue is on the right
track. We're going to need to rely upon in-house
resources, perhaps supplemented by consultants, but
are we going to be able to get quick turnaround?
MS. CHURCHILL: Mr. Chair, if I might, we
will do our best. We do have a limited number of
people who have the capa- -- the knowledge to
actually use the mapping software, but amongst
ourselves, once we know what the requests are, we
will try to efficiently meet all of the needs.
SEN. MCKISSICK: Thank you.
SEN. RUCHO: All right. Senator
McKissick, any specifics? I mean, you were talking
about the stat packs and all that. Do you have any
specific criteria that you want included in the
stat pack?
SEN. MCKISSICK: I mean, as long as we
have the same type of stat pack that we had
previously, the demographic data and the political
data that's available, I think we'll probably be
okay. I cannot think of any additional data that
we would need. As long as that's readily
accessible and we can get pretty quick
turnaround -- I am deeply concerned that since we
did not learn about the availability of the funds
for consultants before today that trying to engage
people who are deeply familiar with be challenging
at this late point in time.

minority caucus, so if we want to use other
criteria that might be consistent with the ruling
in Harris versus McCrory -- and we would contend
that race can be used; it just cannot be the
predominant factor. I just want to know that that
data will be available if we need to use and rely
upon it in drafting constitutionally correct
districts, because that was not included in your
criteria, but this language in this particular
motion does give us as the minority caucus the
right to use other criteria.
SEN. RUCHO: Hold on. I'll try to get
you an answer. (Pause.) Our understanding -- the
Chairs' understanding is that, you know, in drawing
maps, you can request any data you feel that needs
to be there to help you achieve what you believe is
a -- a map trying to resolve the issue dealing with
the court decision.
SEN. MCKISSICK: Thank you.
SEN. RUCHO: Okay. Senator Blue?
SEN. BLUE: Yes. So that I can follow
that point up, it's my understanding, and correct
me, that the -- that the database will have
information about the 2012, 2014 elections in
addition to the data that was available at the time
the original maps were drawn. That is, they will
be current in the information that they have. Is
that right?
SEN. RUCHO: Let’s ask Mr. Frye if he’ll
be kind enough to explain what is in the database,
and of course, it’s based on the 2010 Census, but
election results you’re asking about.
MR. FRYE: Yes. So -- so what I’ve got
worked up for this round is there’s -- you know, of
course, you know, like we were talking about, all
of the old data is totally in place if it makes
sense to use that for whoever wants it, and for the
2016 database, I’ve got total population, voting
gender population, because that’s the only thing
that’s not -- just election data, right, and that
is just election data. There’s the 2008 general
election, basically all the Council of State
contests. There’s the 2010 general election, US
Senate, the 2012 general election, you know, basically governor and Council of State contests,
and -- and then the 2014 US Senate.
SEN. RUCHO: Does that help you?
SEN. BLUE: You said 2014 US Senate.
SEN. RUCHO: 2014 Congressional data, elections data?
SEN. RUCHO: Mr. Frye?

MR. FRYE: Well, for the -- no, for the
2014 database, it has just the US Senate.
SEN. BLUE: I can’t hear him.
SEN. RUCHO: Could you repeat that again?
We missed you with that.
MR. FRYE: For the 2014 general election,
I’ve just got US Senate. There are other --
because there’s sort -- there’s a difference
between like what data is -- has been generally
processed and what data is sort of ready to go in
our redistricting database. There’s kind of a fair
gap between those two things, so we do have some
other information relating to other contests from
2014, but --
SEN. BLUE: So the database will not have
the location of current incumbents or anything like
that?
SEN. RUCHO: Mr. Frye?
MR. FRYE: What we have is locations of
current incumbents that -- a lot of them were
updated as of the 2011 cycle, so we may want to
double-check. There are a few of them I was
looking at that we may want to double-check on
their addresses and see if they’ve moved.
SEN. RUCHO: Senator Blue?

Worley Reporting
SEN. RUCHO: That's correct.

REP. LEWIS: Mr. Chairman?

SEN. RUCHO: Yes, sir. What I'm trying to do is offer a motion that the committee directs the ISD to establish a computer and to populate the database of that computer with only the information that is consistent with the criteria adopted by the committee today, and to ensure that the firewalls that Mr. Frye spoke of are in place during the entire time that the map for this committee is drawn.

SEN. RUCHO: We have a motion before us.

Do we have a second on that, David?

SEN. APODACA: Second.

SEN. RUCHO: Second, Senator Apodaca.

Mr. Frye?

SEN. RUCHO: Mr. Frye?

MR. FRYE: Yes. I believe for -- if the co-chairs are working on a plan, they can work on it and follow the criteria separately, and for any reports they produce, would just use that information.

SEN. RUCHO: To follow up on what his question is, is there a clear wall that we have to actually request that information before it's eligible, eligible for us to use? Am I correct?

I mean, you're talking a firewall?

SEN. HISE: Yeah, making sure that no one -- once it's loaded in, anyone could draw -- could pull it up. I want to make sure that you don't have access to that information.

MR. FRYE: Right. No, there is a firewall.

SEN. RUCHO: Okay.

SEN. MICHAUX: Okay.

SEN. RUCHO: Okay. Are we close with the language?

REP. LEWIS: Mr. Chairman?

SEN. RUCHO: Yes, sir, Representative?

REP. LEWIS: Could we deal with another matter while this is being perfected?

SEN. RUCHO: Yes, sir. Let's just displace this amendment if we can, Senator Hise, while we're working on the language, and Representative Lewis has another issue he'd like to bring before -- before us.

REP. LEWIS: Mr. Chairman, what I'd like to do is offer a motion that the committee directs the ISD to establish a computer and to populate the database of that computer with only the information that is consistent with the criteria adopted by the committee today, and to ensure that the firewalls that Mr. Frye spoke of are in place during the entire time that the map for this committee is drawn.

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MR. FRYE: Right. No, there is a firewall.

SEN. RUCHO: Okay.

REP. LEWIS: Thank you for that -- that question, Representative Michaux. I was trying to use the same language that Mr. Frye. What I'm --

SEN. MICHAUX: Okay.

REP. LEWIS: May I speak on my motion?

SEN. RUCHO: Yes, sir.

REP. LEWIS: Members, the motion would direct ISD to establish a computer with the Maptitude software that has only the criteria as defined and authorized by this committee to use, and it is on that computer that the chairs would work, along with any consultant they would hire, to produce a map to return back to this committee for review.

What it's doing in essence is limiting the chairs to only the criteria that this committee has adopted, while making sure that it does not limit the minority party to have access to whatever they deem important to be able to fully participate in this process.

SEN. RUCHO: Follow-up?

SEN. MICHAUX: Follow-up. What about the firewall separating the two on that?

REP. LEWIS: Thank you for that -- that question, Representative Michaux. I was trying to use the same language that Mr. Frye. What I'm --

MR. FRYE: It is not a central server that would be --

SEN. RUCHO: Are you okay, Senator Hise?

Ms. Churchill, you okay?

REP. LEWIS: Mr. Chairman?

SEN. RUCHO: Where am I?

REP. LEWIS: Mr. Chairman?

SEN. RUCHO: Oh, excuse me.

REP. LEWIS: I think perhaps we can -- can summarize this by saying that all people will have access to all of the data. This committee has directed the chairs not to use some of it, so the computer on which this committee's map is drawn will only contain the criteria that was adopted by the committee, so to kind of get the gist of what Senator Blue was trying to ask, he can have access to more stuff than we can, not less.

SEN. RUCHO: Okay. Representative --

REP. MICHAUX: Yeah, I just wanted to be clear on this. It says that you-all must do your maps according to the criteria that this body has passed. It also says that our group can use any -- this criteria or any other criteria we deem necessary. Is that correct?

SEN. RUCHO: That's correct.
to be absolutely clear, the only data the map
drawers on behalf of this committee can have is the
data that the criteria adopted by this committee
allows. There -- the firewall means that you won't
be able -- the map drawer won't have access to flip
a switch and say, "Well, I really do want to see
what the 2008 presidential race was." That will
not be loaded on the computer that he has access
to.

SEN. RUCHO: Okay. Senator McKissick?

SEN. MCKISSICK: Representative Lewis,
just to get some clarification here, if we as the
minority caucus want to look at the 2008 race, or
we want to look at other variables other than those
that were approved today, in the past, we had our
own computer available that also had Maptitude, or
whatever the appropriate program was at that time,
which we could utilize for crafting maps that
were -- met our criteria, so I'm just wanting to
determine if we will have a separate computer
available to us that we can use that will give us
the additional data that we might seek to use in
preparing maps.

REP. LEWIS: Senator --
SEN. RUCHO: Representative Lewis?

SEN. RUCHO: We'll get a copy of that.

All right. We have a motion before us from
Representative Lewis. It's been explained; it's
been debated. Any additional thoughts or questions
on that before we move to adopt his motion?

(No response.)

SEN. RUCHO: Seeing none, Mr. Clerk, if
you'd be kind enough to call roll?

CLERK: Lewis?

REP. LEWIS: Aye.

CLERK: Lewis, aye. Jones?

REP. JONES: Aye.

CLERK: Jones, aye. Brawley?

REP. BRAWLEY: Aye.

CLERK: Brawley, aye. Cotham?

REP. COThAM: No.

CLERK: Cotham, no. Davis?

REP. DAVIS: Aye.

CLERK: Davis, aye. Farmer-Butterfield?

(No response.)

CLERK: Hager?

REP. HAGER: Aye.

CLERK: Hager, aye. Hanes?

REP. HANES: No.

CLERK: No? Hanes, no. Hardister?

REP. HARDISTER: Aye.

CLERK: Hardister, aye. Hurley?

REP. HURLEY: Aye.

CLERK: Hurley, aye. Jackson?

REP. JACKSON: No.

CLERK: Jackson, no. Johnson?

REP. JOHNSON: Aye.

CLERK: Johnson, aye. Jordan?

REP. JORDAN: Aye.

CLERK: Jordan, aye. McGrady?

REP. MCGRADY: Aye.

CLERK: McGrady, aye. Michaux?

REP. MICHAUX: No.

CLERK: Michaux, no. Moore?

REP. MOORE: Nay.

CLERK: Moore, nay. Stam?

REP. STAM: Aye.

CLERK: Stam, aye. Stevens?

(No response.)

CLERK: Rucho?

SEN. RUCHO: Aye.

CLERK: Rucho, aye. Apodaca?

SEN. APODACA: Aye.

CLERK: Apodaca, aye. Barefoot?

SEN. BAREFOOT: Aye.
SEN. RUCHO: All right. The motion by
SEN. MCKISSICK: I'll second that.

would fall to Senator Blue.
are not able to do that, that the responsibility
responsibility to one or more members, and if they
this committee may caucus and designate that

Further, I move that the minority party members of
participate in this pro- -- in this process.

can populate that computer in order to fully
information they deem necessary for them to
participate in trying to see what was requested as
a remedy for the three-judge panel's decision. Any
questions or comments?

REP. MICHAUX: Yeah. I want to know what
the last part of that motion was that he made. It
was sort of sub rosa.

SEN. RUCHO: Is that a question to
Representative Lewis?

REP. MICHAUX: Representative Lewis.

REP. LEWIS: Representative Michaux, what
I said was that the minority members -- the members
of the minority party on this committee may caucus
and elect a member or members to direct the drawing
of these maps on their behalf, and if they're
unable to do so, that the responsibility would be
vested in Senator Blue.

SEN. RUCHO: Do you have a follow-up
question?

REP. MICHAUX: We -- what I -- you are
vesting -- you're telling us what to do? Is that
what I'm hearing?

SEN. APODACA: Mr. Chairman, inquiry of
had a comment?

SEN. RUCHO: Okay. Senator Apodaca, you
had a comment?

SEN. APODACA: Mr. Chairman, inquiry of
the Chair.
SEN. RUCHO: Yes, sir?

SEN. APODACA: I'm somewhat confused. I thought Representative Jackson asked this question about how they could nominate somebody. I thought this is what we were trying to fix.

SEN. RUCHO: All right. Then you're the one that's going to explain to -- to Senator -- Representative Michaux. Okay? All right. A motion is before us. It's been seconded. Any additional questions or comments on Representative Lewis' motion?

(No response.)

SEN. RUCHO: Seeing none -- CLERK: Lewis?

SEN. RUCHO: -- Mr. Clerk, roll call, please?

CLERK: Lewis?

REP. LEWIS: Aye.

CLERK: Lewis, aye. Jones?

REP. JONES: Aye.

CLERK: Jones, aye. Brawley?

REP. BRAWLEY: Aye.

CLERK: Brawley, aye. Cotham?

REP. COTHAM: Aye.

CLERK: Cotham, aye. Davis?

REP. DAVIS: Aye.

CLERK: Davis, aye. Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Aye.


SEN. RUCHO: Please speak loudly, folks.

REP. HAGER: Aye.

CLERK: Hager, aye. Hanes?

REP. HANES: Aye.

CLERK: Hanes, aye. Hardister?

REP. HARDISTER: Aye.

CLERK: Hardister, aye. Hurley?

REP. HURLEY: Aye.

CLERK: Hurley, aye. Jackson?

REP. JACKSON: Aye.

CLERK: Jackson, aye. Johnson?

REP. JOHNSON: Aye.

CLERK: Johnson, aye. Jordan?

REP. JORDAN: Aye.

CLERK: Jordan, aye. McGrady?

REP. MCGRAWD: Aye.

CLERK: McGrady, aye. Michaux?

REP. MICHAUX: No.

CLERK: Michaux, no. Moore?

REP. MOORE: Aye.

SEN. MCKISSICK: Aye.

CLERK: McKissick, aye. Randleman?

SEN. RANDLEMAN: Aye.

CLERK: Randleman, aye. Sanderson?

SEN. SANDERSON: Aye.

CLERK: Sanderson, aye. Smith?

SEN. SMITH: Aye.

CLERK: Smith, aye. Smith-Ingman?

SEN. SMITH-INGRAM: Aye.

CLERK: Smith-Ingman, aye. Wells?

SEN. WELLS: Aye.

CLERK: Wells, aye.

SEN. RUCHO: Members of the committee, after a roll-call vote, 32 aye and 1 no, so therefore, that has been settled. Senator Hise, do we have language?

SEN. HISE: I think we have two amendments.

SEN. RUCHO: Two amendments?

SEN. HISE: Yeah.

SEN. RUCHO: All right. Are you going to present it, or staff?

SEN. HISE: I can present them. I think staff's going to read them. The first one is to clarify the payments made for work performed.
SEN. RUCHO: Let's pay attention here.

I know we're moving forward. Go ahead, please.

SEN. HISE: The first is to add some clarification for the -- to allow payments for work performed prior to the stay.

SEN. RUCHO: All right. First -- the first amendment, Ms. Churchill, would you explain what that amendment says and what it does?

MS. CHURCHILL: Yes, Mr. Chair. The amendment would be to the end, to the last sentence of Paragraph 2 and Paragraph 3 of Senator Hise's motion. It would remove the period at the end of that sentence, inset a semicolon, and all of the following at the end of each sentence: "Provided, however, this authorization shall permit compensation to be paid for any work performed prior to the issuance of such stay."

SEN. RUCHO: Members of the committee, you have that before you. Is there any questions on that first amendment that has been put forward by Senator Hise on trying to provide some clarity in what was brought up by Senator Blue?

REP. JACKSON: Thank you, Mr. Chairman. Would that -- that would amendment allow payment for services provided prior to the approval of this?

SEN. RUCHO: No, sir, I don't believe so.

REP. JACKSON: Thank you.

SEN. RUCHO: Yeah. Questions? Any additional?

(No response.)

SEN. RUCHO: All right, we have an amendment before us that was read by staff, and we will ask the Clerk to have a roll-call vote on that, please.

CLERK: Lewis?

REP. LEWIS: Aye.

CLERK: Lewis, aye. Jones?

REP. JONES: Aye.

CLERK: Jones, aye. Brawley?

REP. BRAWLEY: Aye.

CLERK: Brawley, aye. Cotham?

REP. COTHAM: Aye.

CLERK: Cotham, aye. Davis?

REP. DAVIS: Yes.

CLERK: Davis, yes. Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Yes.

CLERK: Farmer-Butterfield, yes. Hager?

REP. HAGER: Yes.
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| 166 | CLERK: Smith, aye. Smith-Ingram?  
2 SEN. SMITH-INGRAM: Aye.  
3 CLERK: Smith-Ingram, aye. Wells?  
4 SEN. WELLS: Aye.  
5 CLERK: Wells, aye.  
6 SEN. RUCHO: Members of the committee, we -- okay. Members of the committee, Amendment 1, which was read by staff, was agreed upon unanimously, 33 to zero.  
7 Senator Hise, Amendment Number 2?  
8 SEN. HISE: Thank you, Mr. Chairman.  
9 This was with some further consultation with Senator Blue, and clarifies for a legislative confidentiality amendment when that applies, and applies to once it's submitted to this committee, and she has specific language they can read.  
10 SEN. RUCHO: Ms. Churchill, can you read the clarifying language there, please?  
11 MS. CHURCHILL: Yes, sir. In Paragraph 2, this new sentence would be inserted at the -- following the first sentence: "The co-chairs shall control legislative confidentiality of any drafting requests or maps produced from this authority unless and until presented to the committee in the co-chairs' discretion."  
12 For Paragraph 3, this sentence would be inserted after -- following the first sentence: "The minority caucus' designee, Senator Blue, shall control legislative confidentiality of any drafting requests or maps produced from this authority unless and until presented to the committee in Senator Blue's discretion."  
13 SEN. RUCHO: Members of the committee, you have that before you. Any questions or comments?  
14 (No response.)  
15 SEN. RUCHO: Seeing -- seeing none, Mr. Clerk, would you do the roll call?  
16 CLERK: Lewis?  
17 REP. LEWIS: Aye.  
18 CLERK: Lewis, aye. Jones?  
19 REP. JONES: Aye.  
20 CLERK: Jones, aye. Brawley?  
21 REP. BRAWLEY: Aye.  
22 CLERK: Brawley, aye. Cotham?  
23 REP. COTHAM: Aye.  
24 CLERK: Cotham, aye. Davis?  
25 REP. DAVIS: Yes.  
26 CLERK: Davis, aye. Farmer-Butterfield?  
27 REP. FARMER-BUTTERFIELD: Yes.  
28 CLERK: Farmer-Butterfield, yes. Hager?  
29 REP. HAGER: Yes.  
30 CLERK: Hager, yes. Hanes?  
31 REP. HANES: Yes.  
32 CLERK: Hanes, yes. Hardister?  
33 REP. HARDISTER: Aye.  
34 CLERK: Hardister, aye. Hurley?  
35 REP. HURLEY: Aye.  
36 CLERK: Hurley, aye. Jackson?  
37 REP. JACKSON: Yes.  
38 CLERK: Jackson, yes. Johnson?  
39 REP. JOHNSON: Aye.  
40 CLERK: Johnson, aye. Jordan?  
41 REP. JORDAN: Aye.  
42 CLERK: Jordan, aye. McGrady?  
43 REP. MCGRADY: Aye.  
44 CLERK: McGrady, aye. Michaux?  
45 REP. MICHAUX: Yes.  
46 CLERK: Michaux, yes. Moore?  
47 REP. MOORE: Aye.  
48 CLERK: Moore, aye. Stam?  
49 REP. STAM: Aye.  
50 CLERK: Stam, aye. Rucho?  
51 SEN. RUCHO: Aye.  
52 CLERK: Rucho, aye. Apodaca? |
| 167 | CLERK: Smith, aye. Smith-Ingram?  
2 SEN. SMITH-INGRAM: Aye.  
3 CLERK: Smith-Ingram, aye. Wells?  
4 SEN. WELLS: Aye.  
5 CLERK: Wells, aye.  
6 SEN. RUCHO: Members of the committee, we -- okay. Members of the committee, Amendment 1, which was read by staff, was agreed upon unanimously, 33 to zero.  
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13 SEN. RUCHO: Members of the committee, you have that before you. Any questions or comments?  
14 (No response.)  
15 SEN. RUCHO: Seeing -- seeing none, Mr. Clerk, would you do the roll call?  
16 CLERK: Lewis?  
17 REP. LEWIS: Aye.  
18 CLERK: Lewis, aye. Jones?  
19 REP. JONES: Aye.  
20 CLERK: Jones, aye. Brawley?  
21 REP. BRAWLEY: Aye.  
22 CLERK: Brawley, aye. Cotham?  
23 REP. COTHAM: Aye.  
24 CLERK: Cotham, aye. Davis?  
25 REP. DAVIS: Yes.  
26 CLERK: Davis, aye. Farmer-Butterfield?  
27 REP. FARMER-BUTTERFIELD: Yes.  
28 CLERK: Farmer-Butterfield, yes. Hager?  
29 REP. HAGER: Yes.  
30 CLERK: Hager, yes. Hanes?  
31 REP. HANES: Yes.  
32 CLERK: Hanes, yes. Hardister?  
33 REP. HARDISTER: Aye.  
34 CLERK: Hardister, aye. Hurley?  
35 REP. HURLEY: Aye.  
36 CLERK: Hurley, aye. Jackson?  
37 REP. JACKSON: Yes.  
38 CLERK: Jackson, yes. Johnson?  
39 REP. JOHNSON: Aye.  
40 CLERK: Johnson, aye. Jordan?  
41 REP. JORDAN: Aye.  
42 CLERK: Jordan, aye. McGrady?  
43 REP. MCGRADY: Aye.  
44 CLERK: McGrady, aye. Michaux?  
45 REP. MICHAUX: Yes.  
46 CLERK: Michaux, yes. Moore?  
47 REP. MOORE: Aye.  
48 CLERK: Moore, aye. Stam?  
49 REP. STAM: Aye.  
50 CLERK: Stam, aye. Rucho?  
51 SEN. RUCHO: Aye.  
52 CLERK: Rucho, aye. Apodaca? |
Joint Redistricting Committee 2_16_16
N.C. General Assembly Extra Session on Redistricting 2016

Worley Reporting
Pages 170 to 173

1. CLERK: Smith, aye. Smith-Ingram?
2. SEN. SMITH-INGRAM: Aye.
3. CLERK: Smith-Ingram, aye. Wells?
4. SEN. WELLS: Aye.
5. CLERK: Wells, aye.
6. SEN. RUCHO: Members of the committee, the roll-call vote was 33 aye, zero nay.
7. Now, what you have before you is a motion set forth by Senator Hise which has been amended, and now it's before you for any further discussion or questions, and if there are none, then we will take a vote to adopt Senator Hise's motion. Thoughts, questions?
8. (No response.)
9. SEN. RUCHO: Seeing none, Mr. Clerk, a vote, please?
10. CLERK: Lewis?
12. CLERK: Lewis, aye. Jones?
14. CLERK: Jones, aye. Brawley?
15. REP. BRAWLEY: Aye.
16. CLERK: Brawley, aye. Cotham?
17. REP. COTHAM: No.
18. CLERK: Cotham, no. Davis?
19. REP. DAVIS: Yes.
20. CLERK: Davis, yes. Farmer-Butterfield?
21. REP. FARMER-BUTTERFIELD: No.
22. CLERK: Farmer-Butterfield, no. Hager?
23. REP. HAGER: Aye.
24. CLERK: Hager, aye. Hanes?
25. REP. HANES: No.
26. CLERK: Hanes, no. Hardister?
27. REP. HARDISTER: Aye.
28. CLERK: Hardister, aye. Hurley?
29. REP. HURLEY: Aye.
30. CLERK: Hurley, aye. Jackson?
31. REP. JACKSON: No.
32. CLERK: Jackson, no. Johnson?
33. REP. JOHNSON: Aye.
34. CLERK: Johnson, aye. Jordan?
35. REP. JORDAN: Aye.
36. CLERK: Jordan, aye. McGrady?
37. REP. MCGRAWD: Aye.
38. CLERK: McGrady, aye. Michaux?
39. REP. MICHAUX: No.
40. CLERK: Michaux, no. Moore?
41. REP. MOORE: Nay.
42. CLERK: Moore, nay. Stam?
43. REP. STAM: Aye.

Worley Reporting

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understanding that there is access to computers and
the necessary resources to accomplish that, I’m
sure that the map drawers will do their job, come
forward with a map. We will possibly have a
meeting tomorrow. The chairs will allow you
notice. We’re going to need to give the map
writers -- or drawers a chance to do their work.
We are also waiting for a decision by the Supreme
Court on the motion for stay to allow that election
to take place in an orderly manner, without any
voter dysfunction, so we will let you know at what
time tomorrow, or whether we will be meeting
tomorrow.
REP. STAM: Mr. Chair?
SEN. RUCHO: Sir?
REP. STAM: What is the earliest we would
be -- I mean, can we block out the morning for real
work, other work?
SEN. RUCHO: I think to give sufficient
time for map drawers to work, I think we would be
looking at -- the earliest would be 1:00. Okay?
Members of the committee, any questions on what was
discussed?
(No response.)
SEN. RUCHO: You all know what we’ve got,
so stay tuned, and thank you for your quick
response. Meeting adjourned.

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 February 16, 2016, 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 29th day of February, 2016.

__________________________
Notary Public
Carol M. Smith
Notary Number
19943320153
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
P.O. Box 99169
Raleigh, NC 27624
919-870-8070
SEN. HISE: The committee will come to order. Thank you, members of the Committee, members of the public. I welcome you to our first meeting of the year, joint meeting of the Redistricting Committee. We're going to begin in just a minute. We'll be hearing from Representative Lewis first, and then potentially from staff.

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

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

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

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

As you are aware, the General Assembly will be redrawing legislative districts this year to comply with a Court order. As we await further guidance from the Court on how to proceed and how this process should be conducted, we wanted to
convene today's meeting for organizational and informational purposes.

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

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

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

We would anticipate that public hearings would be conducted throughout this process. Committee members can expect at least three sets of these public hearings to occur in August, September, and October, with the exact date and
location to be determined by these Committees.

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

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

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

These maps are provided for informational purposes only today. One thing that you will notice is the county groupings used to prepare the Common Cause maps are the same as those that were
filed in the legal case.

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

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

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

Mr. Chairman, with your permission, I'd like to ask you to recognize Erika Churchill of the
central staff to explain to members the resources that are available to them through the General Assembly to help during the redistricting process.

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

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

Please remember that for members of the General Assembly, upon enactment of a House, Senate, or North Carolina Congressional map, all drafting information requests to any legislative employee, including the partisan and nonpartisan staff, do automatically become public record. Each
member of the General Assembly is the custodian of their own public records, so if you choose to draw a map using the member terminal, you will be responsible for maintaining a copy of that.

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

SEN. HISE: Representative Lewis?

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

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

REP. JACKSON: Thank you, Mr. Chairman. Darren Jackson, Representative. Representative Chairman Lewis, you mentioned the Common Cause
maps, and in looking at the expert map that was submitted in federal court, it's a -- it's colored differently than it was when submitted to federal court, and so my question is basically this. Has there been a determination made whether every district in the state needs to be redrawn, or just those in clusters with affected districts?

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

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

SEN. CLARK: Thank you, Mr. Chairman.

Mr. Chairman --

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

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

REP. LEWIS: Mr. Chairman?

SEN. HISE: Erika Churchill.
MS. CHURCHILL: Senator Clark, we can prepare that and have that distributed to the Committee members.

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

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

SEN. CLARK: Thank you.

SEN. HISE: Follow-up?

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

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

SEN. HISE: I've got a Representative pointing to someone over here. Next Representative?
SEN. CLARK: Follow up?

SEN. HISE: Oh, Senator Clark. I'm sorry.

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

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

SEN. CLARK: Thank you, Mr. Chairman.

SEN. HISE: Representative Michaux?

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

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

REP. MICHAUX: Another question, Mr. Chairman.

SEN. HISE: Follow up?

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

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

As you know as one of the most senior and distinguished members of this body, the redistricting process is an extremely disruptive
and time-consuming process. The order to redraw the maps that you refer to ordered us not to use the 2011 plans again. It is certainly our intent to fully comply with the court order ordering us to redraw in our next session. We are in our next session at this time.

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

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

REP. M CHAUX: Follow-up, Mr. Chair?

SEN. HISE: Follow-up.

REP. M CHAUX: Mr. Lewis, I agree with you that it was in June that the Court made the
final determination that the districts were unconstitutional as drawn, and that basically we as a body now are operating with an unconstitutional makeup. Did you ever consider that in terms of trying to move forward with redistricting to put us back in a constitutional manner?

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

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

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

REP. FARMER-BUTTERFIELD: Thank you, Mr. Chair. Representative Farmer-Butterfield. A couple of questions; one is a little bit of history.
In 2002, we redrew the lines for the districts in about two weeks, and that was ordered by the Courts, and it was probably more difficult then because we had to go through the Justice Department for clearance due to the Voting Rights Act, and with the technology we have now, I'm wondering why it would take so long to get this done.

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

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

REP. FARMER-BUTTERFIELD: Follow up?

SEN. HISE: Follow up.

REP. FARMER-BUTTERFIELD: I wasn't here. Like you said, you and I came at the same time; however, I did follow it because I was here as a government relations person with another organization, so I was in that. However, my understanding -- and staff might be able to answer this -- is that there is a statute now on the books that relates to this. It's 120-3.4, that reflects that in statute, so I just wanted to indicate that.

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

REP. FARMER-BUTTERFIELD: 120-3.4.

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

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

SEN. HISE: Sure.

REP. LEWIS: Representative Farmer-Butterfield, you're very right to point out that statute. I will point out that it is my reading of that statute that it says that state courts must
give at least two weeks, so the two weeks is a minimum. It is not necessarily a guideline. It's not anything other than a state statute that applies to state courts. As you know, we're here today because of the federal court ruling.

REP. FARMER-BUTTERFIELD: Follow-up?

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

MS. CHURCHILL: Mr. Chairman, I'm ready.

The correct citation is 120-2.4. It has two subsections. Subsection (a), "If the General Assembly enacts a plan apportioning or redistricting State legislative or congressional districts, in no event may a court impose its own substitute plan unless the court first gives the General Assembly a period of time to remedy any defects identified by the court in its findings of fact and conclusions of law. That period of time shall not be less than two weeks. In the event the General Assembly does not act to remedy any identified defects to its plan within that period of time, the court may impose an interim districting plan for use in the next general election only, but that interim districting plan may differ from the districting plan enacted by the
General Assembly only to the extent necessary to remedy any defects identified by the court."

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

SEN. HISE: Thank you. Follow-up?

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

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

SEN. HISE: Representative? Please identify yourself.

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

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

REP. GILL: Follow-up?

SEN. HISE: Follow-up.

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

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

REP. GILL: Thank you.

SEN. HISE: Any other questions or
comments? Senator Van Duyn, please identify yourself.

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

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

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

SEN. VAN DUYN: Follow up?

SEN. HISE: Follow up.

SEN. VAN DUYN: In my understanding, that
was Tom Hofeller. Will he be involved in this process again?

REP. LEWIS: Yes.

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

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

SEN. HISE: Please identify yourself before you start.

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

REP. LEWIS: Thank you for that question, Senator. Let me say that I think that's very important. I think that's very important that we do indeed seek as much public input as we can. I think geographic diversity is very important, and I think frankly, we did a good job of that in 2011. The two-week time span in 2016 made it a little bit
harder to do, but I will welcome your input and advice on where you would suggest that we receive public input. We usually work with the community colleges, but I would welcome your advice on that.

SEN. HISE: Representative Brockman?

Please identify yourself.

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

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

SEN. HISE: Senator Van Duyn?

SEN. VAN DUYN: Thank you. Terry Van Duyn, District 49. Will Mr. Hofeller be available
to Democrats and maybe even the Black Caucus to consult?

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

SEN. VAN DUYN: Follow-up?

SEN. HISE: Follow-up.

SEN. VAN DUYN: And are there any other consultants that you expect to be using during this process?

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

SEN. VAN DUYN: Thank you.

SEN. HISE: Senator Clark?

SEN. CLARK: Thank you, Mr. Chair.

Senator Clark, Senate District 21. Mr. Chair, is it the expectation that the Committee Chairs will use any type of analytical tools to assess the
extent of the partisan symmetry that will exist in the maps that we plan to enact as part of this process?

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

SEN. CLARK: Thank you, Mr. Chairman.

SEN. HISE: Representative Pierce?

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

REP. LEWIS: Thank you for the question, Representative Pierce. I think you asked it, so I
hope I can give you an efficient answer.

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

REP. PIERCE: Thank you, Representative Lewis.

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

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

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

SEN. SMITH-INGRAM: Follow up?
SEN. HISE: Follow-up.

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

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

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

SEN. HISE: Final follow-up.

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

REP. LEWIS: Thank you for that question, and the answer is yes, we will get the maps out so that folks can -- can indeed see them.
SEN. HISE: Just to follow up on that as well, it's important to know we will also have public terminals available for members of the public that wish to draw or construct a map. Representative Pierce again?

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

SEN. HISE: Any other questions? Representative Michaux?

REP. MCHAUX: Mr. Chairman --

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

REP. MCHAUX: Mr. Chairman, Representative Michaux again. Representative Lewis, we are now awaiting orders from the Court as to how this redistricting matter is to be carried
out; is that correct?

REP. LEWIS: Yes, sir.

REP. M CHAUX: Thank you.

SEN. HISE: Representative Farmer-Butterfield?

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

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

SEN. CLARK: Mr. Chairman?

SEN. HISE: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.

Senator Clark, District 21. You have indicated that terminals will be available for the public to construct maps and review maps. At those terminals, will analytical tools always be also available for the public to analyze the performance of those district maps using, I guess, sample election data?

REP. LEWIS: Senator Clark, thank you for that question. Please understand I'm trying to
answer it as completely as I can. It -- yes, there will be political data that is there. I don't know what exact kind of analytical data you're referring to, so I don't know that I can answer what you're asking.

SEN. HI SE: I'll just add that we'll produce what we call a stat pack consistent with the criteria established by the Committee.

SEN. CLARK: Follow-up?

SEN. HI SE: Follow-up.

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

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

SEN. CLARK: Follow-up, Mr. Chair? Can
we count it as a request on our part that efficiency gap calculations be performed for all maps that we generate in this General Assembly body that might be considered for enactment?

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

SEN. CLARK: Thank you, Mr. Chairman.

SEN. HISE: Any other questions or comments?

(No response.)

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

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

Carol M. Smith
Notary Public

Carol M. Smith
Notary Number
19943320153
NORTH CAROLINA GENERAL ASSEMBLY
JOINT COMMITTEE ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Friday, August 4, 2017
Reported by Robbie W Worley

Worley Reporting
P.O. Box 99169
Raleigh, NC 27624
919-870-8070
REP. LEWIS: Good morning. The Joint Select Committee on Redistricting will come to order. The Chair is pleased to welcome the members and guests that are here. The Chair appreciates the assistance of our Sergeants-at-Arms in preparing and maintaining this meeting. From the House, Reggie Sills, Warren Hawkins, Rey Cooke, Dean Marshbourne. From the Senate, Hal Roach, Linda Matthews, John Enloe, and Terry Edmondson. The Chair is also pleased to welcome our court reporter today, Robbie Worley. The Chair thanks the central staff for their effort in preparing for today's meeting.

The purpose of today's meeting will be to discuss criteria to remedy the ruling of the Covington court that was issued to us in an order on July 31st of this year.

Today's meeting will proceed as follows. There's going to be a presentation regarding the county groupings. We are then going to receive input from other members of the committee on criteria that should be considered. And at that point, we're going to move to a time to receive input from the public. The public will be asked to make their remarks in a two-minute time frame. The
Chair would point out that there was an advance sign-up outside. The Chair has directed that that sign-up remain open for the -- at least another 30 minutes in case some people have not yet arrived.

The Chair would point out that we have also opened up committee room 544 in this building. This meeting is only being livestreamed online. It is being broadcast in that room as well. If there are people in room 544, we welcome them and we will, if they are signed up to speak, will be calling their name so that they do not miss their opportunity to speak.

At this time, the Chair is going to yield the chair to Chairman Dollar.

REP. DOLLAR: Thank you, Chairman Lewis. And we also remind you, maybe a little bit unlike our normal meetings, if you seek recognition for a question or a comment as a member, as a member, you need to identify yourself for the court reporter for the record that's being taken. So the gentleman from Harnett County is recognized for his presentation.

REP. LEWIS: Thank you, Mr. Chairman. I'm David Lewis, the senior chair of the House Redistricting Committee. I'd like to talk with the
members and our guests here today about the various criteria that will be considered. The primary purpose of my presentation is to talk about two of the criteria that we know that we will need to operate under.

The first one we discussed last week is the one person, one vote requirement, and for your records, in the House, of 120 members, the ideal population based on the 2010 Census is 79,462 people. For the Senate, under the 2010 population, the ideal population is 190,710 people. There is a plus or minus five percent variance that can be applied to these figures.

My presentation is going to focus now on county groupings. All of you were distributed last week a map that is labeled "2010 Census Population by County." It looks like this. This shows the 2010 Census population for North Carolina's 100 counties.

I'd like to talk about the Stephenson rule that will be applied in the drawing of these maps. First of all, groupings of counties, which we'll discuss in a moment, but groupings of counties must be filled with whole districts. Districts may not deviate in total population by
more than plus or minus five percent from the ideal population, and districts within groupings must have a -- must have the least possible number of crossings over adjacent county boundaries. Next slide, please.

Groupings drawn under this rule are primarily generated using a mathematical, formulaic process. Next slide, please.

Here is how the grouping process develops using the 2010 Census data for the county populations. Next slide.

Members, the counties that you see here that are highlighted in purple are single-county groups. That means that districts can be drawn within these counties, and districts must be drawn within these counties without including expansion into other counties. The purple indicates one-county groups. Next slide, please.

The red color that you see indicates two-county groups. That means if you -- in order to reach the ideal House population, you have to combine two counties in order to draw the districts. Next slide, please.

The yellow or orange indicates three-county groupings. Next slide, please.
The bright yellow indicates a four-county grouping under the Stephenson criteria. The green indicates a five-county grouping under the Stephenson criteria. The dark green indicates a six-county grouping, and finally, the blue color is a seven-county grouping in the middle of our state.

Mr. Chairman, I'd like to ask that the House and Senate Sergeant-at-Arms distribute the exhibits that are labeled "County Groupings for 2017 House Plan" and "County Groupings for 2017 Senate Plan" to the members of the committee at this time.

REP. DOLLAR: The Sergeant-at-Arms will be directed to distribute the materials.

(Pause.)

REP. LEWIS: Members, the Chair would -- pardon me. I would point out that the illustrations that we've shown are just for the House to show you how the counties are grouped in the House. The maps that are being distributed also show the county groupings for the Senate; we just did not place them in the PowerPoint presentation.

Mr. Chairman, I believe there are extras. We have members that are here that may not be on
the committee; if the Sergeant-at-Arms could give those to them as well.

(Pause.)

Mr. Chairman, with your permission, I'll continue my remarks.

REP. DOLLAR: The gentleman is recognized.

REP. LEWIS: Thank you, Mr. Chairman. Mr. Chairman, I would point out that the county groupings that we have discussed is a mandatory requirement and is based on math. The maps that are presented to you are our best efforts to determine what the ideal county groupings should be. If there are alternative ways to exceed the county groupings that we have provided here, where more one-counties are created, or more two-counties, or more three-counties, et cetera, I would ask that members please submit those so that they can be reviewed before and included in the discussion of our meeting on next Thursday.

I would point out that the county grouping rule is the strongest constitutional requirement anywhere in the country. This guides us in being able to draw fair districts, and again, if members are able to determine a better county
grouping that complies with the requirements, we
look forward to reviewing them.

Mr. Chairman, with your permission, I
request that the Sergeant-at-Arms distribute what
is labeled map 6. It reads, "Comparison of 2011
enacted to optimum House county maps," and also map
3, which reads, "Comparison of 2011 enacted to
optimum Senate county groups."

REP. DOLLAR: The Sergeant-at-Arms will
distribute the materials requested.

(Pause.)

REP. LEWIS: And, Mr. Chairman, as
before, the members that are present that are not
on the committee, I would request that they receive
these maps as well. And further, Mr. Chairman, if
there are extra maps once the members have received
theirs, if we could make plans to distribute those
to the members of the public who are here at the
conclusion of the meeting.

REP. DOLLAR: So ordered.

REP. LEWIS: Mr. Chairman, I believe most
members have their maps now. May I continue my
presentation?

REP. DOLLAR: The gentleman may proceed.

REP. LEWIS: Thank you, Mr. Chairman.
Members, the map that you have before you that is labeled map 6, "Comparison of 2011 Enacted to Optimum House County Groups," and map 3, which reads, "Comparison of 2011 Enacted to Optimum Senate County Groupings," this comes from a public court filing that was made on October 31st of 2016.

I would point out that the county groupings map that you just received, which showed what we believe to be the optimum county groupings, those groupings also appear on this map.

The areas that are in green are county groups that are unaffected by the court ruling and will not require a remedy. In plainer speak, that means that the areas in green will not require a redraw of the districts.

The area in yellow, these are unaffected county groupings, but districts within those groupings will require remedies.

The areas in white are areas in which both the county grouping has changed and will require the districts to be modified within them.

Mr. Chairman, I think at this time, only on my presentation, if there are questions on my presentation, I'd be glad to take them at this time.
REP. DOLLAR: Representative Michaux?

REP. MICHAUX: Yes. Would you explain the numerical identification on these maps?

REP. DOLLAR: And if you will hold for just a moment, Chairman Lewis. Representative Michaux, if you would identify yourself by name and county for the record.

REP. MICHAUX: Representative Michaux, Durham County.

REP. DOLLAR: Thank you, sir.

REP. MICHAUX: Give us the definition of the numerical numbers -- the numbers on these maps.

REP. LEWIS: Representative Michaux, thank you for that question. I should have pointed that out.

Members, if you'll refer, just to make it easier, if you'll refer to the map that reads "County Groupings for 2017 House Plan," what Representative Michaux has asked, the county groupings have a code in them. The code contains three numbers. The first number is simply an identifier of the county group. What's more important and helps us do our jobs, the second number, for instance, let me use an exact example here.
If you'll look in the eastern part of our state, the county grouping that includes Currituck, Dare, Hyde and Pamlico, you'll see that the second number in there is 04. That means there are four counties in that grouping. The third number that is in that, 01, means that those four counties create one seat. So that means four counties, one seat.

To go to the middle of our state, if you'll look at Wake County, which is one of the counties in purple, that's a one-county group, you'll notice that the second number there is 01. That means it's a one-county group. The third number is 11; that means that it creates 11 seats within that one county. The same is true on the Senate map.

REP. DOLLAR: Further members wishing to ask questions of Chairman Lewis at this time? Seeing none.

REP. LEWIS: With that, Mr. Chairman, I will conclude my remarks, and I know that you will recognize members of the committee that wish to offer criteria to be considered.

REP. DOLLAR: Members, are there any members wishing recognition for the purpose of
providing criteria to be considered in the drawing of the map? I don't see anyone wishing to be recognized at this time. Senator Smith-Ingram?

SEN. SMITH-INGRAM Yes, Mr. Chair.

Senator Smith-Ingram Senate District 3, eight counties, eastern North Carolina. I wish to submit criteria to be considered.

REP. DOLLAR: So, does the lady have -- you're submitting this written comment. Did you have copies, or did you want to add further explanation to this, or just -- what does the lady desire?

SEN. SMITH-INGRAM Thank you, Mr. Chair. I'd like for copies to be distributed.

REP. DOLLAR: Does the Sergeant-at-Arms have copies for distribution? (Pause.) We'll have them made and distributed.

Did you -- Madam Senator, did you wish any -- any comment at this time in addition to your --

SEN. SMITH-INGRAM Not at this time. Thank you.

REP. DOLLAR: Thank you. Other members? Senator Clark.

SEN. CLARK: Thank you, Mr. Chair. I've
already submitted some recommendations in writing, but I do have one additional recommendation I would like to speak to, and I will submit it in writing later if that's appropriate.

REP. DOLLAR: And I didn't catch -- I apologize for not hearing. If you would identify yourself for the record.

SEN. CLARK: Sorry. Senator Clark, Senate District 21.

REP. DOLLAR: The gentleman will proceed with his comments.

SEN. CLARK: Okay. Currently -- and this is essentially a process requirement or a recommendation. Currently, on the North Carolina General Assembly website, we have the ability to go and find out who represents me, what I -- excuse me. What I ask that the committee do is make available to the citizens of North Carolina a capability, once we provide a map for them to review, a capability for them to go onto the website and see who would represent me under the new maps that are being proposed for enactment.

REP. DOLLAR: Noted. Thank you very much for the recommendation. Other -- other members seeking recognition at this time? Representative
REP. MICHAUX: Representative Michaux from Durham again. This goes back to Representative Lewis's presentation, if you don't mind. Could you clear up just one or two other matters on the maps involving the county groupings? Actually, just one matter.

REP. LEWIS: I'll be glad to yield, Mr. Chairman.

REP. MICHAUX: Representative Lewis, let me be clear, and so the committee will be clear, it needs to identify these code numbers in here. And I'm particularly interested in the -- the second two, the second number and the third number. For instance, in Wake County, that's a one-county grouping. You've got 11. That county is -- there are 11 representatives in that one county, coming out of that one county. You have not made any designations as to how those 11 are to be elected, have you, yet?

REP. LEWIS: Thank you for that question, Representative. No, we have made no designations for how those 11 seats would be designed, and will not do so until after this committee adopts criteria next week.
REP. DOLLAR: And for the record, that's Representative Lewis responding. Representative Michaux, you have a follow-up?

REP. MICHXAUX: Yes. The other question is, for instance, in a two-county grouping, we're looking at that each representative representing 79,400 and some-odd people. For example, in a two-county grouping, what are the mathematics in that? For instance, you've got Durham and Chatham together. What are the mathematics in that two-county grouping, to get to that 79,000 that the four representatives will represent?

May I follow up? You understand, it's easier to do it for a one-county group, but for a two-county group, how many are coming out of one county, how many are coming out of another county?

REP. LEWIS: Thank you for that question, Representative Michaux. And again, this is David Lewis from Harnett County. The question you asked is regarding the 2017 House Plan map that was passed out, I believe, right? There are 33,000 -- pardon me. There are 3000-and -- there are 331,092 people that comprise the total population of those three counties that are linked there, Durham, Orange and Chatham. If you divide that number by
the number that you've already said, the 79,492, that will yield four seats. But beyond that, I'm not sure I understand your question.

REP. MICHAUX: May I follow up?

REP. DOLLAR: Follow up.

REP. MICHAUX: Well, now, you've got me confused. Now, you said the three-county grouping. I'm looking at a two-county grouping with Durham and Chatham right? And not Orange?

REP. LEWIS: Representative Michaux, thank you for correcting me, sir. I'm looking at the same map you are. I simply glanced down and didn't notice the -- for the record, the county groupings are illustrated with a thick black line, and there is indeed a thick black line between Orange and Durham. I just simply didn't see it. Yes, this is a two-county grouping, as you pointed out, sir.

REP. MICHAUX: Follow up. Representative Michaux again, follow up.

REP. DOLLAR: Follow up.

REP. MICHAUX: What I'm asking, for instance, taking that Durham-Chatham group, you've got four representatives. Each representative is supposed to represent 79,430-some-odd people. How
did you mathematically come up with Durham--in other words, the total population between Durham County and Chatham County, does that exceed more than four times 79,000, or less than four times 79,000?

REP. LEWIS: Thank you for the question. Again, this is David Lewis. The population of Durham in 2010 was 267,587. The population of Chatham in 2010 was 63,505. That totals up to 331,092. So if we divide that by the ideal population of 79,462, it equals 4.16, which would be within the plus or minus five percent range.

REP. DOLLAR: The gentleman continues to be recognized for his questions.

REP. MICHAUX: Thank you, sir. Representative Michaux from Durham. The figure you just gave me, 331,092, is the total population for both counties. Is that correct?

REP. LEWIS: That is correct, sir.

REP. MICHAUX: And if you've got four representatives representing that 331, doesn't that population come out to be somewhere around a little over 80-some thousand people there, which may be outside your five percent deviation?

REP. LEWIS: No, sir, because again, it's
331,092. The ideal -- if there were -- if this was a congressional draw, and we were under absolute zero deviation rules, we would have to have every district the same size. But the Stephenson criteria has provided that there is a plus or minus five percent, and again, I can -- I'll be happy to go through the math on my phone here, like I was trying to do. But I -- what I have represented this map to be is what I believe to be the optimum county groupings for the House and the Senate.

What I've asked the members to do is, if they find a more optimum map, to bring that map forward so that it can be reviewed.

REP. DOLLAR: And as further explanation, Representative Michaux, and this is Chairman Dollar, staff has handed me, and you might want to write these numbers down. The ideal population for four members for House seats would be 317,884. The range, however, which is what Chairman Lewis is discussing, the range for four members would be anywhere from 301,956 to 333,740. That would be the range for a four-member grouping. Durham and Chatham together, as it has been mentioned, that's 331,092. So that fits in that range.

REP. LEWIS: Mr. Chairman?
REP. DOLLAR: The gentleman is recognized.

REP. LEWIS: This is David Lewis. I'd like to point out to the members that the last time we met, we passed out a chart that's labeled "2010 District Population Ranges and County Populations." We can certainly re-pass that out to the members, but it shows the plus or minus five percent that the chairman just referenced.

REP. DOLLAR: Senator Clark.

SEN. CLARK: Thank you, Mr. Chairman.

Senator Clark, Senate District 21. You indicated on map 3 and map 6 that the clusters shown in green did not require -- there is no requirement to change them, nor is there a requirement to change the districts within them. Is it the position of the leadership of this committee and the leadership of the General Assembly that the districts within those particular clusters shall not be changed as a part of this process?

REP. LEWIS: This is David Lewis, and the answer is yes.

SEN. CLARK: Thank you, Mr. Chairman.

REP. DOLLAR: Further questions from members of the joint committee, or further offers
of criteria from members of the committee at this time? Senator Speciale -- I mean, Representative Speciale.

REP. SPECIALE: Yeah, don’t denote me.

Could we get a copy -- I know you gave a copy last week of those numbers, but could we get that? Not every one of us have them with us today.

REP. LEWIS: Yes, sir, we can get that -- staff can get that for you. Representative Michaux.

REP. MCHAUX: Yeah, I’m still trying to get my mind clear. Representative Mchaux, from Durham, Representative Lewis.

REP. DOLLAR: The gentleman may ask his question.

REP. MCHAUX: In response to Senator Clark’s question, am I to understand that these counties on this House county group, the green counties will not be affected by what you-all are proposing to make changes with? Is that what I’m hearing?

REP. LEWIS: Thank you for the question. Again, this is David Lewis. Let me try to explain it a different way. We believe in the maps that were passed out that illustrate the optimum county
groupings, the ones labeled "County Groupings for 2017 House Plan" and then "County Groupings for 2017 Senate Plan, we believe that these are the ideal county groupings. We believe that if the ideal county groupings match the county groupings that were used in 2011, that no change would be required within those counties.

REP. DOLLAR: Further questions at this time, or offers of criteria from the members?

Thank you. Seeing none, the Sergeant at Arms will pass out the sheet entitled "IDS Policies 2017 Restricting Operations." This sheet here. Committee will be at ease for just a moment while the Sergeant at Arms pass these out.

REP. DOLLAR: Chairman Lewis is recognized.

REP. LEWIS: Thank you. Mr. Chairman, this is not pertaining to the criteria but we felt it important to discuss it with the committee. This is the policies developed by the central staff and our information services division that we propose would govern access and empower members of the General Assembly and also the public that wish to directly participate in the drawing of districts that have access to the computers and the staff.
In short explanation, I would offer that this is the same policy that we used in 2016, and I believe the same policy that we used in 2011. If there are detailed questions on this, Mr. Chairman, I respectfully ask that they be directed to staff.

REP. DOLLAR: Any questions on these procedures? And please know, as you look over these, you can always call staff later and contact them with any additional clarification that you might need.

Okay. Seeing no questions on that --

REP. LEWIS: Mr. Chairman.

REP. DOLLAR: The chairman is recognized.

REP. LEWIS: Thank you. This is David Lewis again. Members, for full disclosure, the Chairs are providing this as the direction that we have issued to staff. If there are concerns with it, please bring those to the Chairs. But we didn't want to share this so that you would all have access and that members of the public would have access and would be more enabled to utilize resources if they wish to directly participate in the drawing of districts.

REP. DOLLAR: Senator Smith-Ingram

SEN. SMITH-INGRAM Thank you, Mr. Chair.
As relates to public access, when you provide the room for the general public that's here in Raleigh, are we going to be accommodating maybe some of those same opportunities when you go further east, for those in the public who cannot drive to Raleigh?

REP. DOLLAR: The gentleman is recognized.

REP. LEWIS: Thank you, Mr. Chairman. Senator, I appreciate the question. I also want to say that I appreciate your steadfast advocacy for the East. We have not in the past been able to provide actual physical resources offsite and will not be able to provide it this time as well. I would point out that there are several free websites, if you will, that allow people to access and draw maps, and we will certainly--we did last time and would again receive and review those. So we will not be able to provide the actual physical resources offsite but we will certainly review maps that the public may draw using software that they can access online.

REP. DOLLAR: Senator Clark.

SEN. CLARK: Thank you, Mr. Chair.

Senator. Senator Clark, Senate District 21.
My question regards potential staff report for the minority party with regard to providing full-time, if you will, legislative analysis division individual, to support us in possibly the creation of our maps and interpretation thereof and the creation of data. And the reason I ask this is, due to no fault of their own, they are under significant time restraints. Often our attempts to avail ourselves of those services are not successful. So I was wondering if there was a possibility that we could get a dedicated resource for that particular purpose.

REP. DOLLAR: The gentleman is recognized.

REP. LEWIS: Thank you, Mr. Chairman, and thank you for that question, Senator. The Chairs have actually discussed that. As you know, our central staff works very hard. They work very hard to serve all of the members. We want very much to facilitate as much involvement and participation in the -- trying to reach an acceptable remedy for this Court order.

If the minority leaders in the House and the Senate were to request that, I'm sure we could
make that occur.  We would ask the Legislative Services officer to deal with that.

I also would point out that the Speaker and the President Pro Tem have also made an offer to the respective caucus leaders in the House and the Senate.  If they wish to hire outside mapping aid, that has been offered as well.

REP. DOLLAR: Further questions. Seeing none, thank you.

Before we go to taking public comments and input on the criteria, are there any members wishing to make any further comments with regard or offer any criteria for the drawing at this time?

Well, with that, seeing no hands, we will begin the public comment portion of our committee meeting today.  As -- just to remind everyone, we will keep decorum.  If you have signs, please do not display them in any way in which they would block the view of someone behind you.  There will be a two-minute time limit.  Sergeant-at-Arms will keep that.

We will call out the first five individuals that there are, and we'll call them out five a time.  If you would line up with the mic there in the back, and again, be sure to identify
yourself for the record, as a public record is being kept of this.

I would also remind members, this is not an interactive period of time. Questions will not be taken of members of the public. This is our opportunity to listen to what they have to say in their presentations. Representative Floyd?

REP. FLOYD: How many public speakers do we have signed up so far?

REP. DOLLAR: To the Chair’s view, it appears we have about -- roughly -- between 40 and 45 speakers.

REP. FLOYD: Thank you.

REP. DOLLAR: We would also ask, to be certain that any of the groups -- if you are representing a group in particular, please identify that when you begin your comments. So at this time, we will call up to the mic in the back, the first five --

Hold on just a moment. Representative Torbett.

REP. TORBETT: Just to rehash a little bit, there was a document for Senator Smith-Ingram presented. Was it going to be copied and distributed?
SEN. DOLLAR: Yes, sir.

SEN. TORBIN: I'm just making sure that's going to happen.

SEN. DOLLAR: That will happen.

REP. TORBETT: A reminder. Thank you.

REP. DOLLAR: Yes, sir.

When the -- just to be clear with the Sergeant-at-Arms, if that item has been copied now, if you are ready, go ahead and distribute that. We will distribute that before we recognize our first group of folks.

Let me go ahead and call up the first group, and then we'll get this started once this sheet has been distributed to the members.

Ira Botvinick, Phyllis Denko, Steve Hall, Mike Jennings, Dr. Heather Simmon, if y'all will line up there. And I apologize if have mispronounced anyone's name. And if you'll hold for just one moment until the Sergeant-at-Arms has finished distributing their materials.

Also, to remind you in the back, you will need to make sure that the green light is on. Turn it on when you get ready.

Okay. Seeing the materials distributed, the gentleman, if you would identify yourself and
IRA BOTVINICK: Thank you. I am a voter, always have voted. My name is Ira Botvinick. I reside in Wake County.

I am angry about legislative districts that gerrymand [sic]. I am pissed that my tax dollars are being wasted to defect concocted legislative districts. I want my vote to matter. I did not come here to criticize Republicans. The truth is, the majority parties have gerrymanded. Gerrymandering is wrong, and it must stop now.

Redistricting should foster to the great extent possible, competition, so as to provide better government for all North Carolinians. The antitrust laws of Chapter 75 of the General Statutes prohibit entering into noncompetitive agreements, and this should be the guiding principle of your deliberations.

In this state, we care so much about fairness and competition, that General Statutes, Chapter 75, always award triple damages and attorney fees for business that engage in anticompetitive practices. And this state law subjects violators to imprisonment of up to two years. The
business of government should be no different.

If what I'm saying is too difficult for you to legislate in that it is human nature to be self-protective, I request that you vote for House Bill 200 and Senate Bill 209, that establish a nonpartisan process for drawing legislative districts.

In conclusion, when Benjamin Franklin left the Constitutional Convention that established our Federal Constitution, he was asked, "Dr. Franklin, what type of government do we have?" Benjamin Franklin replied, "A republic, if you can keep it." Thank you.

REP. DOLLAR: If members of the audience would refrain from public demonstrations, the next individual is recognized for time not to exceed two minutes. If you would identify yourself.

PHYLLIS DEMKO: Good morning. My name is Phyllis Demko, and I'm from Cary. I realize this is not about congressional districts, but to make my point, I'm offering a quote. This is from the minutes of the Redistricting Committee for Congressional Districts, February 16, 2016. One of the members of the committee said as follows: "I want to make clear that we are going to use
political data in drawing this map. It is to gain partisan advantage. I want that criteria to be clearly stated and understood."

He acknowledged that this would be a political gerrymander and, indeed, the adopted criteria expressly instructed the mapmakers to draw a new district map that would maintain partisan advantage.

The data actually was only related to election results. Other than population, that was the only criterion used. This is blatant partisan gerrymandering. This is putting politics over the welfare of citizens of the state.

We have seen the results of partisan gerrymandering in North Carolina as well as throughout the country. So whether policy gerrymandering is legal per se, and that's an open question before the Supreme Court at this point, we as citizens of this democracy know for sure that it is wrong. I ask you, therefore, to adopt criteria that do not include addresses of candidates or incumbents and that residents' voting histories not be considered. Thank you.

REP. DOLLAR: The next person will proceed. Identify yourself and you're recognized.
for time not to exceed two minutes.

STEVE HALL: Good morning. My name is Steve Hall. Thank you all for your service. You obviously have a very complex task before you with many competing voices and allegiances to consider. As someone who led numerous institutions that had such a challenge, I always advise myself in my quiet moments, and other fellow leaders, "What are your core principles? What is the guiding light that motivates you to do the work you do?"

And when I thought about this opportunity to address you this morning, what occurred to me as something if I was sitting in your shoes, might sound something like this. To do my best to ensure that each and every North Carolina citizen has a voice that can be expressed with equal weight and potential impact. I suggest that isn't really a mathematical idea. It's a bit more complex than that. And I would encourage you to embody those additional elements as you deliberate how to draw up your maps. Thank you.

REP. DOLLAR: Thank you. The next individual is recognized to identify yourself and you are recognized for a time not to exceed two minutes.
MIKE JENNINGS: Thank you, Mr. Chairman, members of the committees. My name is Mike Jennings. I have lived in Wake County -- in North Caroling for about years. I want to thank you for the opportunity this morning, and I am speaking just for myself. Others are going to talk in more detail about criteria that are fair, transparent, and actively involve public.

I could talk in more detail about that but I want to go -- and I agree with those criteria. But I want to go further, why those criteria are important to me. Before Congress adopted the Constitution, the Voting Rights Act, there was the Golden Rule. We were given the Golden Rule. Excuse me. I believe the criteria that you will hear about this morning will create an open process and promote fairness in elections. I think that would be consistent with the Golden Rule.

I know in the past others have drawn districts to favor them, I agreed and that was wrong. It's time to turn the corner. Let's do the right thing. Let's do it, let's treat others as you would have them treat you. I encourage you to allow to be touched by the better angels of your
nature, to turn the other cheek to those who have used the redistricting process to their own advantage and rise above partisanship as you draw new maps. It's the right thing to do. My children, my grandchildren are depending upon you to keep this a democracy that works for everybody. Remember, the Golden Rule says, "Do unto others as you would have them do unto you."

Thank you very much.

REP. DOLLAR: Thank you. The next five individuals past Ms. Simon at the moment, is Richard Greene, if you would line up -- Trina Harrison, Pam Schwingl, Jen Jones and Paula Jennings. So if y'all would like up.

And, Ms. Simon, you are recognized for time not to exceed two minutes.

HEATHER SIMON: My name is Heather Simon. I'm from Cary, North Carolina, and I'm here representing myself today. I took time off work today to come comment because nonpartisan redistricting is fundamentally about preserving our democracy. The redistricting process is only happening today because the legislature failed to create legal and constitutional districts in the first place. The fact that you have again hired
the same consultants to draw the -- that drew the current illegal maps is troubling. The legislative redistricting process much be carried out in a nonpartisan manner, ideally by an independent commission and with the opportunity for the public -- the public to comment on the final district maps. To guarantee that the process remains fair and unbiased, the legislature should exclude political information like voter registration data and past election results when drawing maps.

Both Democrats and Republicans won statewide races in the last election, indicating that voters in North Carolina are fairly evenly split. In contrast, whenever elections were based on districts, the scale leaned very heavily towards Republicans as demonstrated by [unintelligible] majorities in both the State House and State Senate. Any process that is designed to favor some voices or opinions over others is fundamentally undemocratic and goes against the spirit of the North Carolina and U.S. constitutions.

As legislators, you took an oath to uphold both. Section 2 of Article 1 of the state constitution states, "All political power is vested
in and derived from the people. All government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole." The current districts do not represent a government originating from the will of the people.

If you believe in democracy, you have an obligation to design truly fair and representative districts when drawing new maps. Attempts at gerrymandering for the purpose of gaining political advantage are short-sighted and undermine the core democratic principles. The issues faced by the state will change and the demographics will change but once lost democracy is very hard to regain.

REP. DOLLAR: The next individual recognized is Mr. Greene?

RICHARD GREENE: Yes.

REP. DOLLAR: For a time not to exceed two minutes.

RICHARD GREENE: Richard Greene, Wake County. Thank you, Mr. Chair; thank you, members of the committee. I'm a small businessman. I've closed my business to be here today. What I've learned in being a small businessman is, innovation and progress is dependent on competition and
listening to what is going on around you. The business world is full of large, very powerful companies that have failed -- Kodak, Xerox -- who failed to follow that lesson. The same is true in government.

So I urge you adopt a districting process that is nonpartisan in nature, that is based on geography and doesn't deal with any demographic information of any measure. I believe this is critical to our legislative process, it is critical to the progress of our communities, and it is critical to our democracy. Thank you for the time today.

REP. DOLLAR: Thank you. Next individual is recognized for a time not to exceed two minutes.

TRINA HARRISON: Thank you. Members of the Committee, members of the General Assembly. My name is Trina Harrison. I'm from Alamance County.

Racially-based districting is partisan districting. For too long, regardless of which party has held power in Raleigh, the politicians have chosen their voters. It's time for we, the voters, to get back to being able to choose our representatives. That's all. Thank you.

REP. DOLLAR: Next lady is recognized for
time not to exceed two minutes.

PAM SCHWINGL: Hi. My name is Pam Schwingl. I'm from Cedar Grove, Orange County, North Carolina. Thirty years ago, I moved to North Carolina based on its reputation for fairness, balance or progress and its support of agriculture and education. I have lived both in southern Orange County, northern Orange County and in Person County, and I've seen that wherever I vote, my vote really doesn't matter.

I could stay home on election day. Incumbents would be voted in and change would be difficult. Democrats would win in Orange and Republicans would win in Person. This has only worsened since the 2011 -- since the last Census and new maps were drawn. The result is that only a few people vote, it's very suppressive of the vote, and because of these gerrymandered districts that we now know why this happens, and it's called an efficiency gap, and it's something that I think should be included in the criteria for choosing these districts.

Because it really is a situation where the individual vote is undermined. The one person, one vote is undermined. So let's make districts
that are competitive. It has been done before, it has been done in other states, and let's get candidates that can appeal to a broad range of people that can really start solving our problems. So I would recommend that we basically use criteria that does not set partisan targets, does not protect incumbents, does not exclude threats to incumbents, and use criteria that excludes data on party registration, on race and ethnicity except where required by the Federal Voting Rights Act.

And then when the maps are drawn, report to us the quantitative efficiency gap to see how far or how close we are to the one person/one gap rule. And please, let us know at each step what you're doing, why you're doing it, and provide to us a log of all your actions. Thanks.

REP. DOLLAR: Thank you. Ms. Jones, recognize for a time not to exceed two minutes.

JEN JONES: Thank you, sir. My name is Jen Jones. I live in the great county of Orange, but I grew up on a tobacco farm in the great county of Warren. And as my mother says, "Our family has been here since Jesus wept." I also, in the interest of full disclosure, work for Democracy North Carolina, which I hear has been fighting
since Jesus wept for both parties not to gerrymander. So I am very unpopular with everyone in front of me.

Despite that, I am here for the former purpose: to speak as a North Carolina about criteria that matter to me and my mama. I want fair maps, and I want them to be devoid of racial and partisan gerrymandering. I'd kind of like for them by the principles of equal protection under the constitution. And since we are a Southern state -- I would argue the most fabulous one -- I would like the principles of the Voting Rights Act to be a part of that, too.

But most important to me, as a communications person, is having public input and transparent and informed public input. But just as leadership is confident in Thomas Hofeller to redraw our maps, the same man who did so in 2011, I am confident that those maps have already been drawn, that the criteria for those maps is already set. And I would really appreciate as a member of the public, to see those maps and be able to provide informed public comment at the hearings you so graciously are providing later this month, based on those maps.
So I would ask, please, as a North Carolina constituent and voter, show us the maps, and I promise you, as a North Carolinian, we will tell you exactly how we feel about them. Thank you so much.

REP. DOLLAR: The next is -- Ms. Jennings if you will just hold for a moment. The next five individuals, if you would line up. Lloyd Chambless, William Smith, Janis Ranquist, Dianna Wyne, and Janet Hoy.

Ms. Jennings, you are recognized for a time not to exceed two minutes.

PAULA JENNINGS: Thank you. Thank you for allowing me to speak. My name is Paula Jennings. I'm here as a North Carolina citizen, a Wake County citizen, and most of all, a patriot. I'm speaking for myself, and I want to use a phrase we've often heard: liberty and justice for all. Liberty and justice for all. This phrase is recited as part of the Pledge of Allegiance with little thought for its deeper meaning.

I come here today also as a granddaughter of a World War I veteran, the daughter of a beloved World War II veteran. These men suffered greatly over their years because of their service.
here today as a mother and a grandmother. I come here today for the memory of what all of our ancestors stood for and what they went to war for, and for the legacy I wish to leave my children and grandchildren.

Part of the liberty and justice for which I speak is dependent on transparency, where one vote counts more -- does not count more than another, and when the result of an election is not a foregone conclusion. Transparency in the process of drawing impartial districts is the most important criteria for which I advocate today. Transparency.

Complete transparency such as can be found in live streaming of all hearings and meetings. I advocate on behalf of future generations and for the large table of democracy which I hope they can all come to. Thank you.

REP. DOLLAR: Thank you. Mr. Chambless, you are recognized for a time not to exceed two minutes.

LLOYD CHAMBLISS: I am Lloyd Chambless from Orange County. A recent study has found that the North Carolina redistricting process ranks among the worst in the world. Our democracy in
North Carolina is right there with the worst democracies in the world. Our legislature does not represent us; it represents the maps they drew. The recent court finding was that our districts were not legal, in other words, did not represent the people of the state because of racial gerrymandering. Hopefully an up and coming Supreme Court decision will find that partisan gerrymandering is unconstitutional. That is yet to be seen.

But here we are. We have an opportunity. We’re looking forward to the Census in 2020, where new maps will have to be drawn. Democrats could be in charge then, so it’s an opportunity when we don’t know who is going to win, to do something about it, to draw some fair maps, to make the process nonpartisan, to not allow looking at past election results or registration, to get it out of the hands of the legislature except for final approval.

So let’s take this opportunity to right the process. Let’s redraw the maps. Why do you start -- why do you start with the same maps and say, we don’t have to redraw most of the districts. Let’s start over. It’s easy to draw maps. Just
start ignoring all the political requirements that
you've put into it to -- so gerrymandering. So
let's make this a nonpartisan process, start over,
and do it right. Thanks.

REP. DOLLAR: Mr. Smith, you are
recognized for time not to exceed two minutes.

WILLIAM SMITH: William Smith, Raleigh,
North Carolina. As a veteran and someone who has
also sworn an oath to defend this great nation of
ours, and a patriot, I am extremely concerned by
the state of our democracy today. Our
representatives should be able to be held
accountable for their actions by the people from
which they derive their power.

Therefore, I propose the following
criteria for the redistricting process in North
Carolina: A prohibition on using partisan data.
Maps submitted should be able to pass the
efficiency gap test or the best available test for
gerrymandering that is currently available. Voting
precincts should not be divided.

I would very much prefer that an
independent, nonpartisan commission be appointed to
draw our district maps but should a commission not
be appointed, then the governor should be granted
veto power over any redistricting bill produced by the General Assembly.

All of us are aware of the oath: first, do no harm. Bringing back Dr. Thomas Hofeller, who failed so miserably in protecting democracy when drawing the 2011 maps, only shows that you desire to continue to undermine our democracy. Representative David Lewis, who was also involved in the failed 2011 maps and Dr. Hofeller should not be involved in this important process.

I wish I had more time to go into the damage gerrymandering does to both parties and to our great nation. I respectfully request that this body restore democracy to this great state. Thank you.

REP. DOLLAR: Ms. Ramquist, you are recognized for a period not to exceed two minutes.

JANIS RAMQUIST: My name is Janis Ramquist. I'm a resident of Raleigh. I have known some of you for decades, and this is a very personal statement. I know you as good people who want to serve your state, and it is very sad to me that so many people distrust you and believe the worst in you. I think that you could change the course of this by adopting better criteria,
measurable criteria. There are mathematical equations that can measure whether you are overly partisan in your district, whether they are compact, and whether they meet the Voting Rights Act compliance.

I thank Representative Lewis and Senator Hise for increasing the transparency but it could be improved. Every scrap of information that is used to draw a map should be available to the public. You are doing the public’s business.

There is a rumor that red maps have been drawn already. I hope not. But if they have, I hope you will disclose them now.

Redistricting is the foundation of our democracy, and I beseech you to please honor the integrity of the General Assembly. Thank you.

REP. DOLLAR: Thank you. Ms. Wynn, you are recognized for a time not to exceed two minutes.

DIANNA WYNN: My name is Dianna Wynn, and I’m a resident of Wake County. I am part of a large and growing segment of North Carolinians who are unaffiliated voters. However, I believe I speak for many unaffiliated voters, Republican voters, and Democratic voters, who are increasingly
dismayed by the role of partisan politics in drawing our voting maps.

In fact, polling across the nation and specifically in North Carolina, reveals that a majority of voters favor a nonpartisan approach to redistricting. To that end, I respectfully request that this committee adopt the following criteria for fair voting maps. First, adopt politically neutral criteria. No addresses of candidates or incumbents should be used, and residents' voting histories and party affiliations should not be considered when defining our voting districts.

Second, districts should be compact and contiguous. Voters within a district should not be unnecessarily dispersed, and no voting district should be geographically divided or split by another district. In other words, all portions of a district must connect.

Third, avoid dividing counties and municipalities where possible. Fourth, avoid dividing communities of interest, where possible. Communities of interest typically have social, cultural, racial, ethnic or economic interest in common. Finally, and obviously, voting maps should comply with all relevant provisions of the Voting
Rights Act.

Voters are tired of politics as usual. We want our legislators to stop gerrymandering and end the practice of politicians handpicking their voters. We simply want fair and impartial maps. Thank you for your consideration and the opportunity to speak here today.

REP. DOLLAR: Thank you. Let me make a notation. If any of those who have spoken or who will be speaking here shortly, want to submit your comments or share -- you know, if you had something in writing and you want to share that, put that in the hands of the staff, you can hand those either to the Sergeant-at-Arms or to the committee staff up here. I just want to make sure that you knew that opportunity.

Also, let me identify the next five individuals that will be recognized in line. Lee Mortimer. And for the press, if you are looking at your sheet, number 17 who is signed up has withdrawn. So the person after Mortimer would be David Williams, Zack Klien, and Dallas Woodhouse. So if those individuals would line up. And Ms. Hoy, if you would identify yourself, of course, and for time not to exceed two minutes.
JANET HOY: Yes, thank you very much. My name is Janet Hoy. I live in Orange County but I'm here today as the co-president of the League of Women Voters of North Carolina. The League, as you probably know, is a 100-year-old, nonpartisan, political organization that encourages active and informed participation in government. Since 1966, the League of Women Voters of the US, our national organization, has advocated for impartial electoral maps with both transparent redistricting processes and even more importantly, significant opportunities for public participation.

Today's public comments are about criteria. Our recommendations focus on three primary objectives: transparency, public engagement and fairness. The League recommends this committee commit to the following: disclose all criteria and assumptions used throughout the process; exclude partisan targets; exclude data on voters' party registration and past voting history; exclude data on incumbents' or candidates' addresses, exclude data on race and ethnicity except where necessary to comply with federal law, meaning the Voting Rights Act; analyze each set of maps using generally accepted measures of
compactness and report the results by district and
for the set of maps as a whole. Strictly apply the
Stephenson process to define the VRA districts and,
most importantly, make maps available for review
and comment by the public in advance of hearings
and again before the maps are finalized.

We urge this committee to ensure that
these criteria are reflected in any maps that have
been or will be drawn. Furthermore, we ask that
the committee's maps and the criteria used to draw
them be promptly publicized, without delay, from
the moment they are created, so that citizens of
North Carolina will have full opportunity to
consider and respond to them.

The League of Women Voters of North
Carolina represents thousands of League members
across the state as well as many more thousands of
supporters, each of whom is one of your
constituents. It is critically important to the
League and to every North Carolinian that maps are
fair, impartial, and that every North Carolinian's
vote counts.

REP. DOLLAR: Mr. Mortimor, you are
recognized for a time not to exceed two minutes.

LEE MORTIMOR: Thank you. I'm Lee
Mortimer from Durham County. I have been a resident of North Carolina for almost my entire life. I’m a member of North Carolina Common Cause but am speaking on behalf of myself today.

The way redistricting has been done for the past decade makes a complete mockery of elections and voting. It didn’t start with Republicans in 2011 but abuse of redistricting has reached a new and unprecedented level in this most recent cycle. We need to bring legitimacy and fairness to elections in voting and to make our representatives accounting through competitive elections. The essential first step toward a meaningful redistricting form is to create a nonpartisan process that excludes all partisan and political considerations and draws districts that are geographically compact and respect legitimate communities of interest.

Just today, in Venezuela, we are witnessing the turmoil and disruption that can result when a legislature comes to power through an election process that lacks legitimacy. If we do not bring legitimacy to our elections, I fear something similar could happen here. Thank you.

REP. DOLLAR: Next on our list is Mr.
Williams. If you will identify yourself. You are recognized for time not to exceed two minutes.

DAVID WILLIAMS: I will. My name is David Williams. I'm from Transylvania County. I represent Transylvania Indivisible, and I stand as the chair of Indivisible North Carolina's fair voting action group.

But I'm really neither of those things. I'm a husband, I'm a father, I'm a grandfather, I'm a son, I'm a brother, I'm a cousin, I'm a friend, I'm an educator. But in January, I chose to put those things aside and to become a resistor. I chose to fight for a country in which facts are true, whether we like them or not. Where science is accepted as the pathway to truths and where truth is valued.

I chose to fight for a state where the people's business is conducted publicly without attempts to avoid meaningful input, for a state that celebrates the value of human diversity and strips no one of its voice. For a state where every voice has a voice and every vote is a voice for a state government of the people, by representatives of the people, for the welfare of the people. I chose to fight for the future for my
son and my grandson.

I choose to resist those forces that seek to destroy those things that made this country great. A more perfect union, where justice for all under the rule of law is the law, excepting none. A more perfect union with opportunity for all to pursue lives well-lived, lives of meaning, a more perfect union giving all the right to embrace the blessings of liberty, a more perfect union bestowing on all the right to seek happiness and make that which is good even better. To oppose a hostile force that strips its people of the Constitution's guarantee of equality through a voice embodied in a vote, one voice, one vote.

By the deeds of the majority, democracy, civility, negotiation, compromise, transparency, respect for minority voice, views in accountability have been derided and eroded to the point they do not exist in public practice. Those who do not learn from history are doomed to repeat it. By the exercise of its power, this group, and the legislature, have been branded, perhaps unfairly, as racist and as self-seeking. Thank you.

REP. DOLLAR: Mr. Klien, you are recognized for a time not to exceed two minutes.
ZACK KLIEN: Thank you, Mr. Chairman, and members of the committee. I'm Zack Klien, residing in North Carolina. I'm going to be brief in my statement. In regards to redistricting, it is my opinion that counties should be kept as whole as possible. Race should not be a determining factor used in redrawing the maps, and it's clear that the courts cannot make up this matter, and it's best not to use it. Thank you.

REP. DOLLAR: Mr. Woodhouse, before we recognize you, let me call the next five individuals. Beth Gerall, Louise Kinnard, Amy Porter, Bob Phillips and Donald Mal. If y'all will line up.

Mr. Woodhouse, you are recognized for a time not to exceed two minutes.

DALLAS WOODHOUSE: Thank you, Mr. Chairman. I am Dallas Woodhouse. I am the Executive Director of the North Carolina Republican Party, proudly celebrating its 150th anniversary this year. As a party, we certainly support, using traditional criteria in the redistricting process, both keeping counties as whole as possible, and we think the Goldilocks standard of using race, we have to use a little bit of race, but not too much
race ought to go away, and that no racial considerations ought to be made.

We also think the use or discussion of statewide election data is completely irrelevant, even though it is largely favorable to the North Carolina Republican Party, that has won an overwhelming amount of the statewide election races in the past six years.

We do not elect people on a system of Parliament, like they do in Europe. It is not the job of this committee to make a political party that lost 76 North Carolina counties in the presidential election competitive because they are uncompetitive in vast swaths, vast areas of the state. Again, 76 counties were won by the presidential candidate in North Carolina. And it is not the job of the committee to make that party competitive when it cannot do so itself in huge areas of the state. One, the minority party in this body has a geographic problem that it has to correct, and that is not the job of this committee to correct.

One final note with regards to the 53rd North Carolina House District as a proud alumnus of Campbell University, I believe that our university
has been well represented, and we would like to wholly keep Campbell University in the 53rd district. Thank you very much.

REP. DOLLAR: The lady is recognized for a time not to exceed two minutes.

BETH GERALL: Thank you for letting us speak today. We appreciate it. I'm Beth Gerall from Orange County. I'm going to make several points that other folks have made today but I think it's important for you, the committee members, to hear these over and over again. That the districts that appear after this process demonstrate that one person/one vote is the outcome. They should be equal in population size as much as possible. They should be compact and contiguous. They should make sense.

In creating the districts, communities should not be divided, make efforts to respect the county lines, and if a county must be split, have an honest explanation as to why that was done. In creating the districts, addresses of lawmakers, current and past, party affiliation, voting history of the voters, or any other data other than that which is required by law, should not be used to help a party or a politician in any way.
Before districts are approved, they must be evaluated and demonstrate party competitiveness and no racial bias. The maps should ensure that voters choose their elected officials and not that politicians choose their voters. Thank you for the opportunity to speak.

REP. DOLLAR: Ms. Kinnard, you will be recognized for a time not to exceed two minutes.

LOUISE KINNARD: Thank you very much for letting me speak.

I think the districts should -- oh, I'm Louise Kinnard from Lillington, Harnett County. The district -- I think the districts should be drawn as geometrically as possible so we don't have that snaking where they go like this and around -- like using squares or rectangles. And I understand that you can't do that with every district but as much as possible, include -- have that geometrical design.

I realize that in the past the Democrats have done the same things. I mean, maybe not as bad or maybe not as well. But I understand that, that every time there is a switch in parties, they redistrict to their own political advantage. Let -- we can do better than that.
It should be politically and racially nonpartisan, and before the maps are finalized, I think the public would like to see them and -- so they can have some input and maybe conduct town hall meetings so more of the public can be there to hear their representative. Because that's who they go to first. That's all I have. Thank you very much.

REP. DOLLAR: Thank you. Ms. Porter, you are recognized for time not to exceed two minutes.

AMY PORTER: Thank you for opportunity to speak my piece. My name is Amy Porter, and I am a registered unaffiliated voter from Graham, North Carolina. I am a lifelong citizen of North Carolina. I am also a veteran teacher in North Carolina, the North Carolina School System. My husband a decorated vet -- Vietnam veteran, owns his own business, and we own a small farm in Alamance County.

I speak on behalf of all North Carolina residents: Republican, Democrats and the independent voters like me who have voted for both parties. I want to see the end of political gerrymandering. Districts cannot be drawn intentionally, unduly favoring any political party.
We must change this in the form of legislation: a change to the State Constitutional form—Constitutional.

We should form an independent commission to draw district lines. There should be no consideration for voters, a party affiliation, or voter history, in the creation of fair districts. I disagree with Dallas Woodhouse in that statement. Remember that you work for us.

REP. DOLLAR: Mr. Phillips, you are recognized for a time not to exceed two minutes.

BOB PHILLIPS: Thank you. Good morning. I’m Bob Phillips with Common Cause North Carolina. As most of you know, the organization I work for has been pushing for redistricting reform for many years. We are nonpartisan. We have worked with Republicans and Democrats alike on this issue, and we believe that gerrymandering is wrong, regardless of which party does it.

At this moment, you have an opportunity, you have an opportunity to end gerrymandering now if you adopt fair criteria. What does that look like? The place to start is taking politics out of the process. Don't draw districts to favor a political party or an incumbent. That means, don't
look at past election results or where incumbents live when drawing the maps.

The other important rule to follow is abide by the Voting Rights Act. Stop using race to gerrymander. Don't compact or divide minority communities to weaken their voting strength. Follow those rules and you'll get maps that are more compact, contiguous in keeping communities of interest together. You'll also get more districts that are competitive, so we the people can hold you, our elected officials, more accountable.

Finally, the mapmaking process needs to be more open and transparent. No more hired partisan guns in back rooms committing gerrymandering. Ideally maps should be drawn by an independent entity, not the lawmakers.

Now, everything is found in House Bill 200, a bipartisan piece of legislation filed this year that has not been considered. The fact is, a majority of you, this committee, has either voted for or sponsored legislation that would provide the criteria I've just outlined. Let me say that again. Most of you in this room have supported nonpartisan redistricting, and you've done it since the shift of power in 2011. There are a lot of
you. I can look out and I know most of you. A lot of you, both sides of the aisle, who remember and know what it was like to be on the wrong side of gerrymandering. You didn't like it, and that's why you supported reform. I just ask you, support reform, support fair criteria. End gerrymandering now.

REP. DOLLAR: Before we call the next individual, let me call the final six individuals. If you would line up, we have on our list: Greg Flynn, James Wood, Nan Fulcher, Siobhan Millen, Laura Holley, Gerrick Brenner.

Mr. Mial, you are recognized for a time not to exceed two minutes.

DONALD MIAL: Good morning, Mr. Chairman and ladies and gentlemen. My name is Donald Mial. I'm a citizen of Wake County. I have come before this honorable body today to voice my concern for fair elected districts. You see, I served this state and the country for a total of 67 years: 32 years in North Carolina Army National Guard, and 35 years as a State employee, deploying to Iraq with the 3rd BCT to win the hearts and minds of the citizens there. Because their government had failed them.
I believe in government to be responsible to its citizens. You have the power to win the hearts and minds of our citizens of North Carolina by voting and approving fair districts, whereby all people of North Carolina represent -- will be represented equally and fairly. Thank you.

REP. DOLLAR: Mr. Flynn, you are recognized for time not to exceed two minutes.

GREG FLYNN: Thank you. I am Greg Flynn, a Wake County voter for the past -- sorry. I'm still Greg Flynn -- a Wake County voter, and for the past six years. For the past six years, I have been under assault from redistricting, which has had to be fought off on the battlefields of federal court. Even my precinct has two congressional districts in it.

In addition to United States and state redistricting struck by the courts, my county commission and school board districts have been successfully challenged in federal court. It was absurd as a plaintiff to have to drive up to Richmond, Virginia, to defend voting rights here in Wake County, North Carolina. These districts were neither fair nor legal. Please don't repeat this debacle.
Please create compact districts that don't resemble crime scene blood splatters. Please create districts that represent and engage all voters, Republican, Democratic, unaffiliated, and even Libertarians. There is more to life than the epic and chaotic struggle between the two main parties.

The growing ranks of unaffiliated voters, which will soon eclipse one of the parties signals dissatisfaction with the current political scheme and the desire to end the chaos. Please let us see the maps you likely have created already, so we can get down to business and not waste another six years. Finally I ask that the Senate Chair recuse himself until the State Board of Elections concludes the investigation of his campaign finances. Thank you.

REP. DOLLAR: Mr. Wood, you are recognized for time not to exceed two minutes.

JAMES WOOD: Thank you. James Wood from Raleigh. So the objective here is to draw fair legislative districts. I feel like I could get down with a pencil and paper and draw pretty decent districts in about five minutes. So what I'm wondering is why an intervention of the United
States Supreme Court is necessary for this General Assembly to draw fair legislative districts.

In any classroom or workplace, if you turn something in late, five days late, you know exactly what is going to happen to you. You get an F or you get fired. But more than five years late? Forget about it. You know, maybe I could understand that it was an honest mistake. If the General Assembly had acknowledged the problem and worked expeditiously to remedy it, the first time these districts were found unconstitutional in court.

But I have watched you fight justice tooth and nail. Others have, no doubt, have watched you, too. What kind of impression do you think you are making to young people? I can give you a hint that it’s not too good. We are done with your pettiness, and in the not-so-distant future, when we are up there, running the show, things are going to be different around here. Thank you.

REP. DOLLAR: Ms. Fulcher, you are recognized for a time not to exceed two minutes.

NAN FULCHER: Hi. My name is Nan Fulcher, and I'm from Hillsborough. In creating
the 2011 legislative districts for the State of North Carolina, Representative Lewis, in his role as House Redistricting Committee Chair, failed to uphold his oath of office to support the Constitution of the State of North Carolina and the Constitution of the United States. However, there is no remedy for this failure.

In the absence of a formal remedy, I respectfully ask Representative Lewis to step down from the current redistricting committee. Your resignation would acknowledge the plight of all of the residents living in the 28 illegal districts who have not been able to participate in democracy since 2011. From our perspective, the perspective of "We the People," an individual right with no remedy is no right at all. Please show your compassion for the citizens of North Carolina by choosing to step down. You will show you value justice, you will give a sense of remedy to those that deserve it, and you will restore your faith in you as a legislator, and your commitment to uphold the Constitution. Thank you.

REP. DOLLAR: Ms. Millen, before I recognize you, we had two additional people that we had called. Laura Holley and Gerrick Brenner. Are
those individuals here? Okay. So you are here. I will make sure to call you, then.

Ms. Millen, you are recognized for time not to exceed two minutes.

SIOBHAN MILLEN: Thank you, Mr. Chairman. My name is Siobhan Millen. Thank you for allowing me to comment this morning. I'm impressed by your statements last week at this committee meeting and your attorney, Mr. Strach's argument at the federal court, that this committee intends to seek plentiful public input into its redistricting efforts. Indeed, the three-judge panel's order last week lauded your commendable goal of obtaining and considering public input and engaging in robust debate and discussion.

My suggestion would be that you add one more criteria to the standard ones that many have already suggested this morning. To be clear, these standard criteria are compactness, contiguity, respect for political subdivisions, disregard of the party registration voters, disregard of the addresses of the incumbent representative, avoidance of petty double-bunking of the minority party, compliance with one man, one vote principle, minimizing excessive efficiency gaps within
The addition criteria which I suggest is that you keep in mind that North Carolina currently has 2.6 million registered Democrats, 2 million registered Republicans, and 2 million unaffiliated voters. The districts you create should elect Senators and House members roughly in proportion to those numbers.

The current overwhelming Republican majority in both chambers suggest that something has gone seriously awry in North Carolina. As evidence of this atrophied democracy, in the 2016 election, nearly half of the contests for the North Carolina House and Senate had only one major party candidate on the ballot. Our General Assembly should reflect our electorate, and for this to happen we need competitive districts. But as Judge Eagles and Judge Wynn noted last week in Greensboro, this committee seems not to take seriously its job of drawing more constitutional districts. In an ominous sign made public in this very room last week, Representative Lewis disclosed that the Joint Committee intends to use again the services of Dr. Tom Hofeller and crafting with his
custom surgical precision, new districts for the General Assembly. This is of concern because Tom Hofeller is a paid consultant for the Republican National Committee, who was described by the Atlantic Magazine in 2012, as a gimlet-eyed, semi-clandestine political operative. So with the federal court overseeing this process, this committee should make all meetings with Dr. Hofeller transparent to the public. Thank you.

REP. DOLLAR: Ms. Holley, you are recognized for time not to exceed two minutes.

LAURA HOLLEY: Thank you. My name is Laura. I'm from Apex, so Wake County.

REP. DOLLAR: Could you give us your last name as well, please?

LAURA HOLLEY: Holley.

REP. DOLLAR: Thank you.

LAURA HOLLEY: While I am affiliated with various organizations, including the Democrat Party, and currently as a precinct chair, here as a nonpartisan fan of well-functioning democracy, representing myself and all NC residents, D's, R's, and U's, to truly represent all of us and be responsive to all of the voter constituencies.

Based upon objective, comprehensive
published data from multiple sources, maps that were so extremely gerrymandered, tweaked by advanced software modeling capabilities, every fact-based indication underscores that my beloved adopted state of North Carolina functionally or empirically -- both -- murdered democracy in 2011. Let's work collaboratively to revive it, starting with implementing fair map being mandates that are strictly honored and practiced. Such as nonpartisan process for drawing new maps, written explicit protocols for transparency before, during and after the map-drawing process, to allow for public and media openness.

As a subnote to that, for input before maps are drawn, I would ask that all reference materials are handed out to the larger committee body, that these documents are also provided to the media and public at least 48 hours in advance of meetings, such as today's. I would further like to see mechanisms, if not already existing, put in place for public input before, during and after each map drawing both online and in person. Thank you.

REP. DOLLAR: Is Gerrick Brenner here and wishing to speak? (No response.) Okay. Having
not, that is the last individual on our list, and the public hearing portion of this committee meeting is officially closed.

Before we close our meeting otherwise, let me make a couple of notations. One, as you see on the screen, and for those who are listening in, the comment opportunities, opportunities for public input, there are opportunities to send in written comments as well as submissions online. There is an opportunity for that as well as the General Assembly's websites, so I would take note of that.

Again, if you had any written comments for those of you who make presentations today during the public comment period, if you wanted to hand those -- if you would like to hand those to the -- any of the Sergeant at Arms or the staff up here, please feel free to do that. The criteria for usage of the terminals will be posted on the Committee's website as well. That was the information that was passed out earlier today.

Questions from members of the Committee?

Yes, sir. Representative Moore.

REP. MOORE: Thank you, Mr. Chair. A quick question. Will there be a schedule for remote hearings, public hearings, and I would like
to add that if that's the case -- first of all, could I get to that particular question first, and I will have a follow-up question or a statement.

REP. DOLLAR: Chairman Lewis is recognized.

REP. LEWIS: Thank you for the question, Representative Moore. This is David Lewis from Harnett County. The intent is to indeed publish a schedule. It largely depends on when we can get the maps drawn. As you have heard today, one of the things that the public expects is to be able to see the maps in order to comment on them. Our goal is -- our goal is to be able to conduct and receive input on August 22nd or August 23rd. We will have a firmer date after the criteria is adopted by this committee next week and the process of drawing the maps can begin.

REP. MOORE: Follow-up. And let me just say, I didn't say in front of this, I'm Rodney Moore, House District 99, for the record.

And secondly, when we have the schedule for these remote hearings or public hearings, I would request for the record that you would have a member of the majority and the minority party there. I know in the past when we've done them
before, you've had certain members in those particular areas to kind of preside over the meeting. I would ask that you would have at least one member of the minority party there as well to represent that interest, or represent that particular voice.

REP. DOLLAR: The Chairman is recognized.

REP. LEWIS: Representative Moore, I thank you for that suggestion. I would point out that that was indeed our practice in 2011, and the desire of the Speaker and the President Pro Tem for the members to attend is one of the reasons that we have been called back when we have. So as soon as we have an idea that we'll have a map to show and the public will have time to look at it, we will announce a series of remote sites across the state and here in Raleigh, of course. We will encourage members of both parties to either attend them here in Raleigh or go onsite -- on the remote sites.

REP. MOORE: Thank you, sir.

REP. MICHAUX: Representative Michaux from Durham County. A couple of questions. When do you plan to have the criteria drawn so that we can sit down and start talking maps?
REP. DOLLAR: Chairman Lewis, I will recognize you for that.

REP. LEWIS: Thank you for the question, Representative Michaux. The intent is for this committee to meet next Thursday and adopt the criteria. We have received criteria today from members of the public. There are also members of this committee that have sent forward criteria. We anticipate continuing to receive that through next week, and then when we meet on Thursday, we will allow all the criteria to be disclosed and discussed and adopted. And once this committee -- has adopted it, I will instruct the map drawer to begin using that criteria to draw the map.

REP. DOLLAR: Representative Michaux.

REP. MICHAUX: Follow up. Representative Michaux again, from Durham. Chairman Lewis, I keep trying to emphasize it, but you have shown us some maps here today, several of them, showing county groupings. Can you assure this body right now that no redistricting maps have yet been drawn?

REP. LEWIS: Thank you for the question. I can assure this body that none has been drawn at my direction, and that I have direct knowledge of. The only map I'm aware of was submitted by an
independent group and presented to this committee last week.

REP. DOLLAR: Follow-up.

REP. MICHAUX: Just to be clear, I'm talking about anything that any chairman or members of the Republican Party or anybody. No map has yet been drawn that should be handed out here? I'm -- people are concerned about the fact -- they think you've already drawn the maps. I want to make sure, coming from you, that you have not yet drawn maps.

REP. LEWIS: Thank you for the question. I have not yet drawn maps nor have I directed that maps be drawn, nor am I aware of any other entity operating in conjunction with the leadership that has drawn maps.

REP. DOLLAR: Further questions? If not, the next -- Representative Jackson.

REP. JACKSON: Thank you, Mr. Chairman. My question was on criteria. Will we be adopting criteria as a joint committee or will the House members first have a chance to adopt criteria for the House and the senators allowed to adopt criteria for the Senate maps?

REP. DOLLAR: Let me allow Senator --
Chairman Hise to address that.

CHAIRMAN HISE: Thank you. It is our intent to have joint criteria. Obviously it will be the committee's choice and recommendation once it is approved for its criteria, but it is our intent to have the same criteria established for each map.

REP. DOLLAR: Further questions of Committee members at this time? If not, our next meeting will be next Thursday, August 10, at 10:00 a.m., here in room 643. With that, the meeting is adjourned. Thank you.

(End of proceedings.)
STATE OF NORTH CAROLINA

COUNTY OF WAKE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 4, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 7th day of August, 2017.

Robbie Worley
SEN. HISE: Recognize Representative Lewis for an announcement.

REP. LEWIS: Ladies and gentlemen, good morning. It is my intent at this time to announce that the Democrats have requested, and have been granted, an opportunity to caucus in Room 423 of this building. So any Democrats that are in the room, the Democrats are going to caucus in Room 423. There will be a joint Republican caucus, House and Senate, in Room 415 immediately upon the recess. The recess will take place at the conclusion of my announcement and will be in effect until 10:35.

So with that, Mr. Chairman, may I be recognized for a motion?

SEN. HISE: You are so recognized.

REP. LEWIS: Mr. Chairman, for the purpose of caucusing, I move that this Committee stand in recess until 10:35 a.m.

SEN. HISE: The motion is that the Committee stand in recess until 10:35 a.m. Is there any objection?

REP. LEWIS: Mr. Chairman, if I could speak briefly?

SEN. HISE: Go ahead.
REP. LEWIS: I believe I did a poor job of trying to announce that the Democrats are going to caucus in Room 423, and the Republicans are going to caucus in Room 415.

SEN. SMITH-INGRAM: Point of clarification. During the recess, are we going to have the information on the criteria?

REP. LEWIS: Thank you for that question, Senator. A copy of the criterion the Chair is intending to present was given to the Democratic Leader of the House, and it's my belief he does intend to share that at this caucus.

SEN. HISE: Any objection? Hearing none, the Committee will stand in recess 'til 35.

(Proceedings went off the record.)

SEN. HISE: The committee will come to order. Thank you, members of the committee, members of the public. If you'd please come to order again. I will begin by announcing our Sergeant at Arms for today's meeting. If you could please identify yourself?

In the House we have Reggie Sills, Malachi McCullough, Jim Morgan and Young Bae. In the Senate we have Terry Barnhardt, Jim Hamilton, Frances Patterson, Hal Roach. And I will announce
for everyone, as well, our court reporter that is with us today, Robbie Worley. Thank you for being here today, and for your work on this Committee meeting.

Having gone through the requested caucuses this morning, and others, I will go ahead and open up. I think he's going to need just a second. Recognize Representative Lewis.

REP. LEWIS: Thank you, Mr. Chairman.

Good morning, ladies and gentlemen. I'm David Lewis, the Senior Redistricting Chairman for the House. At last week's meeting, I distributed to the Committee and to the public what I believe were the ideal county groupings. The maps were titled "County Groupings for 2017 Senate Plan" and "County Groupings for 2017 House Plans." As I mentioned then, it is our intent to use these county groupings. If there is anyone who knows of a different county grouping formula that is more optimal, I'm asking them to submit that map to the Committee as soon as possible. As of now, no map with more optimal groupings has been submitted.

The purpose of today's meeting is for the Committee to adopt criteria by which the maps will be drawn. After review of the public comment, the
online public input database, the committee meeting
last week, and the proposed criterion submitted in
writing by Senators Smith-Ingram, Blue and Clark,
Chairman Hise, Chairman Dollar and I submit the
following criteria for adoption.

Mr. Chairman, with your permission, I
would like for the criteria labeled "Equal
Population" to be distributed to the Committee and
displayed for the public on the overhead screens.

(Pause.)

Mr. Chairman, I believe members have
copies, and it's displayed on the screen. May I
proceed?

SEN. HISE: You may.

REP. LEWIS: Thank you, Mr. Chairman.

Mr. Chairman, the first criterion that I propose
that the Committee adopt is titled "Equal
Population." The Committee shall use the 2010
Federal Decennial Census Data as the sole basis of
population for drawing legislative districts in the
2017 House and Senate plans. The number of persons
in each legislative district shall comply with a
plus or minus five percent population deviation
standard established by Stephenson versus Bartlett.
That is the criterion. And to speak on it, this
criterion is very similar to what was submitted to the Committees by Senator Smith-Ingram and Senator Clark.

The Chair has proposed that we use the census data from the 2010 Census in drawing the legislative district this time because that is the standard that is required by law. We will also comply with a plus or minus five percent population deviation standard established by Stephenson I. Mr. Chairman, this is my proposal for this criterion. I'd be happy to answer any questions at your direction.

SEN. HISE: Representatives, just for notation for members of the Committee, I thought it was important to realize that even those these may be numbered or referred to as the first criterion, this is a nominal designation and does not necessarily list ordinal or order of importance of the criteria listing. Any questions or comments regarding the first proposed criterion?

Representative Dollar, yes?

REP. DOLLAR: Mr. Chairman, for a motion to adopt the criterion by the Committee.

UNIDENTIFIED MEMBER: Mr. Chair, division?
SEN. HISE: It is the intent of the Chair to call for a roll-call vote for all votes.

UNIDENTIFIED MEMBER: Thank you.

SEN. HISE: Thank you. So, Representative Dollar, and to make that a joint, I will say the Chairmen of the Committee have moved for adoption of the first criterion. We will begin with the House of Representatives, if there is no objection at this point, and allow the Clerk to call the roll. If you're in favor of the adoption, please signify by saying aye. If you're opposed to the adoption, please signify by saying no. Are we not ready?

CLERK: Yeah. Representative Bell?
Representative Jackson?
REP. JACKSON: Nay. I'm sorry, aye. Aye. Warming up.
CLERK: Okay. Jackson, aye.
Representative Stevens?
REP. STEVENS: Aye.
CLERK: Stevens, aye. Representative Szoka?
REP. SZOKA: Aye.
CLERK: Representative Szoka, aye.
Representative Brawley?
REP. BRAWLEY: Brawley, aye.

CLERK: Representative Brawley, aye.

Representative Brockman?

REP. BROCKMAN: Aye.

CLERK: Representative Brockman, aye.

Representative Burr?

REP. BURR: Aye.

CLERK: Representative Burr, aye.

Representative Davis? Representative Davis?

REP. DIXON: Aye.

CLERK: Representative Dixon, aye.

Representative Dobson?

REP. DOBSON: Aye.

CLERK: Representative Dobson, aye.

Representative Dulin?

REP. DULIN: Aye.

CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Aye.

CLERK: Representative Farmer-Butterfield, aye. Representative Floyd?

REP. GARRISON: Aye.

CLERK: Representative Garrison, aye.
Representative Gill?
REP. GILL: Aye.
CLERK: Representative Gill, aye.
Representative Grange?
REP. GRANGE: Aye.
CLERK: Representative Grange, aye.
Representative Hall?
Representative Hanes?
REP. HANES: Aye.
CLERK: Representative Hanes, aye.
Representative Hardister?
REP. HARDISTER: Aye.
CLERK: Representative Hardister, aye.
Representative Harrison?
REP. HARRISON: Aye.
CLERK: Representative Harrison, aye.
Representative Hastings?
REP. HASTINGS: Aye.
CLERK: Representative Hastings, aye.
Representative Howard?
REP. HOWARD: Aye.
CLERK: Representative Howard, aye.
Representative Hunter?
REP. HUNTER: Aye.
CLERK: Representative Hunter, aye.
Representative Hurley?

REP. HURLEY: Aye.

CLERK: Representative Hurley, aye.

Representative Johnson?

REP. JOHNSON: Aye.

CLERK: Representative Johnson, aye.

Representative Jones? Representative Jones?

Representative Jordan?

REP. JORDAN: Aye.

CLERK: Representative Jordan, aye.

Representative Malone?

REP. MALONE: Aye.

CLERK: Representative Malone, aye.

Representative Michaux?

REP. MCHAUX: Aye.

CLERK: Representative Michaux, aye.

Representative Moore?

REP. MOORE: Aye.

CLERK: Representative Moore, aye.

Representative Pierce?

REP. PIERCE: Aye.

CLERK: Representative Pierce, aye.

Representative Reives?

REP. REIVES: Aye.

CLERK: Representative Reives, aye.
Representative Willingham?

REP. WILLINGHAM: Aye.

CLERK: Representative Willingham, aye.

Representative Speciale?

REP. SPECIALE: Aye.

CLERK: Representative Speciale, aye.

Representative Rogers?

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine?

REP. SAINÉ: Aye.

CLERK: Representative Saine, aye.

Representative Wray?

REP. WRAY: Aye.

CLERK: Representative Wray, aye.

Representative Yarborough?

REP. YARBOROUGH: Aye.

CLERK: Representative Yarborough, aye.

Representative Torbett?

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Hall?

REP. HALL: Aye.

CLERK: Representative Hall, aye.

Representative Bell?
REP. BELL: Aye.

CLERK: Representative Bell, aye. Oh, Representative Lewis?

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye. Representative Dollar?

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye. I think that's it.

SEN. HISE: Are there any members of the Committee that are members of the House that were not recorded in the process? Hearing none before we get into roll call of the Senate.

CLERK: Senator Bishop?

SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Blue? Senator Blue? Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel? Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Senator Harrington, aye. Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Jackson, aye. Senator
Lee?  Senator Lee, aye.  Senator Lowe?

SEN. LOWE:  Aye.

CLERK:  Senator Lowe, aye.  Senator Newt on?

SEN. NEWTON:  Aye.

CLERK:  Senator Newton, aye.  Senator Rabon?

SEN. SMITH-INGRAM:  Aye.

CLERK:  Senator Smith-Ingram, aye.

Senator Van Duyn?

SEN. VAN DUYN:  Aye.

CLERK:  Senator Van Duyn, aye.  Senator Wade?

SEN. WADE:  Aye.

CLERK:  Senator Wade, aye.  Senator Hise?

SEN. HISE:  Aye.

CLERK:  Senator Hise, aye.  Senator Brown?

SEN. BROWN:  Aye.

CLERK:  Senator Brown, aye.

SEN. HISE:  Any members of the Senate who were not recorded in the roll-call vote?  Hearing none.  By a vote of 38 to 0 in the House, 12 to 0 in the Senate, the first criterion is adopted by the Committee.  Representative Lewis, you're
represented here -- recognized to present the second criterion.

REP. LEWIS: Thank you, Mr. Chairman. If the Sergeant at Arms would distribute to the members of the Committee the criterion labeled "Contiguity." And I will display for the public on the screens this criterion. What I'll do is when they're doing the vote count, I'll pass out the next one. Okay?

Mr. Chairman, I believe members have copies. If I may be recognized to proceed?

SEN. HISE: You're recognized.

REP. LEWIS: Thank you, Mr. Chairman. Mr. Chairman, this criterion simply reads "Contiguity." Legislative districts shall be comprised of contiguous territory and contiguity by water is sufficient. This is another criterion that is similar to what was submitted to the Committees by Senator Clark and Senator Smith-Ingram. Legislative districts are required to be composed of contiguous territory, and this criterion would simply adhere to the legal requirements. Be glad to answer any questions.

SEN. HISE: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.
Senator Clark. It does somewhat look like the criterion that Senator Smith-Ingram and I recommended. However, I do not believe it is complete enough. And it is my preference that the Chair would accept an amendment to use the complete contiguity definition as submitted to us -- as submitted by us to the Committee previously.

REP. LEWIS: Senator, with your indulgence and permission, we will ask staff to prepare an amendment that would accomplish those goals. I will ask the Chair to displace this until that can be done, and we'll move on to the -- to the next one. Would that be okay, sir?

SEN. CLARK: Thank you, sir.

SEN. HISE: Sergeant at Arms will begin to pass out the third criterion, if that's okay? Representative Lewis, you are recognized to present the Criterion Number 3.

REP. LEWIS: Thank you, Mr. Chairman. I believe members are getting copies. I'll be happy to hold if I need to. This criterion is entitled "County Groupings and Traversals." It reads, the Committee shall draw legislative districts within county groupings as required by Stephenson versus Bartlett. Within county groupings, county lines

Worley Reporting
shall not be traversed except as authorized by
Stephenson I, Stephenson II, Dickson I and Dickson
II. And if I may speak on the criterion, Mr.
Chairman?

SEN. HISE: So recognized.

REP. LEWIS: Thank you, Mr. Chairman.

Mr. Chairman, this is another element of the
criterion that was contained in Senator
Smith-Ingram and Senator Clark's proposed
criterion. Though the words may be different, I
think the practical effect is the same. The rules
for the county groupings and traversals were first
established in -- were first established in
Stephenson I and have been affirmed in later cases.

Last week, we released the county
grouping plans that, I believe, are optimal for
complying with Stephenson. I explained how they
were constructed. We have not received any
alternative county grouping plans. As I spoke to
in my opening comments, it is our intent to use the
maps of county -- of optimal county groupings that
were passed out last week. And with that, Mr.
Chairman, I'll be happy to yield to any questions.

SEN. HISE: Any questions or comments
regarding the grouping, regarding this criterion?
SEN. SMITH-INGRAM: Mr. Chair?

SEN. HISE: Senator Smith-Ingram

SEN. SMITH-INGRAM: Thank you, Mr. Chair.

I'd like clarification on what the requirements of Stephenson and Dickson are when they authorize traversing county lines, since that's not really clear from the criterion on its face.

REP. LEWIS: Thank you for that question, Senator. And, you know, it's probably evident to you and everyone in this room that I'm not an attorney, but I will do my best to explain it. It is my understanding that the traversal rule means that if you are drawing districts in a multiple-group county and you essentially draw a district into a county, that you can't draw back out of the county and go back in. Sort of, weave back and forth. That's not a legal term but I'm trying my best to answer your question.

SEN. HISE: Follow-up?

SEN. SMITH-INGRAM: Thank you, Representative Lewis, because I'm not an attorney either. So thank you.

SEN. HISE: Any other questions or comments regarding this criterion? Okay. Hearing none. Representative Dollar?
REP. DOLLAR: Motion for adoption.

SEN. HISE: Again, the Chairman moves for the adoption of Criterion Number 3 for consideration by the Committee. Seeing no other questions or comments, I will begin with the Senate this time and ask for the Clerk to call the roll.

CLERK: Senator Bishop?
SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Blue?
SEN. BLUE: Aye.

CLERK: Senator Brown, aye. Senator Clark?
SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel?
SEN. DANIEL: Aye.

CLERK: Senator Harrington, aye. Senator Jackson?
SEN. JACKSON: Aye.

CLERK: Senator Jackson, aye. Senator Lee?
SEN. LEE: Aye.

CLERK: Senator Lee, aye. Senator Lowe?
SEN. LOWE: Aye.
Senator Lowe, aye. Senator Newton?

Senator Newton, aye.

Senator Rabon? Senator Smith-Ingram?

Senator Smith-Ingram, aye.

Senator Van Duyn?

Senator Van Duyn, aye. Senator Wade?

Senator Wade, aye. Senator Hise?

Senator Hise, aye. Members, I do think it is different to what we have. The Sergeant at Arms are passing out the next criterion during this process. If the House Clerk will call the roll.

Representative Jackson?

Representative Jackson, aye. Representative Szoka?

Representative Szoka, aye. Representative Bell?
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<td>1</td>
<td>REP. BELL: Aye.</td>
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<td>2</td>
<td>CLERK: Representative Bell, aye.</td>
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<td>Representative Stevens?</td>
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<td>REP. STEVENS: Aye.</td>
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<td>CLERK: Representative Stevens, aye.</td>
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<td>Representative Brawley?</td>
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<td>REP. BRAWLEY: Aye.</td>
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<td>CLERK: Representative Brawley, aye.</td>
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<td>Representative Brockman?</td>
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<td>REP. BROCKMAN: Aye.</td>
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<td>CLERK: Representative Brockman, aye.</td>
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<td>Representative Burr?</td>
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<td>REP. BURR: Aye.</td>
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<td>CLERK: Representative Burr, aye.</td>
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<td>Representative Davis? Representative Davis?</td>
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<td>Representative Dixon?</td>
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<td>REP. DIXON: Aye.</td>
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<td>CLERK: Representative Dixon, aye.</td>
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<td>Representative Dobson?</td>
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<td>REP. DOBSON: Aye.</td>
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<td>CLERK: Representative Dobson, aye.</td>
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<td>Representative Dulin?</td>
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<td>REP. DULIN: Aye.</td>
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<td>24</td>
<td>CLERK: Representative Dulin, aye.</td>
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<td>25</td>
<td>Representative Farmer-Butterfield?</td>
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REP. FARMER-BUTTERFIELD: Aye.

CLERK: Representative Farmer-Butterfield, aye. Representative Floyd?

Representative Floyd? Representative Garrison?

REP. GARRISON: Aye.

CLERK: Representative Garrison, aye. Representative Gill?

REP. GILL: Aye.

CLERK: Representative Gill, aye. Representative Grange?

REP. GRANGE: Aye.

CLERK: Representative Grange, aye. Representative Hall?

REP. HALL: Aye.

CLERK: Representative Hall, aye. Representative Hanes?

REP. HANES: Aye.

CLERK: Representative Hanes, aye. Representative Hardister?

REP. HARDISTER: Aye.

CLERK: Representative Hardister, aye. Representative Harrison?

REP. HARRISON: Aye.

CLERK: I'm sorry. Could you repeat that?
REP. HARRISON: Aye.
CLERK: Representative Harrison, aye.

Representative Hastings?
REP. HASTINGS: Aye.
CLERK: Representative Hastings, aye.

Representative Howard?
REP. HOWARD: Aye.
CLERK: Representative Howard, aye.

Representative Hunter?
REP. HUNTER: Aye.
CLERK: Representative Hunter, aye.

Representative Hurley?
REP. HURLEY: Aye.
CLERK: Representative Hurley, aye.

Representative Johnson?
REP. JOHNSON: Aye.
CLERK: Representative Johnson, aye.

Representative Jones? Representative Jones?
Representative Jordan?
REP. JORDAN: Aye.
CLERK: Representative Jordan, aye.

Representative Malone?
REP. MALONE: Aye.
CLERK: Representative Malone, aye.

Representative Michaux?
REP. MICHAUX: Aye.

CLERK: Representative Michaux, aye.

Representative Moore?

REP. MOORE: Aye.

CLERK: Representative Moore, aye.

Representative Pierce?

REP. PIERCE: Aye.

CLERK: Representative Pierce, aye.

Representative Reives?

REP. REIVES: Aye.

CLERK: Representative Reives, aye.

Representative Willingham?

REP. WILLINGHAM: Aye.

CLERK: Representative Willingham, aye.

Representative Speciale?

REP. SPECIALE: Aye.

CLERK: Representative Speciale, aye.

Representative Marsh -- Rogers?

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine?

REP. SAIN: Aye.

CLERK: Representative Saine, aye.

Representative Torbett?

REP. TORBETT: Aye.
Representative Torbett, aye.

Representative Wray?

REP. WRAY: Aye.

CLERK: Representative Wray, aye.

Representative Yarborough?

REP. YARBOROUGH: Aye.

CLERK: Representative Yarborough, aye.

Representative Lewis?

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye.

Representative Dollar?

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye.

SEN. HISE: How many? By a vote in the Senate of 12 to 0 and the House of 38 to 0, the third presented criterion is adopted by the Committee.

Members, you should have in front of you now the fourth presented criterion for the Senate, entitled "Compactness." Representative Lewis, you're recognized to explain.

REP. LEWIS: Thank you, Mr. Chairman.

Mr. Chairman, this criterion reads, "Compactness." The Committee shall make reasonable efforts to draw legislative districts in 2017 House and Senate
Joint Select Committee on Redistricting, 8-10-17
North Carolina General Assembly, Redistricting 2017

plans to improve the compactness of the current districts. In doing so, the committees may use a guide. The minimum Reock dispersion or Polsby-Popper perimeter scores identified by Richard H. Pildes and Richard G. Niemi in the article entitled "Expressive Harms, 'Bizarre Districts,' and Voting Rights: Evaluating Election-District Appearances After Shaw v. Reno." And to speak to that, Mr. Chairman --

SEN. HISE: You are so recognized.

REP. LEWIS: -- this criterion is also very similar to that as submitted by Senator Clark and Senator Smith-Ingram. The key difference is that the Chairs are recommending to the Committees that the Committees may use as a guide a minimum Reock and Polsby-Popper score for drawing the legislative district that appears in a law review article referenced before in my remarks.

The reason we are recommending these methods as scores as a guide is because they have been cited as relevant to judging compactness of districts. I would also point out that these were some of the criteria that have been submitted via the online portal. They were some of the criteria that were referenced in the hearings last week.
And they also are part of the criteria that outside groups have submitted to this Committee to be considered. Be happy to answer any questions.

SEN. HISE: Representative Jackson?

REP. JACKSON: Thank you, Mr. Chairman. Chairman Lewis, my understanding is that the Maptitude software will calculate about eight different types of compactness; is that correct?

REP. LEWIS: I don't know.

REP. JACKSON: Mr. Chairman, is there anybody on staff that can answer that question for me?

SEN. HISE: Do you know how many it can calculate? It appears we're going to have to get that response for you.

REP. LEWIS: Mr. Chairman, while we're getting that, may I speak to why I think the gentleman is --

SEN. HISE: Sure.

REP. LEWIS: -- asking me.

SEN. HISE: You may respond to the question.

REP. LEWIS: Representative, the reason that these two were picked is that these are the two that the Courts have -- have referred to.
Obviously, members of the Committee would be able to use any other criterion or any other compactness gauge that they saw fit in doing their own personal evaluations. But to the best of our knowledge, these are the two that the Courts have referred to.

SEN. HISE: Representative Jackson, for a follow-up?

REP. JACKSON: Thank you, Mr. Chairman. So just to follow up on that, so we would not be precluded from using the other scores available in Maptitude?

REP. LEWIS: You would not; no, sir.

SEN. HISE: Any other questions, comments? Senator Clark?

SEN. CLARK: Mr. Chair, is it possible for you to give us the Reader’s Digest version of what these -- what these actually do?

REP. LEWIS: Thank you for the question, Senator. I will certainly -- I will certainly try. The perimeter compactness is commonly associated with the Polsby-Popper score. This is the area of the district compared to the area of a circle within the same perimeter of the district. Again, there’s a scale established of 1.0 to 0.0. And districts that are drawn with borders that wander
in irregular ways will produce a lower compactness score when compared with a circle of the same perimeter.

The other test, the Reock, is a measure of the ratio of the district area to area. In other words, the area inside of the district itself. Also, using a circumscribing circle. I realize that is perhaps not as clear as I would like to be. I would just reiterate that these are two compactness tests that the courts have used. They are two of the ones that you have mentioned in the past. They are two of the ones that several of the independent groups that have contacted our office have encouraged us to use. And, therefore, we would recommend -- or I recommend to the Committee that we attempt to use them in drawing our districts.

SEN. HISE: Representative Michaux?

REP. MCHAUX: Yeah, Mr. Lewis, I have a semantic problem with this. It says the Committee shall make reasonable efforts to draw. And then you say in doing so the Committee may use as a guide. And my information is that there are at least eight other guides out there that can be used. And I guess my question borders on the same
thing Representative Jackson asked. Why would you limit yourself if you're going to make it may, and if you've got at least six other reasonable guidelines that you can use? In spite of the fact that it may have -- that others may have mentioned it.

REP. LEWIS: Thank you for the question, Representative. My response is simply these are the two best-known, if you will, measures of compactness. And to my understanding, these are the two that the courts have referred to. I think these are the two that are best understood. And again, this would not preclude you as a member or anyone else who chose to use other grades of compactness. We're just trying to signal, to be candid with you, that we want to try to draw more compact seats. And there has to be some measure of that. These may not be the ideal two, but these are the two that, I think, are best known. And again, these are the two that the courts have referenced.

REP. M CHAUX: May I follow up, Mr. Chair?

SEN. HISE: Follow up.

REP. M CHAUX: Well, in the final
analysis, will your maps, or whatever you draw, make reference to which one of these -- or which -- any of those criteria were used be -- be specifically pointed out when you do it?

REP. LEWIS: Yes, sir.

SEN. HISE: Representative Dollar?

REP. DOLLAR: For a motion --

SEN. HISE: Hold on just a minute.

Representative Moore would like to speak.

REP. DOLLAR: Well, then let me ask a question, because -- Chairman Lewis, isn't it the case that this is the most precise guidelines that the -- to your knowledge, that the General Assembly's ever adopted with respect to compactness?

REP. LEWIS: Thank you for the question, and the answer is yes.

REP. DOLLAR: Thank you.

SEN. HISE: Representative Moore.

REP. MOORE: Thank you, Mr. Chair.

Representative Lewis, a quick -- something that came to mind. Are these two methods that you're talking about -- were they used in the map-drawing process in 2011? Or was there another -- there was a -- there was another methodology used other than
these two that you're referencing now?

REP. LEWIS: Thank you for the question, Representative. To the -- to the best of my knowledge, they were not used in 2011. To be completely transparent and to express my total understanding of this, I was not even aware that these tests were there in 2011. But I am now.

SEN. HISE: Any other questions or comments? None. Representative Dollar is recognized for a motion.

REP. DOLLAR: Mr. Chairman, I move the adoption of the criterion.

SEN. HISE: Okay. I have to hold that again. Apparently, Representative Farmer-Butterfield now has a question.

REP. FARMER-BUTTERFIELD: I had my hand up. I don't think you saw that beforehand.

SEN. HISE: I can't see through people.

REP. FARMER-BUTTERFIELD: I know that. I understand.

I just wanted to make sure I'm clear. Staff were going to give us the other -- whether or not there were eight other different ways? And I had not heard that information from staff.

SEN. HISE: At the point the question was
asked, the staff was unaware. And I said we'd have to get that question.

REP. FARMER-BUTTERFIELD: All right.

ERIKA CHURCHILL (STAFF): Representative Farmer-Butterfield. Available in Maptitude is the Reock test, the Schwartzberg test, the Perimeter test, the Polsby-Popper test, the Length-Width test, the Population Polygon test, the Minimum Convex Polygon test, the Population Circle test and the Ehrenburg test.

REP. FARMER-BUTTERFIELD: Thank you.

Follow up?

SEN. HISE: Follow up.

REP. FARMER-BUTTERFIELD: I think that I heard earlier that if this passes with just these two, it will not preclude using the other six, or the others? Is that the case or not?

REP. LEWIS: Thank you for that question. The answer is yes, the other ones could be used. Again, we're trying to respond to requests from the public, from members who've said try to make the districts a little more compact. And so this is saying that these two may be used. But yes, you may use all of them if you want to.

SEN. HISE: Okay. Someone else?
Somebody was pointing to someone? Senator Lowe?

SEN. LOVE: Yes, I may have missed it.

But one of the things that I noticed or heard was, I know we're using two approaches. There's eight possible approaches. Why is it that we're just looking at these two? I want real clarity on that.

SEN. HISE: Maybe I'm going to explain a little bit of this. Each one of these methods will yield a score. And a score of any particular district will be between, generally, zero and one. I don't think there's any, as I understand it, concave in the designs. Zero to one will be the ratio of some two numbers that are coming in. That will give you a measure of compactness. There are eight measures. There are infinite numbers of ways anyone can come up to determine what they mean when they say something is compact.

There are only two that have been used in court rulings by the Supreme Court in regards to redistricting. These are these two. We both set those as the standard we will use to measure compactness of districts. But that calculation can be done for any number of the other standards that might be in the pack or the infinite number of standards that someone else could come up with and...
make an argument. Senator Smith-Ingram?

SEN. SMITH-INGRAM Thank you, Mr. Chair.

I believe, for clarification, I need to find out. Staff, Erika Churchill, just listed out -- was it about ten of those tools that are available on Maptitude?

SEN. HISE: Nine? She says the number is nine.

SEN. SMITH-INGRAM Also included, is there an explanation in Maptitude that will give us the reliability of each of those tools and their performance as well as the range?

SEN. HISE: Reliability is probably not a factor that would apply to these in a manner. But it will give you an explanation of the calculation.

SEN. SMITH-INGRAM Just for clarity, because there are nine different measurements. It would be nice to have the data on the reliability of each tool so you can look at each tool and their performance to be able to determine which is the better tool in terms of a higher percentage of reliability.

SEN. HISE: I think I'll take the comment. But again, I would say that reliability is not necessarily a factor that is -- this is
talking about how compact is the district? And the test will determine how compact the district is. So, Representative Jackson?

REP. JACKSON: Thank you, Mr. Chairman. It appears that we are looking at dispersion and perimeter, but we are leaving out population measures in these tests. And I was wondering, from staff, if any of the seven other tests include population measures in their scoring?

SEN. HISE: I'll let you answer the question.

MS. CHURCHILL (STAFF): Representative Jackson, we are reading from the Maptitude documentation. And it does appear that there's at least two tests, the Population Polygon test and the Population Circle test, that take into consideration district population to the approximate population of the area that is being used. We're happy to print this for the Committee if you all would like.

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

SEN. HISE: Follow-up.

REP. JACKSON: Then I guess the question for Chairman Lewis would be, wouldn't we want to consider population as well? And why that test
would not be one of the ones that we use a score for?

REP. LEWIS: Well, thank you for that question, Representative. To be candid, I'm not familiar with the particular test that you have asked about. I realize that you're asking about a specific test that the computer program is capable of running. I would just point out that, in my mind, the population issue is the one-person-one-vote plus or minus five percent that we adopted as a criterion earlier today. And as I've said before, you would certainly have every access to run the reports or get whatever scores that you want to -- want to review.

But again, I would just point out to the members, the reason that these two are specified in here is these are the ones the Courts have written about in recent redistricting court rulings.

SEN. HISE: Follow-up?

REP. HARDISTER: Follow-up, Mr. Chairman. So is it -- is it -- is it your understanding that the Court has not written about some of these other test scores that Maptitude can also provide?

REP. LEWIS: Well, thank you for the question. And to be clear, Representative, I don't
know that they have or they have not. I'm simply stating in the cases that I reviewed, these were the two that were used.

SEN. HISE: Any other questions or comments? Hearing none, upon Representative Dollar's motion and the motion of the Chairs, we move to add the fourth criterion, Compactness, to those. Any other questions or comments? Hearing none, we'll have the Clerk call the roll of the House.

CLERK: Representative Jackson?
REP. JACKSON: No.
CLERK: Representative Szoka?
REP. SZOKA: Aye.
CLERK: Representative Stevens?
REP. STEVENS: Aye.
CLERK: Representative Bell?
REP. BELL: Aye.
CLERK: Representative Brawley?
REP. BRAWLEY: Aye.
CLERK: Representative Brockman?
REP. BROCKMAN: No.
CLERK: Representative Brockman, no.
Representative Burr?
REP. BURR: Aye.
Representative Burr, aye.
Representative Davis?  Representative Davis?
Representative Dixon?
   REP. DIXON: Aye.
   CLERK: Representative Dixon, aye.
Representative Dobson?
   REP. DOBSON: Aye.
   CLERK: Representative Dobson, aye.
Representative Dulin?
   REP. DULIN: Aye.
   CLERK: Representative Dulin, aye.
Representative Farmer-Butterfield?
   REP. FARMER-BUTTERFIELD: No.
   CLERK: Representative Farmer-Butterfield, no.
Representative Floyd?
Representative Floyd?  Representative Garrison?
   REP. GARRISON: No.
   CLERK: Representative Garrison, no.
Representative Gill?
   REP. GILL: No.
   CLERK: Representative Gill, no.
Representative Grange?
   REP. GRANGE: Aye.
   CLERK: Representative Grange, aye.
Representative Hall?
REP. HALL:  Aye.
CLERK:  Representative Hall, aye.

Representative Hanes?
REP. HANES:  No.
CLERK:  Representative Hanes, no.

Representative Hardister?
REP. HARDISTER:  Aye.
CLERK:  Representative Hardister, aye.

Representative Harrison?
REP. HARRISON:  No.
CLERK:  Representative Harrison, no.

Representative Hastings?
REP. HASTINGS:  Aye.
CLERK:  Representative Hastings, aye.

Representative Howard?
REP. HOWARD:  Aye.
CLERK:  Representative Howard, aye.

Representative Hunter?
REP. HUNTER:  No.
CLERK:  Representative Hunter, no.

Representative Johnson?
REP. JOHNSON:  Aye.
CLERK:  Representative Johnson, aye.

Representative Hurley?
REP. HURLEY:  Aye.
Representative Hurley, aye.
Representative Jones?  Representative Jones?
Representative Jordan?
REP. JORDAN:  Aye.
CLERK:  Representative Jordan, aye.
Representative Malone?
REP. MALONE:  Aye.
CLERK:  Representative Malone, aye.
Representative Michaux?
REP. MCHAUX:  No.
CLERK:  Representative Michaux, no.
Representative Moore?
REP. MOORE:  No.
CLERK:  Representative Moore, no.
Representative Pierce?
REP. PIERCE:  No.
CLERK:  Representative Pierce, no.
Representative Reives?
REP. REIVES:  No.
CLERK:  Representative Reives, no.
Representative Willingham?
REP. WILLINGHAM No.
CLERK:  Representative Willingham, no.
Representative Speciale?
REP. SPECIALE:  Aye.
CLERK: Representative Speciale, aye.

Representative Rogers?

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine?

REP. SAINE: Aye.

CLERK: Representative Saine, aye.

Representative Torbett?

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Wray?

REP. WRAY: No.

CLERK: Representative Wray, no.

Representative Yarborough?

REP. YARBOROUGH: Aye.

CLERK: Representative Yarborough, aye.

Representative Lewis?

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye.

Representative Dollar?

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye.

SEN. HISE: Senate Clerk will call the roll.

CLERK: Senator Bishop?
SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Brown?

SEN. BROWN: Aye.

CLERK: Senator Brown, aye. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel? Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Senator Harrington, aye. Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Jackson, aye. Senator Lee?

SEN. LEE: Aye.

CLERK: Senator Lee, aye. Senator Lowe?

SEN. LOWE: No.

CLERK: Senator Lowe, no. Senator Newton?

SEN. NEWTON: Aye.

CLERK: Senator Newton, aye. Senator Rabon? Senator Smith-Ingram?

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no.
Senator Van Duyn?

SEN. VAN DUYN: No.

CLERK: Senator Van Duyn, no. Senator Wade?

SEN. WADE: Aye.

CLERK: Senator Wade, aye. Senator Hise?

SEN. HISE: Aye.

CLERK: Senator Hise, aye.

SEN. HISE: Thank you, members of the Committee. By a vote of 24 to 14 in the House and 9 to 3 in the Senate, the criterion is adopted — fourth criterion presented, Compactness, is adopted by the Committee.

I believe, members, now it is the intent to return to the second introduced criterion, Contiguity. And the members should have — Senator Clark has passed out an amendment or, probably more accurately, a rewrite of the criterion. Senator Clark will be recognized to explain his amendments.

SEN. CLARK: Thank you, Mr. Chair. What you have before you is essentially an expansion of the initial criterion disseminated by the Committee chairs. But the problem with the explanation submitted by the Committee chairs is that it does not — it's not expansive enough. For instance,
let me give you an example. You can be in a particular district, and although it may be connected by a land-mass, that land-mass is not navigable by car, boat -- by car or any other form of transportation for the purpose of conducting commerce. So instead of saying something is contiguous, just because there's a little strip, what this particular definition would say is that it's not considered contiguous unless you can actually conduct commerce from one part of the district to another part of the district without first having to go outside of your district in through another district.

REP. LEWIS: Mr. Chairman?

SEN. HISE: Representative Lewis?

REP. LEWIS: Thank you, Mr. Chairman. First of all, I want thank Senator Clark. He has been extremely helpful in providing information for us to review. I did review the language that he proposed for quite a long time. I'm not in support of the amendment for the following reasons.

One, I'm not familiar with the commercial patterns and the layout of highways and roads all across the state. And I assume that most members on this Committee would say the same. Also, there
are elements of contiguity that can change, while geographic features themselves do not. That's why I feel it's wise to stick to contiguity as a legal requirement for adopting in this criterion. I also don't know in the amount of time that the Committee has to draw the districts, that we could develop a legal definition to match what the gentleman is attempting to do. And with that, I would ask members to vote down the amendment.

SEN. HISE: Representative Stevens?

REP. STEVENS: Thank you, Mr. Chair. Representative Lewis, in looking at some of these maps, particularly with our rocky, rocky coast, has anybody submitted an alternative map that would allow us to accomplish what he's hoping to accomplish? I mean, wouldn't we break up our optimum groups to try to do that?

REP. LEWIS: Thank you for the question. The first answer is no. To my knowledge, nobody has submitted any additional county grouping that is more optimal than the one that we passed out. I think what the gentleman's trying to do actually deals with districts within the groupings. And I just don't know that it is possible to do that, either. There are precincts that overlap and
things like that. I just don't know how to develop a legal -- I don't know how to define what the gentleman is trying to do. And therefore, I don't think we can adopt it as a criterion.

SEN. HISE: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.

You're right. I'm speaking to the areas within the clusters; not between clusters. Now, you're correct that I don't know how to solve the problem for every single district. But that's why we have a committee. Members here, they do know how to do that collectively. And there is a phrase up here. I say that we want to do this to the extent practicable. There may be circumstances in which it is not practicable. But there are many in which there are practicable solutions. I can certainly tell you how to do it within my district as it currently exists today.

And with regard to legal definition, that's why we have staff here to support us. There are a lot of things I cannot come up with the legal definition for. But with the systems of our able staff, we are more than able to accomplish that.

REP. LEWIS: Mr. Chairman?

SEN. HISE: Representative Lewis.
REP. LEWIS: Thank you, Mr. Chairman. Just to speak to Senator Clark's last point. To be clear, it's the intent of adopting the criterion that this Committee is adopting today to produce a draft map. And the draft map will be produced and distributed. Members of the Committee will be able to offer the kind of insight that Senator Clark has proposed. We also intend to hold public hearings across the state to receive feedback. And members of the public may be able to offer input and advice that gets closer to what the Senator is trying to accomplish here. I want to point out that I've spent a lot of time trying to figure out how to incorporate this language. And I simply don't know how to do it. And so, again, I would ask members to vote against the amendment.

SEN. HISE: Senator Smith-Ingram?

SEN. SMITH-INGRAM: Thank you, Mr. Chair. I guess I have a question, Representative Lewis, but first, a statement. In looking at the geographical compactness in the example based on the submitted one, it is a challenge when you're connecting counties by a body of water. For example, Pasquotank and Hyde are connected, but there's no means to traverse between them.
would have to drive an hour around the district, going through another district, to get to your district. When you connect with a river, such as my district, you end up with counties from one point -- from the western point to the eastern point. That's a two hour and 41 minute drive out to the coast. And that makes it very problematic when you're covering that type of territory.

So my question is, in light of those examples, would you consider this to be commensurate with geographical compactness? The language of the amendment certainly promotes that for me, and I'm wondering, do you see that?

REP. LEWIS: Thank you for the question, and the short answer is, I don't see that. I do understand the lady's point about the -- the size of some of the districts that have to be drawn, but I would point out, that oftentimes, that's directly related to the physical size of the counties themselves.

We, this General Assembly -- this is getting off redistricting a bit, but this General Assembly will continue to have to address the fact that our rural areas, especially in the northeastern part of the state, are large in land
mass and smaller in population than our urban centers are. And there's just no way to get around that.

SEN. SMITH-INGRAM: Okay. For clarification follow-up --

SEN. HISE: Follow-up.

SEN. SMITH-INGRAM: So do you consider contiguity and geographic compactness commensurate with one another?

REP. LEWIS: Well, thank you for the question. I understand contiguity which, by the way, Representative Torbett gave me a breakdown on how to say the word. I really do -- I really do appreciate that. Apparently, I'm not doing a very good job. But I understand that to mean that the borders join, if you will. Compactness means that you want to draw districts that are compact. I don't know that those -- everything that we do, all of the criteria that we're going to discuss today, has got to be harmonized and used together. I don't know that these are the exact same thing, so I don't know that I would agree with that premise.

SEN. HISE: Thank you. And, Senator Smith-Ingram we would like -- several of us would like to see the drive across our district reduced
to two and a half hours, so thanks for the comment. Representative Brawley?

REP. BRAWLEY: Thank you, Mr. Chairman.

Bill Brawley, Mecklenburg County. When I read Senator Clark's amendment, and he talked about accessible for commerce, the first thought that came to mind was roads. And I'm sitting next to Chairman Torbett of Transportation who, along with myself, were two of the co-sponsors for strategic transportation investments law. And we were thinking of the number of cases where you would drive out of a House district on a road and then back into the same district, just because of the way our road network is set up and the incredible need for more roads for commerce that we have.

I had concerns of it for that reason. I would think that this might be a reasonable discussion we have when we've finished our $70 billion backlog of construction. But right now, the shortage of roads would make this much more difficult than it appears on the surface. And would agree that I would tend to have concerns about this. I believe the compactness and contiguity are being addressed and the roads -- we're not going to be able to solve that today.
Thank you, Mr. Chairman.

SEN. HISE: Thank you. Senator Clark and Senator Brown.

SEN. CLARK: Again, I would like to emphasize my definition, as written, says to the extent practicable. If it's not practicable, of course we're not going to do it. However, there are many circumstances in which it is practicable.

SEN. HISE: Senator Brown.

SEN. BROWN: Thank you, Mr. Chairman. I think the county groupings piece is the concern -- or has created concern, I think, that Senator Clark's bringing up. But that's a court ruling that I don't think there's any flexibility on, on how the groupings can be drawn. Is that correct, Representative Lewis?

REP. LEWIS: Well, certainly, sir. Thank you for the question. The county groupings are -- are required by the court, yes.

SEN. HISE: Senator Clark again.

SEN. CLARK: I need to clarify again. My statement has nothing to do with county groupings. We're talking about internal to the groupings, the actual districts themselves within a grouping.

SEN. HISE: Any other questions or
comments? Hearing none, we will take into consideration of amending the proposed criteria plan as presented by Senator Clark. We will begin with the Senate this time. The Senate Clerk will call the roll.

CLERK: Senator Bishop?
SEN. BISHOP: No.

CLERK: No. Senator Blue? Senator Brown?
SEN. BROWN: No.

CLERK: Senator Brown, no. Senator Clark?
SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel?
SEN. HARRINGTON: No.

CLERK: Senator Harrington, no. Senator Jackson?
SEN. JACKSON: No.

CLERK: Senator Jackson, no. Senator Lee?
SEN. LEE: No.

CLERK: Senator Lee, no. Senator Lowe?
SEN. LOWE: Aye.

CLERK: Senator Lowe, aye.
SEN. NEWTON: No.

CLERK: Senator Newton, no. Senator Rabon?

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Smith-Ingram, aye.

SEN. VAN DUYN: Aye.

CLERK: Senator Van Dyne, aye. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HISE: No.

CLERK: Senator Hise, no.

SEN. HISE: The Clerk of the House will please call the roll.

CLERK: Representative Jackson?

REP. JACKSON: Yes.

CLERK: Representative Jackson, aye.

Representative Szoka?

REP. SZOKA: No.

CLERK: Representative Szoka, no.

Representative Stevens?

REP. STEVENS: No.

CLERK: Representative Stevens, no.
Representative Bell?

REP. BELL: No.

CLERK: Representative Bell, no.

Representative Brawley?

REP. BRAWLEY: Brawley, no.

CLERK: Representative Brawley, no.

Representative Brockman?

REP. BROCKMAN: Aye.

CLERK: Representative Brockman, aye.

Representative Burr?

REP. BURR: No.

CLERK: Representative Burr, no.

Representative Davis? Representative Davis?

Representative Dixon?

REP. DIXON: No.

CLERK: Representative Dixon, no.

Representative Dobson?

REP. DOBSON: No.

CLERK: Representative Dobson, no.

Representative Dulin?

REP. DULIN: No.

CLERK: Representative Dulin, no.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Aye.

CLERK: Representative
Farmer-Butterfield, aye. Representative Floyd?
Representative Floyd? Representative Garrison?
    REP. GARRISON: Aye.
    CLERK: Representative Garrison, aye.
Representative Gill?
    REP. GILL: Aye.
    CLERK: Representative Gill, aye.
Representative Grange?
    REP. GRANGE: No.
    CLERK: Representative Grange, no.
Representative Hall?
    REP. HALL: No.
    CLERK: Representative Hall, no.
Representative Hanes?
    REP. HANES: Yes.
    CLERK: Representative Hanes, aye.
Representative Hardister?
    REP. HARDISTER: No.
    CLERK: Representative Hardister, no.
Representative Harrison?
    REP. HARRISON: Aye.
    CLERK: Representative Harrison, aye.
Representative Hastings?
    REP. HASTINGS: No.
    CLERK: Representative Hastings, no.
Representative Howard?

REP. HOWARD: No.

CLERK: Representative Howard, no.

Representative Hunter?

REP. HUNTER: Aye.

CLERK: Representative Hunter, aye.

Representative Johnson?

REP. JOHNSON: No.

CLERK: Representative Johnson, no.

Representative Hurley?

REP. HURLEY: No.

CLERK: Representative Hurley, no.

Representative Jones?

Representative Jones?

Representative Jordan?

REP. JORDAN: No.

CLERK: Representative Jordan, no.

Representative Malone?

REP. MALONE: No.

CLERK: Representative Malone, no.

Representative Michaux?

REP. M CHAUX: Aye.

CLERK: Representative M chaux, aye.

Representative Moore?

REP. MOORE: Aye.

CLERK: Representative Moore, aye.
Representative Pierce?

REP. PIERCE: Aye.

CLERK: Representative Pierce, aye.

Representative Reives?

REP. REIVES: Aye.

CLERK: Representative Reives, aye.

Representative Willingham?

REP. WILLINGHAM: Aye.

CLERK: Representative Willingham, aye.

Representative Speciale?

REP. SPECIALE: No.

CLERK: Representative Speciale, no.

Representative Rogers?

REP. ROGERS: No.

CLERK: Representative Rogers, no.

Representative Saine?

REP. SAIN: No.

CLERK: Representative Saine, no.

Representative Wray?

REP. WRAY: Aye.

CLERK: Representative Wray, aye.

Representative Yarborough?

REP. YARBOROUGH: No.

CLERK: Representative Yarborough, no.

Representative Torbett?
1  REP. TORBETT: No.

2  CLERK: Representative Torbett, no.

Representative Lewis?

3  REP. LEWIS: No.

4  CLERK: Representative Lewis, no.

Representative Dollar?

5  REP. DOLLAR: No.

6  CLERK: Representative Dollar, no.

7  SEN. HISE: By a vote of 4 in favor, 8 against in the Senate, and I believe I saw that it's 14 in favor, 24 against -- 28 against? 14 in favor, 24 against in the House. The motion to amend the second submitted criterion fails. Criterion Number 2, Contingency, is now back before the Committee.

8  REP. DOLLAR: Mr. Chairman?

9  SEN. HISE: Representative Dollar.

10 REP. DOLLAR: I would move the adoption of Criterion Number 2.

11 SEN. HISE: Motion by the Chairs for the adoption of Criterion Number 2. Is there any other questions or comments regarding the criteria? Seeing none, we will move into a vote on this process, and we will ask the Clerk of the House to call the roll.
CLERK: Representative Jackson?

REP. JACKSON: No.

CLERK: Representative Jackson, no.

Representative Szoka?

REP. SZOKA: Aye.

CLERK: Representative Szoka, aye.

Representative Stevens?

REP. STEVENS: Aye.

CLERK: Representative Stevens, aye.

Representative Bell?

REP. BELL: Aye.

CLERK: Representative Bell, aye.

Representative Brawley?

REP. BRAWLEY: Brawley, aye.

CLERK: Representative Brawley, aye.

Representative Brockman?

REP. BROCKMAN: No.

CLERK: Representative Brockman, no.

Representative Burr?

REP. BURR: Aye.

CLERK: Representative Burr, aye.

Representative Davis?

Representative Davis?

Representative Dixon?

Representative Dixon?

REP. DIXON: Aye.

CLERK: Representative Dixon, aye.
Representative Dobson?
  REP. DOBSON: Aye.
  CLERK: Representative Dobson, aye.

Representative Dulin?
  REP. DULIN: Aye.
  CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?
  REP. FARMER-BUTTERFIELD: No.
  CLERK: Representative Farmer-Butterfield, no.

Representative Floyd?
  REP. FLOYD: No.
  CLERK: Representative Floyd, no.

Representative Garrison?
  REP. GARRISON: No.
  CLERK: Representative Garrison, no.

Representative Gill?
  REP. GILL: No.
  CLERK: Representative Gill, no.

Representative Grange?
  REP. GRANGE: Aye.
  CLERK: Representative Grange, aye.

Representative Hall?
  REP. HALL: Aye.
  CLERK: Representative Hall, aye.

Representative Hanes?
  REP. HANES: No.
  CLERK: Representative Hanes, no.
Representative Hardister?
REP. HARDISTER: Aye.
CLERK: Representative Hardister, aye.

Representative Harrison?
REP. HARRISON: No.
CLERK: Representative Harrison, no.

Representative Hastings?
REP. HASTINGS: Aye.
CLERK: Representative Hastings, aye.

Representative Howard?
REP. HOWARD: Aye.
CLERK: Representative Howard, aye.

Representative Hunter?
REP. HUNTER: No.
CLERK: Representative Hunter, no.

Representative Johnson?
REP. JOHNSON: Aye.
CLERK: Representative Johnson, aye.

Representative Hurley?
REP. HURLEY: Aye.
CLERK: Representative Hurley, aye.

Representative Jones?
REP. JORDAN: Aye.
CLERK: Representative Jordan, aye.
Representative Malone?

REP. MALONE: Aye.

CLERK: Representative Malone, aye.

Representative Michaux?

REP. MICHAUX: No.

CLERK: Representative Michaux, no.

Representative Moore?

REP. MOORE: No.

CLERK: Representative Moore, no.

Representative Pierce?

REP. PIERCE: No.

CLERK: Representative Pierce, no.

Representative Pierce? Representative Reives, excuse me.

REP. REIVES: No.

CLERK: Representative Reives, no.

Representative Willingham?

REP. WILLINGHAM: No.

CLERK: Representative Willingham, no.

Representative Speciale?

REP. SPECIALE: Aye.

CLERK: Representative Speciale, aye.

Representative Rogers?

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.
Representative Saine?

REP. SAINÉ: Aye.

CLERK: Representative Saine, aye.

Representative Wray?

REP. WRAY: No.

CLERK: Representative Wray, no.

Representative Yarborough?

REP. YARBOROUGH: Yes.

CLERK: Representative Yarborough, aye. Representative Torbett?

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Lewis?

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye.

Representative Dollar?

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye.

SEN. HISE: Okay. Clerk of the Senate will call out the roll.

CLERK: Senator Bishop?

SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Blue?

SEN. BROWN: Aye.

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CLERK: Senator Brown, aye. Senator Clark?

SEN. CLARK: No.

CLERK: Senator Clark, no. Senator Daniel? Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Senator Harrington, aye. Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Jackson, aye. Senator Lee?

SEN. LEE: Aye.

CLERK: Senator Lee, aye. Senator Lowe?

SEN. LOVE: No.

CLERK: Senator Lowe, no. Senator Newton?

SEN. NEWTON: Aye.

CLERK: Senator Newton, aye. Senator Rabon? Senator Smith-Ingram?

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no. Senator Van Duyn?

SEN. VAN DUYN: No.

CLERK: Senator Van Duyn, no. Senator Wade?
SEN. WADE: Aye.

CLERK: Senator Wade, aye. Senator Hise?

SEN. HISE: Aye.

CLERK: Senator Hise, aye.

SEN. HISE: By a vote of 24-14 in the House and a vote of 8 to 4 in the Senate, the second submitted criteria, Contiguity, is passed and is adopted by the committee. The committee will stand at ease for just a few minutes.

(Proceedings went off the record.)

SEN. HISE: Thank you, members of the committee. The next item we will consider is labeled as Number 6 in the process. As soon as I get to it.

REP. LEWIS: Mr. Chairman, may I speak briefly on 5 for just a moment?

SEN. HISE: Go ahead.

REP. LEWIS: Members, the reason that I asked the Chair to skip what is labeled Number 5 -- by the way, these numbers are so that I would not forget to get through one of them. The reason that I ask that Number 5 be split -- be not discussed at the moment and displaced, staff is trying to get a firm definition of precinct versus voting tabulation district. The Court, in its opinion,
wrote about precincts, which is why this criteria says the word "precinct," but we're trying to get a -- just get a staff understanding on if it's precinct or voting tabulation district, which is -- I know some of you are wondering why we moved past that. We're just trying to get a technical clarification, which is why I asked the chair to take up Number -- what is labeled Number 6, municipal boundaries, next. So with that, Mr. Chair, if I can speak on that.

SEN. HISE: Do all members have a copy of Number 6, municipal boundaries? Okay. Representative Lewis, you're recognized to explain.

REP. LEWIS: Thank you, Mr. Chairman.

Mr. Chairman, this says that the committees may consider municipal boundaries when drawing legislative districts in the 2017 House and Senate plan. This -- and if I may speak on it, this is another criteria that comes in response to public inquiry.

At last week's committee hearing, Dianna Wynn of Wake County asked the committee to consider not dividing municipalities where possible. The chairs are proposing that consideration be made when drawing these new district lines. Would like
to state for the record that, as this is based on the 2010 census, that the municipality boundaries that would be looked at would be the 2010 boundaries as well. And with that, Mr. Chairman, I'd like to move the -- the adoption of this criteria.

SEN. HISE: Okay. Any questions or comments? Representative Jackson?

REP. JACKSON: Thank you, Mr. Chairman. Chairman Lewis, since we are bound by law to consider communities of interest, I'm wondering why the may instead of the shall is used in this criteria. That's my first question.

REP. LEWIS: Thank you for the question, Representative Jackson. The may is empowering language that says that the map drawer may and rightfully should consider municipality boundaries when they can. As you know, not all municipalities are laid out in neat design, so sometimes it may not be possible to do that. As to communities of interest, and I know you are an attorney; I am not, but, to be clear, we couldn't find a concise definition of what a community of interest is, which is why it's not one of the criteria that we have proposed as of yet.
SEN. HISE: Follow-up?

REP. JACKSON: Chairman Lewis, well, one thing, under the law, the words "may" or "should" actually have different meanings and you used "may" and "should." And so I guess the first question would be, would you consider changing "may" to "should"?

REP. LEWIS: Thank you for the question. The -- and as always, you're -- you're right. The reason -- and we talked a lot about how to present these criteria to where they made the most sense to everyone, and the word "should" is used in what I would consider to be criteria that absolutely positively must be followed, like the one-person-one-vote rule.

There are other criteria, in fact, in the letter that Senator Blue wrote to us, he called them actually secondary criteria. There are other criteria that may be considered. One of those is the municipal boundaries. So I would say that I would prefer the word "may" to stay in this, and that when the maps are drawn, that we may very well consider municipal boundaries.

REP. JACKSON: Follow-up --

SEN. HISE: Follow-up?
REP. JACKSON: If -- if I could, I'll just stay on the communities of interest. I don't think it's addressed in any of the other proposed criteria. And so I do have a question about that. I understand from your previous announcement at committee and from reading the newspaper that we're going to be using the same map drawer as last time, Mr. Hofeller. And I would ask, you know, who will be helping Mr. Hofeller draw the maps to make sure that communities of interest are protected?

REP. LEWIS: Thank you for the question. Dr. Hofeller was hired at the direction of myself and Senator Hise. For the House, I will be working with him to help produce the map that will be presented to the committee and to the public. At that time, all the members of the committee certainly have access to amend the map. The members of the public who wish to comment on the map -- if you or any other member or a citizen who takes time to engage in this process thinks that certain communities should be recombined in certain ways, we will certainly be open to reviewing that at that time.

REP. JACKSON: Okay.
SEN. HISE: Any other questions, comments? Representative Michaux?

REP. M CHAUX: Yeah, Mr. Chair -- Chairman Lewis, going back to the matter of communities of interest, are there not communities of -- you say there's no legal definition that you have found, but are there not communities of interest identified in each community in this state? For instance, there's a community -- communities of interest, rural, urban, educational, whatever. There are various communities of interest throughout the state. Well, why should they not be identified here and used?

REP. LEWIS: Thank you for the question, Representative. I don't disagree with you at all. I would simply point out that because a community of interest can be defined in any number of ways, exactly as you just did, and some of those communities of interest actually overlap, some contradict each other, perhaps, I don't know that there is a definitive way to define that. But I would point out to the committee that the criteria that I'm asking to adopt is that the committee may consider municipal boundaries when drawing the lines.
SEN. HISSE: Follow-up?

REP. MICHAUX: But -- but have you not had -- even in your last drawing, did you not consider communities of interest and have they not been considered in previous redistricting matters that were drawn up in the past?

REP. LEWIS: Thank you for the question, Representative. I know that the concept of communities of interest were discussed. I don't know to what degree that they were considered in the map drawing.

SEN. HISSE: Representative Reives?

REP. REIVES: Thank you, Chair. And, Chairman Lewis, again with the committees of interest, I understand that there are -- that you haven't found concise, clear definitions, but as Representative Michaux was just stating, I think they've been referred to, even by the Supreme Court, as early as Bush v. Vera, when George Bush was governor, when they had a redistricting case based on race and unconstitutionality where they discussed that and gave several examples of things that were considered communities of interest. If we use that as part of the criteria, I mean, wouldn't we be able to refer to that and then kind
of know it when we see it when we're discussing it?

REP. LEWIS: Thank you for the question, Representative. Respectfully, I don't think communities of interest is in contradiction to this proposed criteria of municipal boundaries. If we -- if the committee wishes to try to come up with a definition and offer additional criteria, we can certainly consider that at that time, but I don't think any desire to define or include the words "communities of interest" is in opposition to the criteria that I've proposed, and I would appreciate the committee's support on.

SEN. HISE: Follow up?

REP. REIVES: Thank you. So in light of that, and I -- I would agree with you that not -- not -- they're not necessarily in opposition to each other, would you be opposed to an amendment that includes the term "communities of interest," just in case we have a situation where the municipal lines don't necessarily recognize a community of interest?

REP. LEWIS: Representative, thank you for the question. In short, I proposed the criteria before us -- before you that I believe the committee may consider when drawing the lines. I
do not believe that there is a concise definition that everyone can agree to that defines what a community of interest is.

In the examples that Representative Michaux gave earlier in his comments, he referred -- you may have an educational community, if you will. And I'm not trying to focus on Durham but you may be talking about Duke University or North Carolina Central. That's an educational community of interest. It may be directly next to a very blue-collar type area. Those two aren't necessarily communities of interest when you're drawing the lines.

So, again, I think we're getting a little bit far from what I had hoped would be a pretty simple criteria. At this time, I would not support an amendment to this criteria for communities of interest because municipalities are defined and understood. Communities of interest aren't even agreed to in this room.

SEN. HISE: I have Representative Jordan and Representative Michaux.

REP. JORDAN: Thank you, Mr. Chairman.

There was an earlier colloquy between Representative Jackson and Representative Lewis.
discussing "may" and "should." Just to clarify, shouldn't that have been "may" and "shall"?

REP. LEWIS: It may should have.

REP. JORDAN: Thanks.

SEN. HISE: Representative Michaux.

REP. MICHAUX: Yeah. Mr. Lewis, to -- to the -- you have here the committees may consider municipal boundaries. You're giving them an option as to whether or not they want to consider municipal boundaries. Why not give them the option of whether or not they would want to consider communities of interest? We know what communities of interest are. We can identify communities of interest. Why can't you go ahead on -- if you going to give them a choice, what other choice do they have other than municipal boundaries, when you say they may consider municipal boundaries?

REP. LEWIS: Well, thank you for that question, Representative. Let me try to be a little clearer. One of the criteria and one of the recurring themes of public input that we've got is to try not to split municipalities. As you know, there are numerous examples throughout the state where municipalities have actually annexed into other counties. They start in one county and
continue into another county. That is not compatible with the Stephenson requirement for how counties are grouped.

So the reason it says "may" is that I, personally, believe that is important, and I think that everyone on this committee will have the chance -- if we do not consider municipal boundaries in such a way that is acceptable to the committee, they'll have a chance to weigh in and amend and attempt to change the way that is done. But, again, this is just simply trying to respond to input that we got. Will we always consider municipal boundaries? Probably not, because we won't be able to. But this is -- this is an aspirational goal.

SEN. HISE: And I think it's also important to point out that municipal boundaries, when municipalities expand or others are not bound to limit themselves to complete Census tracts. And a Census tract is the smallest layer of data we have in order which to divide districts on.

REP. M CHAUX: I understand --

SEN. HISE: Follow up.

REP. M CHAUX: And I understand that, Mr. Chairman, but what I'm getting at is that there are
communities of interest that sometimes overshadow municipal boundaries and could be used and should be used in terms of criteria for redistricting. I mean, there's no doubt in my mind that you got within an -- within a municipal area, you've got an urban community and you've got a suburban community and you've got maybe an agrarian community all combined in one. Why -- and -- and, if it's large enough, you could have representation from all three. I mean, I'm trying to get communities of interest in there because they seem to be the salient factor in all of redistricting.

SEN. HISE: I'll just follow up. I think that was more of a comment, but I will say that, is there a specific community of interest that you are submitting?

REP. MICHAUX: I hadn't thought about it right now. All I know is that there's a difference -- there's a suburban community -- a suburban community and an agrarian community. And they are both communities of interest. One involves agrarian and the other involves suburban-type things. All these communities of interest where people have like -- with similarities are alike. Particularly in those
SEN. HISE: Representative Lewis?

REP. LEWIS: Thank you, Mr. Chairman. Mr. Chairman and specifically Representative Michaux and other members, the -- it is my understanding that the communities of interest, as defined by the courts, are largely covered in what we call the Stephenson county groupings. Many of what we are talking about, what is a community of interest and what is not, is an objective and not a subjective tone or goal. It's not a definable thing. Counties, municipality, precinct lines are things that are all community-of-interest-type things that we're going to seek to preserve.

But what may be a community of interest for me, when I draw the map that I present, you may correct and say you did not recognize that this community and this community should be joined. And I'm -- I'm communicating to you that I'll work with you at -- at that point.

At this point, I don't know how we can -- a municipality is a defined thing. All I'm saying is that the committee may consider the defined, understood, legally-recognized thing, as opposed to the abstract, objective community of interest. And
I would urge the committee to adopt this criteria.

SEN. HISE: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman. Would you allow staff to prepare an amendment to this particular item stating to the effect that members of this General Assembly can submit definitive community of interests, if you will, so that the amendment right read something to the effect that the committees may consider municipal boundaries and committees -- communities of interest, as defined by a member of this body when drawing legislative districts?

REP. LEWIS: Well, thank you for the question, Senator Clark. And to be clear, certainly, I have no control over what amendments are sent forth.

SEN. CLARK: I would like to send forth an amendment to that effect.

REP. LEWIS: Acknowledged. With that, Mr. Chairman, perhaps we could displace this and come back to it once it can be prepared to what Senator Clark has asked for.

SEN. HISE: We will displace this to consider another Senator Clark amendment.

REP. LEWIS: And, Mr. Chairman, we can --
Mr. Chairman, perhaps now we can return to 5. I think we've got -- got that cleared up.

SEN. HISE: Okay. All members have Criteria Number 5, fewer split precincts?

Representative Lewis, you're -- you're recognized to explain and debate.

REP. LEWIS: Thank you, Mr. Chairman. This -- this criteria says that the committee shall make reasonable efforts to draw legislative districts in the 2017 House and Senate plans to split fewer precincts than the current legislative redistricting plans. To elaborate, the Chair should receive input from the public, including input from William Smith of Raleigh at last week's committee meeting, urging the committees to split fewer precincts in new legislative redistricting plans. We are proposing this criteria in response to that public input.

SEN. HISE: Representative Torbett?

REP. TORBETT: Thank you, Mr. Chairman. I think this is a very good, common-sense amendment and would move for adoption of the proposed criteria.

SEN. HISE: Okay. Representative Jackson.
REP. JACKSON: Mr. Chairman, I submitted some alternative language the staff has and I believe is ready to be passed out at your direction.

SEN. HISE: Okay. I'm assuming, then, Senator Jackson has moved to amend the criteria. That's what's coming in. I think we'll have staff go ahead and pass that out. Okay. I will take this brief moment for a little personal privilege and we'll recognize the Speaker of the House.

SPEAKER MOORE: Yes. Good afternoon. I just wanted you all to join me in welcoming a special guest. Thank you. Thank you. I just wanted you all to join me in welcoming a special guest we have today. This is Cliff Rosenberger. He's the Speaker of the House in Ohio. And he's here visiting in North Carolina today on some economic development initiatives. And so I would hope you all would join me in welcoming the Speaker of Ohio with us here today.

MR. ROSENBERGER (VISITOR): Hi. Thank you. Thank you very much. I appreciate it.

SPEAKER MOORE: I told him this was the only -- we weren't in session, this is the only official meeting today. So we're doing some things
economic development related, but I wanted you all
to know that he was here. And so he knows we're
all here hard at work. I think they're going back
into session here --

MR. ROSENBERGER (VISITOR): September.
We go in, in September. So -- and about to do the
very same thing you're all doing, so keep up the
hard work.
So thank you all very much.

SPEAKER MOORE: Thanks.

SEN. HISE: Representative Jackson,
you've sent forward your amendment; you're
recognized to explain it.

REP. JACKSON: Thank you, Mr. Chairman.
So my alternate language just adds a sentence to
Chairman Lewis's --

REP. JORDAN: Mr. Chairman. Mr.
Chairman. Over here, Jordan. Can I see a copy
before we begin discussion?

SEN. HISE: You can. We're actually
apparently waiting on a row to receive them. They
can have mine. Does everybody got one? Everyone
seen the amendment? Okay. Representative Jackson,
go ahead.

REP. JACKSON: So by my reading of the
way Number 5 as -- as proposed, you know, if we just split one fewer precinct, we've accomplished that goal, and clearly we want to do more than that. We want to severely limit the number of split precincts. And so my amendment would propose that we only split precincts to achieve population balance in compliance with the equal protection criteria, so that's the plus or minus five percent, and that we explicitly state we shall not split precincts to achieve partisan advantage.

SEN. HISE: Representative Lewis?

REP. LEWIS: Thank you, Mr. Chairman. Members, I've reviewed Senator -- Senator Jackson, I apologize, the Chairman's getting to me. I've reviewed Representative Jackson's amendment, and I do not disagree with it in spirit. However, I would ask you not to support the amendment because, once the maps are drawn, the committee will have the ability to review them and to offer whatever explanation they may so choose as to why a precinct was split or not split. I think this is a noble criteria, but it's a largely unworkable one, in terms of trying to define why was this -- this precinct split where it was. So, with that, I would -- I don't think it's a workable criteria to
use, and I would ask members to vote down this amendment.

SEN. HUSE: Senator Van Duyn?

SEN. VAN DUYN: Thank you, Mr. Chair.

I'd just like to respond to that, because you started your presentation by saying that this was in response to public comment. And clearly what we heard from nearly everyone who made public comment -- I think there was one exception. What people were asking for was districts that represent the voters, not districts that represent political parties. And I think what Representative Jackson's amendment does is get to the heart of what they were requesting.

And so, with all due respect, I think it is the most important part of what they were asking for, is that we not split precincts for political advantage. And I think it's important that we acknowledge -- if we're going to do public comment, I think we have to acknowledge it. That doesn't mean we need to go along with it necessarily, but we need to address what they ask for and either say why we will or will not follow what they said.

And clearly they want us to move away from political -- using redistricting for political
advantage. And one of the most disruptive ways of redistricting for political advantage is slicing and dicing individual precincts. I worked as a precinct judge before I was an elected official and when you have multiple ballots within a precinct, it is extraordinarily challenging. And -- and just not fair to our voters.

REP. LEWIS: Mr. Chairman.

SEN. HISE: Representative Lewis?

REP. LEWIS: I -- I want to thank the lady for her comments. I would say that I think the public comment is important and, as elected representatives, we must take it into account and must do our best to honor what is shared with us. Let me take another stab at this. Every line that is drawn on the map that is not mandated by the Stephenson criteria or whatnot is -- in one way or the other, will have political ramifications. So if we adopt the Jackson amendment, what will happen is, with respect, some of you in here will say, "Look, you split this precinct to gain a partisan advantage." And I'll say, no, "I split it to comply with the equal population requirement." And you'll say, "No, you split it to" -- because wherever we split it, it will have political
consequences one way or the other. So it's not a realistic goal to adopt a criteria that you cannot achieve.

SEN. HISE: Representative Jackson?

REP. JACKSON: Thank you, Mr. Chairman. Just for the record, I'll note I'm covering Speaker Blue as well, so that's why I'm doing twice as much today. Chairman Lewis, I wonder, other than population balance, what other reasons would you have to split a precinct?

REP. LEWIS: Thank you for that question, Representative Jackson. We just went through or -- and are going to go back through a long conversation about municipal -- municipal boundaries. Cities don't annex along precinct lines, so that is a reason that you may split a precinct. It may be more important to keep the city as whole as you can than to worry about, perse, how the precincts fall. If I had a precinct map in here, almost literally of any county in this state, I could show you how municipalities don't follow precinct lines.

SEN. HISE: Any other questions or comments? Senator Clark?

SEN. CLARK: Thank you, Mr. Chair. I
just have a comment. I don't see a problem with us explicitly stating that we should not split precincts other than for population balance. Case in point, I belong to a two-county cluster, and on the Cumberland County side of my district, I have about -- people from about 41 precincts vote in District 21. Of those 41, 33 are split, and for the life of me, I can't understand why 33 out of 41 precincts should be split.

SEN. HISE: Any other questions or comments? Okay. None. I believe Representative Torbett had made the motion when we began -- Jackson, sorry, for the amendment. So Representative Jackson has moved to amend the submitted criteria.

UNIDENTIFIED MEMBER: Second, Mr. Chair.

SEN. HISE: Motion doesn't require a second, but as we will see no more discussion or debate, we will move into a vote. And I believe we will begin with the House as the order.

CLERK: Representative Jackson?

REP. JACKSON: Yes.

CLERK: Representative Jackson, yes.

Representative Szoka?

REP. SZOKA: No.
CLERK: Representative Szoka, no.

Representative Stevens?

REP. STEVENS: No.

CLERK: Representative Stevens, no.

Representative Bell?

REP. BELL: No.

CLERK: Representative Bell, no.

Representative Brawley?

REP. BRAWLEY: No.

CLERK: Representative Brawley, no.

Representative Brockman?

REP. BROCKMAN: Yes.

CLERK: Representative Brockman, aye.

Representative Burr?

REP. BURR: No.

CLERK: Representative Burr, no.

Representative Davis? Representative Davis?

Representative Dixon?

REP. DIXON: No.

CLERK: Representative Dixon, no.

Representative Dobson?

REP. DOBSON: No.

CLERK: Representative Dobson, no.

Representative Dulin.

REP. DULIN: No.
CLERK: Representative Dulin, no.
Representative Farmer-Butterfield?
REP. FARMER-BUTTERFIELD: Yes.
CLERK: Representative Farmer-Butterfield, aye. Representative Floyd?
Representative Floyd? Representative Garrison?
REP. GARRISON: Yes. Aye.
CLERK: Representative Garrison, aye.
Representative Gill?
REP. GILL: Aye.
CLERK: Representative Gill, aye.
Representative Grange?
REP. GRANGE: No.
CLERK: Representative Grange, no.
Representative Hall?
REP. HALL: No.
CLERK: Representative Hall, no.
Representative Hanes?
REP. HANES: Yes.
CLERK: Representative Hanes, aye.
Representative Hardister?
REP. HARDISTER: No.
CLERK: Representative Hardister, no.
Representative Harrison? Representative Harrison?
Representative Hastings?
REP. HASTINGS: No.

CLERK: Representative Hastings, no.

Representative Howard?

REP. HOWARD: No.

CLERK: Representative Howard, no.

Representative Hunter?

REP. HUNTER: Aye.

CLERK: Representative Hunter, aye.

Representative Johnson?

REP. JOHNSON: No.

CLERK: Representative Johnson, no.

Representative Jones? Representative Jones?

Representative Jordan?

REP. JORDAN: No.

CLERK: Representative Jordan, no.

Representative Malone?

REP. MALONE: No.

CLERK: Representative Malone, no.

Representative Michaux?

REP. M CHAUX: Aye.

CLERK: Representative Michaux, aye.

Representative Moore?

REP. MOORE: Yes.

CLERK: Representative Moore, aye.

Representative Pierce?
Representative Pierce?
REP. PIERCE: Yes.

Representative Reives?
REP. REVES: Aye.

Representative Willingham?
REP. WILLINGHAM: Aye.

Representative Speciale?
REP. SPECIALE: No.

Representative Rogers?
REP. ROGERS: No.

Representative Saine?
REP. SAIN: No.

Representative Wray?
REP. WRAY: Aye.

Representative Yarborough?
REP. YARBOROUGH: No.

CLERK: Could you repeat that?

REP. YARBOROUGH: No.
CLERK: Representative Yarborough, no. Representative Harrison? Representative Lewis?

REP. LEWIS: No.

CLERK: No. Representative Dollar?

REP. DOLLAR: No.

CLERK: Representative Dollar, no.

REP. HURLEY: Mr. Chair, I was skipped.

CLERK: Oh, I'm sorry. Representative Hurley?

REP. HURLEY: No.

CLERK: No. Representative Torbett?

REP. TORBETT: No.

CLERK: Representative Torbett, no.

SEN. HISE: The Clerk will call the roll for the Senate?

CLERK: Senator Bishop?

SEN. BISHOP: No.

CLERK: Senator Bishop, no. Senator Blue?

SEN. BLUE: No.

CLERK: Senator Bishop, no. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel?

SEN. DANIEL: Aye.

CLERK: Representative Torbett, no. Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Representative Torbett, no. Senator Daniel?

SEN. DANIEL: Aye.
SEN. HARRINGTON: No.

CLERK: Senator Harrington, no. Senator Jackson?

SEN. JACKSON: No.

CLERK: Senator Jackson, no. Senator Lee?

SEN. LEE: No.

CLERK: Senator Lee, no. Senator Lowe?

SEN. LOWE: Aye.

CLERK: Senator Lowe, aye. Senator Newton?

SEN. NEWTON: No.

CLERK: Senator Newton, no. Senator Rabon?

SEN. RABON: No.

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Smith-Ingram aye. Senator Van Duyn?

SEN. VAN DUYN: Aye.

CLERK: Senator Van Duyn, aye. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HISE: No.

CLERK: Senator Hise, no.

REP. HARRISON: Mr. Chair?
SEN. HISE: Who's speaking?

REP. HARRISON: It's Representative Harrison on the back row.

SEN. HISE: Ah, affirmative. Thank you very much.

REP. HARRISON: May I be recorded as an aye, please, on the amendment?

SEN. HISE: By a vote of 13 in favor, 24 against in the House. Four in favor, eight against in the Senate, the amendment fails. The criteria estimated is back before the committee. Any other questions or comments? Senator Van Duyn?

SEN. VAN DUYN: I also have an amendment to Number 5.

SEN. HISE: Okay.

SEN. VAN DUYN: And I believe it's been prepared. Representative Lewis, I -- I think your point about --

UNIDENTIFIED MEMBER: Mr. Chair, can we hold until we get a copy of the amendment. Because I don't see it up on the screen or --

SEN. HISE: Chairs will pass out -- the Sergeant in Arms will pass out the amendments. Senator Van Duyn, it's -- the opinion of the Chair is that this is the same amendment that
was just submitted, but it's some wording changes, but I will give you an opportunity to explain how this is different from what we just decided.

SEN. VAN DUYN: Thank you very much, Mr. Chair. Representative Lewis, I take your point that two people might disagree about whether or not a particular line is drawn for political advantage, but I -- I do think we can agree about whether a line needs to be moved in terms to meet the requirements of population distribution. And all I'm saying is that we agree that we will only split a precinct if it is necessary for -- to achieve the population requirements that we've already agreed to.

SEN. LEE: Point of order, Mr. Chairman. If I may --

SEN. HISE: Senator Lee?

SEN. LEE: It sounds like we're going in and debating the substance of what we just debated. I -- I thought the comment was, how is this different than -- than what we just voted on, as opposed to reliving the substance of what we just debated.

SEN. HISE: That is what I gave her the opportunity to explain, and Representative Lewis
wouldn't speak. So we kind of have a joint -- two committees going here, so I'm going to make sure to let him

(Pause.)

SEN. HISE: Okay. Thank you, Senator Van Duyn. The opinion of the chair is the amendment is functionally equivalent to the previous amendment submitted and would be out of order as already considered by the committee.

SEN. SMITH-INGRAM: Mr. Chair?

SEN. HISE: Senator Smith-Ingram?

SEN. SMITH-INGRAM: I'd like to state my objection to the ruling of the Chairs. This amendment is clearly differential in that it does not expressly recite the achievement of partisan advantage.

SEN. HISE: Thank you, Senator Van Duyn. I'd -- probably would need to question under the rules if that's an appeal to the decision of the Chair.

SEN. SMITH-INGRAM: Yes.

SEN. HISE: Okay. The clerk will call the roll for the Senate.

UNIDENTIFIED MEMBER: Mr. Chairman. Mr. Chairman, would you please explain how one needs to
vote to uphold the ruling of the chair so we do not inadvertently vote the wrong way?

REP. M. MICHAUX: Mr. Chairman, they've been voting the wrong way already, so why not let them keep on doing it?

SEN. HISE: Thank you, members of the committee. As it was a member of the Senate to make the motion to overrule the Chair, it would be a vote of the Senate to overrule the Chair. It was specific to the Senate. Members of the Senate would vote aye to overrule the Chair, no to not overrule the Chair. Clerk will call the roll.

CLERK: Senator Bishop?

SEN. BISHOP: No.

CLERK: Senator Bishop, no. Senator Blue? Senator Brown?

SEN. BROWN: No.

CLERK: Senator Brown, no. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel?

SEN. HARRINGTON: No.

CLERK: Senator Harrington, no. Senator Jackson?

Worley Reporting
SEN. JACKSON: No.

CLERK: Senator Jackson, no. Senator Lee?

SEN. LEE: No.

CLERK: Senator Lee, no. Senator Lowe?

SEN. LOWE: Aye.

CLERK: Senator Lowe, aye. Senator Newton?

SEN. NEWTON: No.

CLERK: Senator Newton, no. Senator Rabon? Senator Smith-Ingram?

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Smith-Ingram, aye. Senator Van Duyn?

SEN. VAN DUYN: Aye.

CLERK: Senator Van Duyn, aye. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HISE: No.

CLERK: Senator Hise, no.

SEN. HISE: By a vote of 4 to 8, the motion to overrule the Chair -- by a vote of 4 to 8, the motion to overrule the Chair fails. The motion will be back before us to adopt criteria,
fewer split precincts. Representative Lewis, any other comments?

REP. LEWIS: No, sir. I move the adoption of the amendment -- the adoption of the criteria as presented.

SEN. HISE: Representative Torbett and the Chairs will move for the adoption of the amendment. We will enter into a roll call vote seeing no other questions or comments. We will --

UNIDENTIFIED MEMBER: Mr. Chairman, I don't think it's the amendment, I think it's the adoption.

SEN. HISE: You are correct. It is the adoption of the criteria, fewer precincts split. And I think this one was 5. It doesn't have a number on the screen. So we will begin with a call of the roll of the House. Thank you.

CLERK: Representative Jackson?

REP. JACKSON: No.

CLERK: Representative Jackson, no. Representative Szoka?

REP. SZOKA: Aye.

CLERK: Representative Szoka, aye. Representative Stevens?

REP. STEVENS: Aye.
CLERK: Representative Stevens, aye.

Representative Bell?

REP. BELL: Aye.

CLERK: Representative Bell, aye.

Representative Brawley?

REP. BRAWLEY: Aye.

CLERK: Representative Brawley, aye.

Representative Brockman?

REP. BROCKMAN: No.

CLERK: Representative Brockman, no.

Representative Burr?

REP. BURR: Aye.

CLERK: Representative Burr, aye.

Representative Davis? Representative Davis?

Representative Dixon?

REP. DIXON: Aye.

CLERK: Representative Dixon, aye.

Representative Dobson?

REP. DOBSON: Aye.

CLERK: Representative Dobson, aye.

Representative Dulin?

REP. DULIN: Aye.

CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: No.
CLERK: Representative Farmer-Butterfield, no. Representative Floyd?
Representative Floyd? Representative Garrison?
REP. GARRISON: No.
CLERK: Representative Garrison, no.
Representative Gill?
REP. GILL: No.
CLERK: Representative Gill, no.
Representative Grange?
REP. GRANGE: Aye.
CLERK: Representative Grange, aye.
Representative Hall?
REP. HALL: Aye.
CLERK: Representative Hall, aye.
Representative Hanes?
REP. HANCES: No.
CLERK: Representative Hanes, no.
Representative Hardister?
REP. HARDISTER: Aye.
CLERK: Representative Hardister, aye.
Representative Harrison?
REP. HARRI SON: No.
CLERK: Representative Harrison, no.
Representative Hastings?
REP. HASTINGS: Aye.
CLERK: Representative Hastings, aye.

Representative Howard?

REP. HOWARD: Aye.

CLERK: Representative Howard, aye.

Representative Hunter?

REP. HUNTER: No.

CLERK: Representative Hunter, no.

Representative Hurley?

REP. HURLEY: Aye.

CLERK: Representative Hurley, aye.

Representative Johnson?

REP. JOHNSON: Aye.

CLERK: Representative Johnson, aye.

Representative Jones? Representative Jones?

Representative Jordan?

REP. JORDAN: Aye.

CLERK: Representative Jordan, aye.

Representative Malone?

REP. MALONE: Aye.

CLERK: Representative Malone, aye.

Representative Michaux?

REP. MCHAUX: No.

CLERK: Representative Michaux, no.

Representative Moore? Representative Moore?

REP. MOORE: Nay.
CLERK: Representative Moore, no.
Representative Pierce?
REP. PIERCE: No.
CLERK: Representative Pierce, no.
Representative Reives?
REP. REIVES: No.
CLERK: Representative Reives, no.
Representative Willingham?
REP. WILLINGHAM: No.
CLERK: Representative Willingham, no.
Representative Speciale?
REP. SPECIALE: Aye.
CLERK: Representative Speciale, aye.
Representative Rogers?
REP. ROGERS: Aye.
CLERK: Representative Rogers, aye.
Representative Saine?
REP. SAIN: Aye.
CLERK: Representative Saine, aye.
Representative Wray?
REP. WRAY: No.
CLERK: Representative Wray, no.
Representative Yarborough?
REP. YARBOROUGH: Aye.
CLERK: Representative Yarborough, aye.
Representative Torbett?

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Lewis?

REP. LEWIS: Aye.

CLERK: Aye. Representative Dollar?

REP. DOLLAR: Aye.

CLERK: Aye. Representative Dollar, aye.

SEN. HISE: Clerk will call the roll for the Senate.

CLERK: Senator Bishop?

SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Blue?

SEN. BLUE: Aye.

CLERK: Senator Blue, aye. Senator Brown?

SEN. BROWN: Aye.

CLERK: Senator Brown, aye. Senator Clark?

SEN. CLARK: No.

CLERK: Senator Clark, no. Senator Daniel?

SEN. DANIEL: Aye.

CLERK: Senator Daniel, aye. Senator Harrington?

SEN. HARRINGTON: Aye.

CLERK: Senator Harrington, aye. Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Jackson, aye. Senator

Worley Reporting
SEN. LEE: Aye.

CLERK: Senator Lee, aye. Senator Lowe?

SEN. LOWE: No.

CLERK: Senator Lowe, no. Senator Newton?

SEN. NEWTON: Aye.

CLERK: Senator Newton, aye. Senator Rabon? Senator Smith-Ingram?

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no.

Senator Van Duyn?

SEN. VAN DUYN: No.

CLERK: Senator Van Duyn, no. Senator Wade?

SEN. WADE: Aye.

CLERK: Senator Wade, aye. Senator Hise?

SEN. HISE: Aye.

CLERK: Senator Hise, aye.

SEN. HISE: By a vote in the House of 24 to 14 and a vote in the Senate of 8 to 4, Criteria 5, as submitted, is adopted, fewer split precincts by the committee.

Members, we will now go to -- back to proposed criteria number 6, municipal boundaries.
I will have an amendment. Before we get into it, I want to quickly state that if you have a proposed amendment for any of the criteria -- they have been submitted to everyone this morning -- I would ask that you get with staff now and have that drafted in this process so that, as we go forward in the future, we don't have to displace a criteria and can go ahead move through the time-cumbersome process. So, that being said, it was submitted by, I can't read that signature. So who submitted? Senator Clark, you're recognized to explain your amendment.

SEN. CLARK: Thank you, Mr. Chair. Committee members, what this does is exactly what Representative Lewis indicated that he'd be willing to do. It just puts it in writing. He indicated that if we came to him with concerns about communities of interest, that the committee may consider those. And that's what this particular amendment says, it says that if a member of this body comes forward with a community of interest that they can specifically categorize, that the committee may consider them.

SEN. HISE: Representative Lewis?

REP. LEWIS: Thank you, Mr. Chairman, and
thank you, Senator Clark, for sending forward the amendment. I don't believe that I can have a hard-and-fast definition of what a community of interest is. I think your -- the way you've drafted the amendment is artful and points out that what I may consider a community of interest, you may not, which means it is appropriate, once the map is drawn, to discuss amendments to the map in which you can discuss specific communities of interest. I don't believe it belongs in this criteria and would ask members to vote it down.

SEN. HISE: Other questions or comments? Seeing none, we will move into a vote on the -- Senator Clark has moved to amend the criteria, as identified. We will begin with a call of the roll of the Senate.

CLERK: Senator Bishop?

SEN. BISHOP: No.

CLERK: Senator Bishop, no. Senator Blue?

SEN. BLUE: No.

CLERK: Senator Blue, no. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator...
Daniel? Senator Harrington?

SEN. HARRINGTON: No.

CLERK: Senator Harrington, no. Senator Jackson?

SEN. JACKSON: No.

CLERK: Senator Jackson, no. Senator Lee?

SEN. LEE: No.

CLERK: Senator Lee, no. Senator Lowe?

SEN. LOWE: Aye.

CLERK: Senator Lowe, aye. Senator Newton?

SEN. NEWTON: No.

CLERK: Senator Newton, no. Senator Rabon?

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Smith-Ingram, aye.

Senator Van Duyn?

SEN. VAN DUYN: Aye.

CLERK: Senator Van Duyn, aye. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HISE: No.

CLERK: Senator Hise, no.
SEN. HISE: Call the roll of the House.

CLERK: Representative Jackson?

REP. JACKSON: Yes.

CLERK: Jackson, aye. Representative Szoka?

REP. SZOKA: No.

CLERK: Szoka, no. Representative Stevens?

REP. STEVENS: No.

CLERK: Stevens, no. Representative Bell?

REP. BRAWLEY: No.

CLERK: Brawley, no. Representative Brockman?

REP. BROCKMAN: Yes.

CLERK: Brockman, aye. Representative Burr?

REP. BURR: No.

CLERK: Burr, no. Representative Davis?

REP. DIXON: No.

CLERK: Dixon, no. Representative Dobson?

REP. DOBSON: No.
CLERK: Dobson, no. Representative Dulin?

REP. DULIN: No.

CLERK: Dulin, no. Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Aye.

CLERK: Farmer-Butterfield, aye.

Representative Floyd? Representative Floyd?

Representative Garrison?

REP. GARRISON: Aye.

CLERK: Garrison, aye. Representative Gill?

REP. GILL: Aye.

CLERK: Gill, aye. Representative Grange?

REP. GRANGE: No.

CLERK: Grange, no. Representative Hall?

REP. HALL: No.

CLERK: Hall, no. Representative Hanes?

REP. HANES: Yes.

CLERK: Hanes, aye. Representative Hardister?

REP. HARDISTER: No.

CLERK: Hardister, no. Representative Harrison?
REP. HARRISON: Aye.

CLERK: Harrison, aye. Representative Hastings?

REP. HASTINGS: No.

CLERK: Hastings, no. Representative Howard?

REP. HOWARD: No.

CLERK: Howard, no. Representative Hunter?

REP. HUNTER: Aye.

CLERK: Hunter, aye. Representative Johnson?

REP. JOHNSON: No.

CLERK: Johnson, no. Representative Jones?

REP. JORDAN: No.

CLERK: Jordan, no. Representative Malone?

REP. MALONE: No.

CLERK: Malone, no. Representative Michaux?

REP. MICHAUX: Aye.

CLERK: Michaux, aye. Representative Moore?

REP. MOORE: Yes.
CLERK: Moore, aye. Representative Pierce?

REP. PIERCE: Aye.

CLERK: Pierce, aye. Representative Reives?

REP. REIVES: Aye.

CLERK: Reives, aye. Representative Willingham?

REP. WILLINGHAM: Aye.

CLERK: Willingham, aye. Representative Speciale?

REP. SPECIALE: No.

CLERK: Speciale, no. Representative Rogers?

REP. ROGERS: No.

CLERK: Rogers, no. Representative Saine?

REP. SAINE: No.

CLERK: Saine, no. Representative Wray?

REP. WRAY: Aye.

CLERK: Wray, aye. Representative Yarborough?

REP. YARBOROUGH: No.

CLERK: Yarborough, no. Representative Torbett?
REP. TORBETT: No.

CLERK: Torbett, no. Representative Hurley?

REP. HURLEY: No.

CLERK: Hurley, no. Representative Bell?

REP. BELL: No.

CLERK: Bell, no. Representative Lewis?

REP. LEWIS: No.

CLERK: Lewis, no. Representative Dollar?

REP. DOLLAR: No.

CLERK: Dollar, no.

SEN. HISE: By a vote of 4 to 8 in the Senate and by a vote of 14 to 24 in the House, the motion fails. The Criteria Number 6, municipal boundaries, is back before the committee. Representative Dollar?

REP. DOLLAR: Motion to approve the criteria.

SEN. HISE: The chairmen have moved for the approval of the criteria. Any other comments or discussions? Seeing none. Clerk will begin with the call of the roll of the House.

CLERK: Representative Jackson?

REP. JACKSON: No.
CLERK: Representative Jackson, no.
Representative Szoka?
REP. SZOKA: Aye.
CLERK: Representative Szoka, aye.
Representative Stevens?
REP. STEVENS: Aye.
CLERK: Representative Stevens, aye.
Representative Bell?
REP. BELL: Aye.
CLERK: Representative Bell, aye.
Representative Brawley?
REP. BRAWLEY: Brawley, aye.
CLERK: Representative Brawley, aye.
Representative Brockman?
REP. BROCKMAN: No.
CLERK: Representative Brockman, no.
Representative Burr?
REP. BURR: Aye.
CLERK: Representative Burr, aye.
Representative Davis?
Representative Davis?
Representative Dixon?
REP. DIXON: Aye.
CLERK: Representative Dixon, aye.
Representative Dobson?
REP. DOBSON: Aye.
CLERK: Representative Dobson, aye.

Representative Dulin?

REP. DULIN: Aye.

CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: No.

CLERK: Representative Farmer-Butterfield, no. Representative Floyd?

Representative Floyd? Representative Garrison?

REP. GARRISON: No.

CLERK: Representative Garrison, no.

Representative Gill?

REP. GILL: No.

CLERK: Representative Gill, no.

Representative Grange?

REP. GRANGE: Aye.

CLERK: Representative Grange, aye.

Representative Hall?

REP. HALL: Aye.

CLERK: Representative Hall, aye.

Representative Hanes?

REP. HANES: No.

CLERK: Representative Hanes, no.

Representative Hardister?

REP. HARDISTER: Aye.
CLERK: Representative Hardister, aye.

Representative Harrison?

REP. HARRISON: No.

CLERK: Representative Harrison, no.

Representative Hastings?

REP. HASTINGS: Aye.

CLERK: Representative Hastings, aye.

Representative Howard?

REP. HOWARD: Aye.

CLERK: Representative Howard, aye.

Representative Hunter?

REP. HUNTER: No.

CLERK: Representative Hunter, no.

Representative Hurley?

REP. HURLEY: Aye.

CLERK: Representative Hurley, aye.

Representative Johnson?

REP. JOHNSON: Aye.

CLERK: Representative Johnson, aye.

Representative Jones?  Representative Jones?

Representative Jordan?

REP. JORDAN: Aye.

CLERK: Representative Jordan, aye.

Representative Malone?

REP. MALONE: Aye.
Representative Malone, aye.

Representative Michaux?

REP. MCHAUX: No.

CLERK: Representative Mchaux, no.

Representative Moore?

REP. MOORE: No.

CLERK: Representative Moore, no.

Representative Pierce?

REP. PIERCE: No.

CLERK: Representative Pierce, no.

Representative Reives?

REP. REIVES: No.

CLERK: Representative Reives, no.

Representative Willingham?

REP. WILLINGHAM No.

CLERK: Representative Willingham, no.

Representative Speciale?

REP. SPECIALE: Aye.

CLERK: Representative Speciale, aye.

Representative Rogers?

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine?

REP. SAI NE: Aye.

CLERK: Representative Saine, aye.
Representative Wray?

REP. WRAY: No.

CLERK: Representative Wray, no.

Representative Yarborough?

REP. YARBOROUGH: Aye.

CLERK: Representative Yarborough, aye.

Representative Torbett?

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Lewis?

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye.

Representative Dollar?

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye.

SEN. HISE: Clerk, call the roll of the Senate.

CLERK: Senator Bishop?

SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Blue?

SEN. BLUE: Senator Brown?

SEN. BROWN: Aye.

CLERK: Senator Brown, aye. Senator Clark?

SEN. CLARK: No.
CLERK: Senator Clark, no. Senator Daniel?

SEN. HARRINGTON: Aye.

CLERK: Senator Harrington, aye. Senator Jackson?

SEN. JACKSON: Aye.

CLERK: Senator Jackson, aye. Senator Lee?

SEN. LEE: Aye.

CLERK: Senator Lee, aye. Senator Lowe?

SEN. LOWE: No.

CLERK: Senator Lowe, no. Senator Newton?

SEN. NEWTON: Aye.

CLERK: Senator Newton, aye. Senator Rabon?

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no.

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no. Senator Van Duyn?

SEN. VAN DUYN: No.

CLERK: Senator Van Duyn, no. Senator Wade?

SEN. WADE: Aye.

CLERK: Senator Wade, aye. Senator Hise?

SEN. HISE: Aye.
CLERK: Senator Hise, aye.

SEN. HISE: By a vote of 24-14 in the House and a vote of 8 to 4 in the Senate, the proposed criteria on municipal boundaries is considered adopted by the Committee. Members should now have Criterion Number 7, incumbency protection. Representative Lewis.

REP. LEWIS: Thank you, Mr. Chairman. This criteria reads, reasonable efforts and political considerations may be used to avoid pairing incumbent members of the House or Senate with another incumbent in legislative districts drawn in 2017 House and Senate plans. The Committee may make reasonable efforts to ensure voters have a reasonable opportunity to elect non-paired incumbents of either party to a district in the 2017 House and Senate plans.

To speak on it briefly, since last week's Committee meeting, Senator Blue has written the Chairs on the subject of criteria. In his letter, he writes, "incumbency protection is not legally required in redistricting, but it may be considered as a secondary criterion after first ensuring" -- after first "ensuring", pardon me -- "compliance with federal and state law."
The Chairs do not agree with all of Senator Blue's letter, but we do agree with this statement. I'll further add that the courts have ruled that incumbency is a traditional redistricting criteria, and I will urge members to adopt this criteria. Happy to answer any questions.

SEN. HISE: Representative Jackson.

REP. JACKSON: Thank you, Mr. Chairman. I -- I don't have a question. I just have a statement, if that's okay. I -- you -- you know, this is -- the thing about redistricting that really bothers me is that the court has now ruled that the maps from 2011 were unconstitutional. At the -- at the time, the partisan divide between -- in the House was 68-52, and by the use of unconstitutional maps, the majority is now 74 to 46. So it seems just ridiculous to me that you would get to now say we get to protect the members that we were able to elect by using unconstitutional maps.

What's more is that, you know, you -- you've addressed other criteria such as municipalities and splitting precincts, but then we're going to say that in order to protect the
incumbents, we can violate these other things that we've done or -- other criteria that we've adopted. And I just don't think incumbency protection has any role in this, especially in this term. I think it's unfair that we're -- that a majority obtained by unconstitutional districts is now going to try to be protected by using criteria like redistricting, and so I would ask you to vote against this.

SEN. HISE: Mr. Chairman.

REP. LEWIS: Thank you. I would like to point out to the members that the Republican majority was earned in 2010 when the voters elected us in districts drawn by the Democrats. And that is where the balance of legislative seats shifted in those seats.

I would point out again that recognizing the residencies of incumbents is an -- is a traditional principle. What does this mean? This means that there may be two senators who live in Durham less than a mile apart from each other. We can certainly disregard their residencies, if that's what this Committee wishes to do. But I think we are selling ourselves short if we don't acknowledge, at least, that the residencies of
people who have been elected in districts is a relevant criteria to consider. I would urge members to vote for this criteria.

SEN. SMITH-INGRAM: Thank you, Mr. Chair. Representative Lewis, could you provide clarification on the second sentence in this rule. More specifically, what -- what is "a reasonable opportunity to elect non-paired incumbents for either party." What does that entail?

REP. LEWIS: Thank you very much for the question, Senator. I can interpret it the way that I interpret it, if that's okay. There will be -- and, in fact, I think the press has written about, there will be pairings of incumbents that will not be able to be avoided in the drawing of this map because of other criteria. This is simply saying that the map makers may take reasonable efforts to not pair incumbents unduly.

SEN. SMITH-INGRAM: Follow-up.

SEN. HISE: Follow-up?

SEN. SMITH-INGRAM: Can you give me an example of what that looks like with the non-paired incumbents?

REP. LEWIS: Yes, ma'am. When I release the map.
SEN. HISE: Senator Van Duyn.

SEN. VAN DUYN: I'd just like to make a comment. And that is, whatever districts we draw, they should represent the voters and not elected officials. I just fundamentally believe that incumbency should not be a criteria. Traditionally, it may have been done that way, but I think we're hearing clearly from the people of North Carolina that they want that to change.

SEN. HISE: Any other questions or comments? Senator Brown.

SEN. BROWN: Thank you, Mr. Chairman. Representative Lewis, it's -- the -- the other criteria that mostly has already been adopted will address this issue pretty much anyway. Because the grouping of the counties -- that criteria alone will group existing members against each other, and there's no way around that. I think what you're talking about -- I think you used an example in Durham County, you know, where maybe there's a way that you might -- can work though that situation. But again, I think the criteria is going to group certain members against certain members, and that will be pretty much the way it is. I think the way that it's worded -- that it's when practicable.
And so --

SEN. HISE: Thanks. Representative Jackson.

REP. JACKSON: I had a question for Chairman Lewis.

SEN. HISE: Thank you.

REP. JACKSON: Chairman Lewis, so I -- the way I -- the way I see it, you have -- you have traditional redistricting criteria like federal constitutional law that is the first criteria you use, and then state constitutional law. And then you have things like this, and I -- I wonder, when you have something like incumbency protection and then you also have protecting municipal lines, how will the map drawer decide which one of those to give priority to?

REP. LEWIS: Thank you for the question, Representative Jackson. The answer is that we are here today to adopt criteria that I can use in working with the map drawer to bring a map back to this Committee and back to the public for their input; that we don't need to get into a may or shall discussion again, but you simply do the best that you can with the information that -- that you have.
SEN. HISE: Representative Dollar.

REP. DOLLAR: For a motion, but Mr. Chair, I would also observe it sounds like some people are volunteering to be not -- not -- not to be considered in that. Now, maybe that should be noted. Mr. Chairman, I would make a motion to adopt the incumbency protection criteria.

REP. LEWIS: Mr. Chairman, before we vote, may I make one point for the record?

SEN. HISE: Go ahead.

REP. LEWIS: I also want to add to my initial remarks on this criteria. Another member in here declared that -- said that our districts were declared illegal and that's what had produced the majority. I would point out that the court has ruled that 28 of the 170 districts are illegal, not all of them.

SEN. HISE: Any other questions or comments? Hearing none, Representative Dollar and the Chairman move for the adoption of the proposed criteria listed as Number 7, incumbency protection. We'll begin with a call of the roll of the Senate.

CLERK: Senator Bishop.

SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator
SEN. BROWN: Aye.


SEN. CLARK: No.


SEN. HARRINGTON: Aye.


SEN. JACKSON: Aye.


SEN. LEE: Lee: Aye.


SEN. LOWE: No.


SEN. NEWTON: Aye.


SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no. Senator Van Duyn.

SEN. VAN DUYN: No.
CLERK: Senator Van Duyn, no. Senator Wade.

SEN. WADE: Aye.


SEN. HISE: Aye.

CLERK: Senator Hise, aye.

SEN. HISE: Call the roll of the House.

CLERK: Representative Jackson.

SEN. JACKSON: No.

CLERK: Representative Jackson, no.

Representative Szoka.

REP. SZOKA: Aye.

CLERK: Representative Zoka, aye.

Representative Stevens.

REP. STEVENS: Aye.

CLERK: Representative Stevens, aye.

Representative Bell.

REP. BELL: Aye.

CLERK: Representative Bell, aye.

Representative Brawley.

REP. BRAWLEY: Aye.

CLERK: Representative Brawley, aye.

Representative Brockman.

REP. BROCKMAN: No.

CLERK: Representative Brockman, no.
Representative Burr.

REP. BURR: Aye.

CLERK: Representative Burr, aye.

Representative Davis. Representative Davis.

Representative Dixon.

REP. DIXON: Aye.

CLERK: Representative Dixon, aye.

Representative Dobson.

REP. DOBSON: Aye.

CLERK: Representative Dobson, aye.

Representative Dulin.

REP. DULIN: Aye.

CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield. Representative Farmer-Butterfield.

REP. FARMER-BUTTERFIELD: No.

CLERK: Representative Farmer-Butterfield, no. Representative Floyd.

Representative Floyd. Representative Garrison.

REP. GARRISON: No.

CLERK: Representative Garrison, no.

Representative Gill.

REP. GILL: No.

CLERK: Representative Gill, no.

Representative Grange.
REP. GRANGE: Aye.

CLERK: Representative Grange, aye.

Representative Hall.

REP. HALL: Aye.

CLERK: Representative Hall, aye.

Representative Hanes.

REP. HANES: No.

CLERK: Representative Hanes, no.

Representative Hardister.

REP. HARDISTER: Aye.

CLERK: Representative Hardister, aye.

Representative Harrison.

REP. HARRISON: No.

CLERK: Representative Harrison, no.

Representative Hastings.

REP. HASTINGS: Aye.

CLERK: Representative Hastings, aye.

Representative Howard.

REP. HOWARD: Aye.

CLERK: Representative Howard, aye.

Representative Hunter.

REP. HUNTER: No.

CLERK: Representative Hunter, no.

Representative Johnson.

REP. JOHNSON: Aye.
CLERK: Representative Johnson, aye.
Representative Jones. Representative Jones.
Representative Jordan. Representative Jordan.
REP. JORDAN: Aye.
CLERK: Representative Jordan, aye.
Representative Malone.
REP. MALONE: Aye.
CLERK: Representative Malone, aye.
Representative Michaux.
REP. MCHAUX: No.
CLERK: Representative Michaux, no.
Representative Moore.
REP. MOORE: No.
CLERK: Representative Moore, no.
Representative Pierce.
REP. PIERCE: No.
CLERK: Representative Pierce, no.
Representative Reives.
REP. REIVES: No.
CLERK: Representative Reives, no.
Representative Willingham
REP. WILLINGHAM No.
CLERK: Representative Willingham, no.
Representative Speciale.
REP. SPECIALE: Aye.
CLERK: Representative Speciale, aye.

Representative Rogers.

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine.

REP. SAINE: Aye.

CLERK: Representative Saine, aye.

Representative Wray.

REP. WRAY: No.

CLERK: Representative Wray, no.

Representative Yarborough.

REP. YARBOROUGH: Aye.

CLERK: Representative Yarborough, aye.

Representative Torbett.

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Hurley.

REP. HURLEY: Aye.

CLERK: Representative Hurley, aye.

Representative Lewis.

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye.

Representative Dollar.

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye.
SEN. HISE: 8 having voted in favor in the Senate, 4 against. 24 in favor in the House and 14 against. Criteria listed as Number 7, incumbency protection, is adopted by the Committee. Next in front of me, ladies and gentlemen, we have criteria listed as Number 8, election data.

REP. LEWIS: Mr. Chairman.

SEN. HISE: Representative Lewis.

REP. LEWIS: Thank you, Mr. Chairman, this criteria reads, election data. Political consideration and election results data may be used in drawing up legislative districts in 2017 House and Senate plans. I believe this is pretty self-explanatory, and I would urge members to adopt the criteria.

SEN. CLARK: Thank you, Mr. Chair. In our previous Committee meeting, I asked that for each map that was brought forward for consideration that an efficiency gap analysis be conducted. Are we going to be able to do that?

SEN. HISE: Representative Lewis?

REP. LEWIS: Thank you for that question, Senator Clark. Let me make a few points on the efficiency gap, if I can. First of all, the article that talks about the efficiency gap, which
is entitled, I believe, "Partisan Gerrymandering and Efficiency Gap" by Stephanopoulos and McGhee, proposes the use of an efficiency gap concept that is yet to be peer-reviewed by any other legal or academic scholars. Further, I think it's important to point out that the efficiency gap itself is designed to measure election results, and it is based on past election results. It's very hard, and -- and I did read your letter closely -- I would think it would be disingenuous to try to create proxy election results in order to try to measure an efficiency gap.

Further, I think it's important to understand that if you buy into, if you will, the efficiency gap criteria, we would actually be moving away from our current system of government to a -- a European-style parliamentary system. I further believe that the use of this criteria would require the legislature to severely gerrymander in order to dictate a predetermined outcome and that drawing would require the legislature to reject Constitutionally-required redistricting criteria, such as the county-grouping formula.

I say all that to say that I do not believe that the efficiency gap; one, can be
applied prospectively as it has been written about; two, I reject the argument that an efficiency gap
test is a necessary or needed thing. I do not
believe that anyone's vote is wasted, which is the
premise that the efficiency gap operates on.

So with that said, you could certainly
request, once the maps were drawn, any type of
report that you wanted to do, but it would not --
it is not contemplated by me that an efficiency gap
would be run on the map that is initially presented
to this Committee.

SEN. HISE: Senator Clark?

SEN. CLARK: Thank you, Mr. Chair. First
of all, efficiency gaps can be calculated
prospectively. There are a lot of articles out
there regarding the efficiency gap. And secondly,
the capability to do so does exist. And then also,
with regard to the notion of the wasted votes,
that's not -- it's not implying that an
individual's vote is wasted. What is being
indicated is that the distribution of those votes
through gerrymandering devalues the votes of the
citizens, and that is something we should not be
doing. So if we're not going to use methods such
as the efficiency gap, what method are we going to
use to ensure partisan symmetry? And then what
would we do with this political -- political data
that you plan on collecting?

REP. LEWIS: Thank you for the question.
The criteria says that election results may be used
in drawing. We are not going to ensure the outcome
of anything one way or the other.

SEN. CLARK: Mr. Chair?

SEN. HISE: A follow up, I'm assuming?

SEN. CLARK: I'm still not clear on that
response. You're going to collect the political
data. What specifically would the Committee do
with it?

REP. LEWIS: The -- thank you for the
question. The answer is, the Committee could look
at the political data as evidence to how, perhaps,
votes have been cast in the past. It is important
though, Senator -- you and I have severe
disagreements on very few things, but the
efficiency gap is one of them I would encourage
anyone who is listening to this who is interested
in it to review it and to review the 2016 election
for the General Assembly for the House, and you
will find out that, based on the article that is
written, there is no efficiency gap under the plans
that have been struck down. So I have a real concern and I'm not sure -- again, a test which purely analyzes past election results to determine if there are wasted votes or if there is an efficiency issue, can be done prospectively.

SEN. HISE: Senator Clark.

SEN. CLARK: I guess I disagree with you on the results of using the efficiency gap analysis as any member should desire. I can provide you with my calculations that I have done myself using Microsoft Excel and -- and their -- they tell a different story, and, as a matter of fact, I had the process vetted by the UNC School of Government, and I'd be more than happy to distribute that and discuss it with anyone that's willing to review that with me.

And also, back to the wasted votes analysis, like I said, that's not an indication that an individual has wasted their vote by exercising their constitutional right. That speaks of the fact that the votes are being distributed in a way that benefit the majority party and if you -- I'm sure you read, when you read Stephanopoulos' material, that you saw that, for the most part, any particular plan that had an efficiency gap
exceeding 8 percent, they fell about 1.5 percent outside of the mean and that was a rarity. As a matter of fact, I think only about 12 percent of the legislative plans over the last 50 years had efficiency gaps that high.

SEN. HISE: Senator Smith-Ingram

SEN. SMITH-INGRAM: Thank you, Mr. Chair. Chair Lewis, would you be able to provide a representative list of three to four items entailed with political considerations and election results data?

REP. LEWIS: Mr. Chairman, I apologize, and Senator, I didn't understand your question.

SEN. SMITH-INGRAM: Okay. So I'm asking for examples. What would be some examples of the political considerations that are going to utilized, as well as, can you give me a list of three to four items or considerations that will fall under using elections results data?

REP. LEWIS: May I give you ten?

SEN. SMITH-INGRAM: Sure.

REP. LEWIS: Thank you. The 2010 US Senate race, the 2012 race for President, the 2012 race for Governor, the 2012 race for Lieutenant Governor, the 2016 race for US Senate, 2016 race

SEN. SMITH-INGRAM: Thank you. Follow up. Thank you, Mr. Chair. That answers my questions as it relates to the election results data. Can you provide a representative list of what is considered under political considerations? Can you define that or give me the parameters of what those items could include?

REP. LEWIS: Well, ma'am political considerations simply are historical representations of past voting performance.

SEN. HISE: Follow up?

SEN. SMITH-INGRAM: Does the leadership have a goal of maintaining the current partisan advantage in the House and the Senate? Is that considered political consideration?

REP. LEWIS: Representative [sic], thank you for the question. The -- the leadership has no such goal.

SEN. SMITH-INGRAM: Last follow up.

SEN. HISE: Final follow up.

SEN. SMITH-INGRAM: So for clarification on what you just said, Chair Lewis, partisan
advantage is not going to fall under the category of political considerations.

REP. LEWIS: Well, ma'am I'm -- again, I'm trying to think about how to answer your question differently than I did before. Again, the entire process of where lines are drawn, every result from where a line is drawn will be an inherently political thing. I am saying that redistricting in itself is an inherently political process. It is right and relevant to review past performance in drawing districts, so I -- I'm sorry if I'm not answering your question. I'm trying to understand it as best I can.

SEN. HISE: Senator Clark.

SEN. CLARK: Thank you, Mr. Chair. You indicated part of the political data that would be evaluated would be the past elections, for the most part; you identify quite a few. Now, you said previously that they could provide no indication of what might happen in the future. Otherwise, they couldn't be used prospectively as we would do with the efficiency gap calculations. So if you're not going to use those results prospectively, and you -- for what reason, you just want to take a look at them and see what happened in the past, I
REP. LEWIS: Senator, thank you for the question. Again, I think the efficiency gap is -- seeks to somehow create some kind of proportional -- proportionate representation thing, and unless we're going to get to the point where we have Prime Minister Moore and Lord Berger, I don't see what -- that's relevant at this point.

SEN. HISE: Follow up.

SEN. CLARK: First of all, efficiency gaps deals with single-member districts, which is what we have in the United States of America. So back to my other point, if we can't use --

REP. LEWIS: Excuse me, sir. I believe the efficiency gap is a cumulative thing. That's what the article says, which is how you apply it to a state plan, which is how you and I both just agreed that most state plans in the US fall underneath it, including the 2016 plan in which the House of Representatives of this state was elected.

SEN. CLARK: Okay. So clearly we're not going to agree on the efficiency gap, so back to the other point.
SEN. HISE: Follow up.

SEN. CLARK: Sorry, Mr. Chair. Follow up. Okay. You indicated that you were going to look at election data, so that still these other questions that I have. If you're not going to look at the election data for the purpose of determining prospectively what might happen and just want to see what happened in the past, what good does looking to see what happened in the past do us, if we're not going to use it for what might happen in the future?

REP. LEWIS: I believe that the consideration of political data in terms of election results is an established districting criteria, and it's one that I propose that this committee use in drawing the map.

SEN. HISE: Representative Dollar.

REP. DOLLAR: Mr. Chairman, I move the adoption of the election data criteria.

SEN. HISE: Any other questions or comments? Seeing none, Clerk will begin with the call of the roll of the House.

CLERK: Representative Jackson.

REP. JACKSON: No.

CLERK: Representative Jackson, no.
Representative Szoka.
REP. SZOKA: Aye.
CLERK: Representative Szoka, aye.
Representative Stevens.
REP. STEVENS: Aye.
CLERK: Representative Stevens, aye.
Representative Bell.
REP. BELL: Aye.
CLERK: Representative Bell, aye.
Representative Brawley.
REP. BRAWLEY: Aye.
CLERK: Representative Brawley, aye.
Representative Brockman.
REP. BROCKMAN: No.
CLERK: Representative Brockman, no.
Representative Burr.
REP. BURR: Aye.
CLERK: Representative Burr, aye.
Representative Davis. Representative Davis.
Representative Dixon.
REP. DIXON: Aye.
CLERK: Representative Dixon, aye.
Representative Dobson.
REP. DOBSON: Aye.
CLERK: Representative Dobson, aye.
Representative Dulin.

REP. DULIN: Aye.

CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield.

REP. FARMER-BUTTERFIELD: No.

CLERK: Representative Farmer-Butterfield, no.

Representative Floyd.

REP. FLOYD: No.

Representative Garrison.

REP. GARRISON: No.

CLERK: Representative Garrison, no.

Representative Gill.

REP. GILL: No.

CLERK: Representative Gill, no.

Representative Grange.

REP. GRANGE: Aye.

CLERK: Representative Grange, aye.

Representative Hall.

REP. HALL: Aye.

CLERK: Representative Hall, aye.

Representative Hanes.

REP. HANES: No.

CLERK: Representative Hanes, could you please repeat that?

REP. HANES: No.

CLERK: Representative Hanes, no.
Representative Hardister.

REP. HARDISTER: Yes.

CLERK: Representative Hardister, aye.

Representative Harrison.

REP. HARRISON: No.

CLERK: Representative Harrison, no.

Representative Hastings.

REP. HASTINGS: Aye.

CLERK: Representative Hastings, aye.

Representative Howard.

REP. HOWARD: Aye.

CLERK: Representative Howard, aye.

Representative Hunter.

REP. HUNTER: No.

CLERK: Representative Hunter, no.

Representative Hurley.

REP. HURLEY: Aye.

CLERK: Representative Hurley, aye.

Representative Johnson.

REP. JOHNSON: Aye.

CLERK: Representative Johnson, aye.

Representative Jones.

Representative Jordan.

REP. JORDAN: Aye.

CLERK: Representative Jordan, aye.
Representative Malone.

REP. MALONE: Aye.

CLERK: Representative Malone, aye.

Representative Michaux.

REP. MCHAUX: No.

CLERK: Representative Michaux, no.

Representative Moore. Representative Moore.

Representative Pierce.

REP. PIERCE: No.

CLERK: Representative Pierce, no.

Representative Reives.

REP. REIVES: No.

CLERK: Representative Reives, no.

Representative Reives, no. Representative Willingham

REP. WILLINGHAM No.

CLERK: Representative Willingham, no.

Representative Speciale.

REP. SPECIALE: Aye.

CLERK: Representative Speciale, aye.

Representative Rogers.

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine.

REP. SAINEN: Aye.
CLERK: Representative Saine, aye.

Representative Wray.

REP. WRAY: No.

CLERK: Representative Saine, no. Wray, no. Representative Yarborough.

REP. YARBOROUGH: Aye.

CLERK: Representative Yarborough, aye.

Representative Torbett.

REP. TORBETT: Aye.

CLERK: Representative Torbett, aye.

Representative Lewis.

REP. LEWIS: Aye.

CLERK: Representative Lewis, aye.

Representative Dollar.

REP. DOLLAR: Aye.

CLERK: Representative Dollar, aye.

SEN. HISE: Committee clerk, call the roll of the Senate members.

CLERK: Senator Bishop.

SEN. BISHOP: Aye.

CLERK: Senator Bishop, aye. Senator Blue.

SEN. BROWN: Aye.

SEN. CLARK: No.

CLERK: Senator Clark, no. Senator Daniel.

SEN. DANIEL: Aye.


SEN. JACKSON: Aye.


SEN. LEE: Aye.


SEN. LOWE: No.


SEN. NEWTON: Aye.


SEN. RABON: Aye.

CLERK: Senator Smith-Ingram.

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no. Senator Van Duyn.

SEN. VAN DUYN: No.

CLERK: Senator Van Duyn, no. Senator Wade.

SEN. WADE: Aye.

SEN. HISE: Aye.
CLERK: Senator Hise, aye.
SEN. HISE: By a vote of 24 to 13 in the House and 8 to 4 in the Senate, Criteria Number 8, election data is adopted by the criteria [sic].
Members, you will have in front of you now Criteria Number 9. This is Number 9, no consideration of racial data.

REP. LEWIS: Mr. Chairman?
SEN. HISE: Representative Lewis.
REP. LEWIS: I propose the following criteria that is No Consideration of Racial Data. Data identifying the race of individuals or voters shall not be used in drawing of legislative districts in 2017 House and Senate plans. In 2011, 40 counties in this state were under the preclearance standard, under Section 5 of the Voting Rights Act. In the intervening time, that preclearance from the Justice Department has been lifted by the U.S. Supreme Court. It will not be incumbent upon this General Assembly to seek preclearance for these plans.

In drawing the current legislative districts, the General Assembly conducted an unprecedented effort to reach out to interested
parties, receive public input, receive expert testimony and hear from members of this body about evidence relevant for drawing districts under the Voting Rights Act. Despite the voluminous record that was established by the General Assembly during the 2011 redistricting process, the three-judge panel in the Covington case said that this did not constitute substantial evidence that would justify using race to draw districts in compliance with the requirements of the VRA.

Therefore, we do not believe it is appropriate, given the Court's order, in this case for these committees to consider race when drawing districts. Be happy to answer any questions.

SEN. HISE: Representative Michaux.

REP. MICHAUX: Yeah. Mr. Chairman, you indicated that the Section 4 of the Voting Rights Act was stricken down. It was in effect when this -- when this redistricting was done initially. It is not now. But the redistricting that you did when it was in effect, the decision of the Court came out that it was racial gerrymandering, after the provision was stricken down. Is that correct? After the provision in the -- in the Voting Rights Act had been stricken, the decision that the -- you
did racial gerrymandering in 2011. Is that correct?

REP. LEWIS: If I understood your question, then chronologically, I believe Section 5 of the Voting Rights Act was stricken down --

REP. M CHAUX: No, no, no. It was Section 4, but go ahead. 4 was stricken, which made 5 ineffective. Now, go ahead.

REP. LEWIS: And the decision that this Committee is here to react to was issued after that time, yes.

REP. M CHAUX: Further question.

SEN. HISE: Follow up.

REP. M CHAUX: So the decision of the three-panel court in the Covington case indicated that it was racial gerrymandering involved that caused them to declare the districts unconstitutional. Is that correct?

REP. LEWIS: It's my understanding the wording they used was "improper use of race." I don't believe they used the words racial gerrymandering.

REP. M CHAUX: Well, they -- did they use the words "racial demographic"?

REP. LEWIS: I don't recall, sir. I
don't have it before me.

REP. MICHAUX: Well, I have it before me right here, and what I --

REP. LEWIS: Then you should have just stated that. It would have saved a little time.

REP. MICHAUX: Do you understand that by not using race, you're defeating your own purpose? Because if the districts were declared unconstitutional because of race, if you don't use race to correct it, how are you going to show the Court that they still are not unconstitutional?

REP. LEWIS: We believe that the court order illustrates that we did not have sufficient evidence to consider race in the drawing of districts. I'm not aware of any additional information that has been submitted by any member of this Committee or anyone else since this decision has come out. Therefore, it is my recommendation that race not be a consideration in drawing of these districts.

REP. MICHAUX: Another question.

SEN. HISE: Follow up.

REP. M CHAUX: Would you agree that the decision that came down in the Covington case indicated that race was the predominant factor as
their reason for calling the districts unconstitutional because of racial -- racial demographics? If you want to put it that way.

REP. LEWIS: Sir, I've explained to you my understanding of what the court order is. And I am here today advocating that no race be considered in drawing the districts. That is my understanding of the court order. There's no other way I can answer your question.

REP. M CHAUX: Another question.

REP. LEWIS: Probably the same answer.

REP. M CHAUX: How are you going to prove to the Court that you did not violate their order in terms of racial gerrymandering?

REP. LEWIS: It's my understanding that the order speaks for itself in that the evidence did not justify the use of race in drawing districts. Therefore, I'm recommending to this Committee that race not be a criteria in drawing the 2017 House and Senate plans.

REP. M CHAUX: Mr. Chairman, I just have a statement I want to make.

SEN. HISE: Comment.

REP. M CHAUX: Racial demographic -- demographic data can also be useful, because it can
signify whether race was a predominant factor motivating the legislature's decision. That comes directly from the Covington case.

You have been charged. What the Court told you was that racial disparity, racial demographics played a major role in the redistricting that you did. You were ordered. You are now ordered to correct that. In order to show that you have corrected that, you cannot escape the fact that race has to be in there somewhere. There's no way you can do it, Mr. Lewis. I don't care how you cut it.

REP. LEWIS: Race --

REP. M CHAUD: You've got -- you've got to tell the Court, we came in and we went back and used racial demographics from one place or another place to correct the mistakes that we made in the past.

REP. LEWIS: Sir, what I will tell the Court is that the Committee adopted a criteria hope that excluded the consideration of race in drawing the maps.

REP. M CHAUD: But may I follow -- I just -- I'm -- I'm -- the -- you excluded race. You are still saying you excluded race. You are
still using race as a factor, even by saying you excluded race. So you've got to consider it somewhere down the line in order to make the fact that you excluded it relevant.

To you, it may be a play on words. But there's a distinction there that you ought to understand. That -- in other words, the Court says if we go back to the way it was, where race was not a predominant factor, then race still has to play. Because there are people out there who are the -- are of a racial composure that have to be considered in doing this. If not, you're still short-changing race. You're still short-changing a group of people by not considering them. And that's where your big problem is. If you don't consider us -- if you don't consider me, whether you say it or not, you are still considering race.

REP. LEWIS: Mr. Chairman, I think the gentleman is making a series of statements I certainly don't intend to respond to, a series of statements that I don't agree with.

SEN. HISE: Representative Farmer-Butterfield.

REP. FARMER-BUTTERFIELD: Thank you, Mr. Chair. I wanted to ask staff to tell us how this
criteria relates to the obligation to comply with Section 2 of the Voting Rights Act?

SEN. HISE: Questions are directed to the Chairman of the Committee. Representative Lewis, would you like to respond, or would you like to have staff -- staff tends not to respond to intent, further-going. But I will let them see what statements they may want to make.

REP. FARMER-BUTTERFIELD: I think I need a legal opinion, that's all. Thank you.

MS. CHURCHILL (STAFF): Representative Farmer-Butterfield, I think we would need some time to reflect upon that. But generally, I think what you are trying to ask about is Section 2 of the Voting Rights Act of 1965. And, generally, that burden is placed on the voter or the person bringing the suit. It would not be placed on the legislature enacting the plan.

SEN. HISE: Representative Jackson.

REP. JACKSON: Thank you, Mr. Chairman. I'll just -- I'm going to just read from the conclusion of the Court. Because that's not the way the Court wrote it in the Covington opinion. Court said that Section 2 of the Voting Rights Act continues to play an important role in
redistricting. And legislatures must undertake a specific -- specific -- a district-specific analysis to identify and cure potential Section 2 violations. So the Court, at least, has put that requirement on us.

Further, the Court said, our decision today should in no way be read to imply that majority-black districts are no longer needed in the state of North Carolina. And I just -- I don't -- don't see this criteria as matching up with what the Court concluded in the Covington case. And so I would encourage members to vote against this criteria.

SEN. HISE: Yeah. Senator Smith-Ingram

SEN. SM TH-I NGRAM: Thank you, Mr. Chair.

Chair Lewis, if this particular criterion passes, then what metric is going to be used to ensure that the new districts do not abridge or deny voters of color?

REP. LEWIS: Ma'am, what I can tell you is, I believe, in 2011, this General Assembly sought out and received input from every source that was willing to work with us in expert testimony and did its best, at that time, to comply with the instructions and advice that we received.
That being said, the Covington court, it's my understanding, has said that we did not have a sufficient amount of data in order to draw the districts as they were drawn. No one, to my knowledge, has submitted additional data for this Committee to review. Therefore, this criteria would propose that race would not be a consideration in the drawing of the maps.

SEN. SMITH-INGRAM: Follow up.

SEN. HISE: Follow up.

SEN. SMITH-INGRAM: Is there a metric that can be used to ensure that voters of color are not disenfranchised or that their rights are not abridged?

REP. LEWIS: Ma'am, thank you for the question. Again, I would refocus this conversation on the criteria that the Chairs will take back and execute the undertaking of the first map. If there is additional data that you or other members of the Committee would like to see reviewed, if there are additional maps, if there are other things that you would like us to consider, once it's done, then we will certainly be glad to do that. Again, we will not be using race in the drawing of the additional.

SEN. HISE: Representative Dollar.
REP. DOLLAR: Mr. Chairman, I move the adoption of the criteria.

SEN. HISE: Representative Dollar has moved the adoption of the proposed Criteria Number 9, No Consideration of Racial Data. Any other comments or questions?

REP. LEWIS: Mr. Chairman, there is one additional comment, please?

SEN. HISE: You are so recognized.

REP. LEWIS: Just wanted to respond to my friend from Wake, Representative Jackson. We do not believe, in light of the Covington opinion, that there is substantial evidence in the record to justify the use of race in drawing districts. Given the Court's order in this case, we believe the only way to comply with the legal requirements regarding the drawing of districts is not to consider race in that process.


SEN. LOWE: Yes, I do have a statement.

SEN. HISE: Recognized for a comment.

SEN. LOWE: Thank you, sir. And that is, we live in the South. When in the South has race not been a factor? Because what I'm hearing...
doesn't really add up.

REP. LEWIS: Mr. Chairman, I'd point out that the gentleman said that was a statement. And I certainly took him at his word that that was a statement.

SEN. HISE: Any other comments or questions? Seeing none, we will begin, then, for consideration of this, the roll call of the Senate members.

CLERK: Senator Bishop?
SEN. BISHOP: Aye.
CLERK: Senator Bishop, aye. Senator Blue?
SEN. BROWN: Aye.
CLERK: Senator Brown, aye. Senator Clark?
SEN. CLARK: No.
CLERK: Senator Clark, no. Senator Daniel?
SEN. HARRINGTON: Aye.
CLERK: Senator Harrington, aye. Senator Jackson?
SEN. JACKSON: Aye.
CLERK: Senator Jackson, aye. Senator Lee?
SEN. LEE: Aye.


SEN. LOWE: No.

CLERK: Senator Lowe, no. Senator Newton?

SEN. NEWTON: Aye.

CLERK: Senator Newton, aye. Senator Rabon?

SEN. SMITH-INGRAM: No.

CLERK: Senator Smith-Ingram, no.

SEN. VAN DUYN: No.

CLERK: Senator Van Duyn, no. Senator Wade?

SEN. WADE: Aye.

CLERK: Senator Wade, aye. Senator Hise?

SEN. HISE: Aye.

CLERK: Senator Hise, aye.

SEN. HISE: Committee Clerk, call the members of the House.

CLERK: Representative Jackson?

REP. JACKSON: No.

CLERK: Representative Jackson, no.

Representative Szoka?

REP. SZOKA: Aye.
1  CLERK:  Representative Szoka, aye.
2  Representative Stevens?
3  REP. STEVENS:  Aye.
4  CLERK:  Representative Stevens, aye.
5  Representative Bell?
6  REP. BELL:  Aye.
7  CLERK:  Representative Bell, aye.
8  Representative Brawley?
9  REP. BRAWLEY:  Aye.
10  CLERK:  Representative Brawley, aye.
11  Representative Brockman?
12  REP. BROCKMAN:  No.
13  CLERK:  Representative Brockman, no.
14  Representative Burr?
15  REP. BURR:  Aye.
16  CLERK:  Representative Burr, aye.
17  Representative Davis?  Representative Davis?
18  Representative Dixon?
19  REP. DIXON:  Aye.
20  CLERK:  Representative Dixon, aye.
21  Representative Dobson?
22  REP. DOBSON:  Aye.
23  CLERK:  Representative Dobson, aye.
24  Representative Dulin?
25  REP. DULIN:  Aye.
CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: No.

CLERK: Representative Farmer-Butterfield, no. Representative Floyd?

Representative Floyd? Representative Garrison?

REP. GARRISON: No.

CLERK: Representative Garrison, no.

Representative Gill?

REP. GILL: No.

CLERK: Representative Gill, no.

Representative Grange?

REP. GRANGE: Aye.

CLERK: Representative Grange, aye.

Representative Hall?

REP. HALL: Aye.

CLERK: Representative Hall, aye.

Representative Hanes?

REP. HANES: No.

CLERK: Representative Hanes, no.

Representative Hardister?

REP. HARDISTER: Aye.

CLERK: Representative Hardister, aye.

Representative Harrison?

REP. HARRISON: No.
CLERK: Representative Harrison, no.

Representative Hastings?

REP. HASTINGS: Aye.

CLERK: Representative Hastings, aye.

Representative Howard?

REP. HOWARD: Aye.

CLERK: Representative Howard, aye.

Representative Hunter?

REP. HUNTER: No.

CLERK: Representative Hunter, no.

Representative Hurley?

REP. HURLEY: Aye.

CLERK: Representative Hurley, aye.

Representative Johnson?

REP. JOHNSON: Aye.

CLERK: Representative Johnson, aye.

Representative Jones? Representative Jones?

Representative Jordan?

REP. JORDAN: Aye.

CLERK: Representative Jordan, aye.

Representative Malone?

REP. MALONE: Aye.

CLERK: Representative Malone, aye.

Representative Michaux?

REP. MCHAUX: No.
CLERK: Representative Michaux, no.

Representative Moore? Representative Moore?

Representative Pierce?

REP. PIERCE: No.

CLERK: Representative Pierce, no.

Representative Reives?

REP. REIVES: No.

CLERK: Representative Reives, no.

Representative Willingham?

REP. WILLINGHAM: No.

CLERK: Representative Reives, no.

Representative Speciale?

REP. SPECIALE: Aye.

CLERK: Representative Speciale, aye.

Representative Rogers?

REP. ROGERS: Aye.

CLERK: Representative Rogers, aye.

Representative Saine?

REP. SAINÉ: Aye.

CLERK: Representative Saine, aye.

Representative Wray?

REP. WRAY: No.

CLERK: Representative Wray, no.

Representative Yarborough?

REP. YARBOROUGH: Aye.
CLERK: Representative Yarborough, aye.
Representative Torbett?
REP. TORBETT: Aye.
CLERK: Representative Torbett, aye.
Representative Lewis?
REP. LEWIS: Aye.
CLERK: Representative Lewis, aye.
Representative Dollar?
REP. DOLLAR: Aye.
CLERK: Representative Dollar, aye.
SEN. HISE: By a vote of 8 in favor, 4 against and 24 in favor and 13 against in the Senate and 24 in favor and 13 against in the House, Criteria Number 9, No Consideration of Racial Data is adopted by the Committee.
Members, this exhausts the recommendations of criteria put forward by the Chairmen in this process. We'll now open up if members of the Committee have a specific criteria they would like to introduce. Senator Clark?
SEN. CLARK: Thank you, Mr. Chairman. I'd like to send forth an amendment for consideration.
SEN. HISE: Suspend while the members of -- while it's passed out.
(Proceedings went off the record.)

SEN. HISE: Do all members of the Committee have a copy? If we do, I recognize Senator Clark.

SEN. CLARK: Thank you, Mr. Chairman. Representative Lewis, when we were doing the redistricting for the congressional seats in 2016 --

SEN. HISE: Yeah, let me --

UNIDENTIFIED MEMBER: Mr. Chairman, I don't -- I don't think I have that. I have --

SEN. HISE: I believe I have Committee members who did not receive --

UNIDENTIFIED MEMBER: What does it say? Is --

SEN. CLARK: Title is Partisan Advantage.

SEN. HISE: A -- Senator Clark called number 10, Partisan Advantage.

SEN. CLARK: Okay. When we were doing the 2016 congressional redistricting process, it was stated by Mr. Lewis here that one of the express purposes was to maintain the partisan advantage. I guess you could say this is a renouncement criteria, if you will. And it states that maintaining or establishing a partisan
advantage for any party shall not, emphasize not, be a criterion for the construction or approval of House and Senate district plans.

SEN. HISE: We'll start with Representative Lewis, then I'll get back.

REP. LEWIS: Thank you, Mr. Chairman. Mr. Chairman, I would say that the nine criteria that have been extensively debated by the Committee are the committee -- are the criteria that the Chairs recommend. And I would not advocate for passage of this tenth one.

SEN. HISE: Representative Speciale.

REP. SPECIALE: Isn't this what we essentially already discussed and already decided not to approve? I mean --

SEN. HISE: It is [inaudible] that this is a substantial difference, but it is a similar topic. So any other questions or comments? Senator Van Duyn?

SEN. VAN DUYN: I'd just like to be on record in saying I think this is the most important criteria, given what we heard in public comment.

SEN. HISE: Any other questions or comments? Hearing none, Senator Clark has moved for the adoption of the criteria listed as Number
Partisan Advantage. The -- I believe we were at the House. Clerk of the House Committee will call the roll.

CLERK: Representative Jackson?
REP. JACKSON: Yes.
CLERK: Representative Jackson, yes.

Representative Szoka?
REP. SZOKA: No.
CLERK: Representative Szoka, no.

Representative Stevens?
REP. STEVENS: No.
CLERK: Representative Stevens, no.

Representative Bell?
REP. BELL: No.
CLERK: Representative Bell, no.

Representative Brawley?
REP. BRAWLEY: No.
CLERK: Representative Brawley, no.

Representative Brockman?
REP. BROCKMAN: Yes.
CLERK: Representative Brockman, yes.

Representative Burr?
REP. BURR: No.
CLERK: Representative Burr, no.

Representative Davis? Representative Davis?
Representative Davis?  Representative Dixon?

REP. DIXON:  No.

CLERK:  Representative Dixon, no.

Representative Dobson?

REP. DOBSON:  Representative Dobson, no.

Representative Dulin?

REP. DULIN:  No.

CLERK:  Representative Dulin, no.

Representative Farmer-Butterfield?  Representative Farmer-Butterfield, yes.  Representative Floyd?

Representative Floyd?  Representative Garrison?

REP. GARRISON:  Yes.

CLERK:  Representative Garrison, yes.

Representative Gill?

REP. GILL:  Yes.

CLERK:  Representative Gill, yes.

Representative Grange?

REP. GRANGE:  No.

CLERK:  Representative Grange, no.

Representative Hall?

REP. HALL:  No.

CLERK:  Representative Hall, no.

Representative Hanes?

REP. HANES:  Yes.

CLERK:  Representative Hanes, yes.
Representative Hardister?

REP. HARDISTER: No.

CLERK: Representative Hardister, no.

Representative Harrison?

REP. HARRISON: Yes.

CLERK: Representative Harrison, yes.

Representative Hastings?

REP. HASTINGS: No.

CLERK: Representative Hastings, no.

Representative Howard?

REP. HOWARD: No.

CLERK: Representative Howard, no.

Representative Hunter?

REP. HUNTER: Yes.

CLERK: Representative Hunter, yes.

Representative Hurley?

REP. HURLEY: Representative Hurley, no.

Representative Johnson?

REP. JOHNSON: No.

CLERK: Representative Johnson, no.

Representative Jones?

REP. JORDAN: No.

CLERK: Representative Jordan, no.

Representative Malone?

REP. MALONE: No.
CLERK: Representative Malone, no.
Representative Michaux?
  REP. MCHAUX: Yes.
CLERK: Representative Michaux, yes.
Representative Moore? Representative Moore?
  REP. PIERCE: Yes.
CLERK: Representative Pierce, yes.
Representative Reives?
  REP. REIVES: Yes.
CLERK: Representative Reives, yes.
Representative Willingham? Representative Willingham?
Representative Speciale?
  REP. SPECIALE: No.
CLERK: Representative Speciale, no.
Representative Rogers?
  REP. ROGERS: No.
CLERK: Representative Rogers, no.
Representative Saine?
  REP. SAINIE: No.
CLERK: Representative Saine, no.
Representative Wray?
  REP. WRAY: Aye.
CLERK: Representative Wray, yes.
Representative Yarborough?

REP. YARBOROUGH: No.

CLERK: Representative Yarborough, no.

Representative Torbett?

REP. TORBETT: No.

CLERK: Representative Torbett, no.

Representative Lewis?

REP. LEWIS: No.

CLERK: Representative Lewis, no.

Representative Dollar?

REP. DOLLAR: No.

CLERK: Representative Dollar, no.

SEN. HISE: Committee Clerk for the Senate will call the roll of the Senate members.

CLERK: Senator Bishop?

SEN. BISHOP: No.

CLERK: Senator Bishop, no. Senator Blue?

SEN. BROWN: No.

CLERK: Senator Brown, no. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel?

SEN. HARRINGTON: No.
CLERK: Senator Harrington, no. Senator Jackson?

SEN. JACKSON: No.

CLERK: Senator Jackson, no. Senator Lee?

SEN. LEE: No.

CLERK: Senator Lee, no. Senator Lowe?

SEN. LOWE: Yes.

CLERK: Senator Lowe, yes. Senator Newton?

SEN. NEWTON: No.

CLERK: Senator Newton, no. Senator Rabon? Senator Smith-Ingram?

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Smith-Ingram, aye. Senator Van Duyn?

SEN. VAN DUYN: Aye.

CLERK: Senator Van Duyn, aye. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HISE: No.

CLERK: Senator Hise, no.

SEN. HISE: By a vote of 13 in favor, 24 opposed in the House, and a vote of 4 in favor, 8
opposed in the Senate, the proposed criteria fails.

Any other criteria? Senator Smith-Ingram?

SEN. SMITH-INGRAM: Yes, Mr. Chairman. I wish to send forward an additional criterion.

SEN. HISE: Okay. This is criteria titled, Total Black Voting Age Population.

SEN. SMITH-INGRAM: Yes, it is, thank you, Mr. Chair.

SEN. HISE: Sergeant-at-Arms will disperse. And make sure we get that second row back there, Representative Jordan.

(Proceedings went off the record.)

SEN. HISE: Members, before moving into that, I will say we've actually had some comments from those listening online that it is, at times, hard to hear members. So we'll ask you to please speak directly into your microphones. I also have been somewhat remiss in reminding members to please identify yourself and your district when speaking. That would have helped the court reporter if I'd have said that a lot earlier in this process. But I can correct it now. And hopefully we'll be able to deal with those issues.

If everyone has a copy now of the proposed criteria which, for record-keeping
purposes right now, I'll identify as 10-A, Total Black Voting Age Population. Senator Smith-Ingram will be recognized to explain.

SEN. SMITH-INGRAM: Thank you, Mr. Chair.

The proposed criteria sets forth the explanation and the reason why we're here today. In the Covington case, the U.S. Supreme Court deemed that the 28 districts that were found unconstitutional were packed with African-Americans. So in order to obviate that and reduce the cost, because we're now at $5.4 million that the North Carolina General Assembly has spent in redistricting, that to add this portion to the criteria would prevent us having to come back here again for the same reason at an additional cost to our taxpayers.

So in order to promote fiduciary responsibility and commitment, the 28 districts that were deemed unconstitutional shall not have a total black voting age population higher than that which existed in those enacted legislative districts, in effect, in 2010, except for when it is naturally occurring, which may be the case in some of our demographic areas across the state.

SEN. HISE: Senator Smith-Ingram just let me ask a question for clarification before we
begin. When you read your amendment, you said the Covington case shall not have a total black population. As I have the amendment in front of me and signed, it says shall have.

SEN. SMITH-INGRAM: It should be shall not. I'm sorry. So it goes with none. It starts out with none, and then there's shall.

SEN. HISE: Okay. I was just confused, because it was written -- read different than what I have. So it should be that none of the nine districts shall have a voting age population higher than that which existed in those enacted districts that were, in effect, in 2010.

SEN. SMITH-INGRAM: Yes. For clarification, Mr. Chair, it's none of the nine Senate and 19 House districts deemed as unconstitutional. So it's the 28 districts that were deemed unconstitutional. Okay.

REP. LEWIS: Thank you, Mr. Chairman. I want to speak briefly to the comment that was made. I understand that through the use of Twitter, the NC Senate Democrats have been tweeting out a graphic entitled NC General Assembly Redistricting Litigation Costs. I want to point out that that's
in error. It's inaccurate. And certainly the tweet should stop and the figure that was quoted is
wrong.

I also would point out, regarding Amendment 10A, that we have established that we will not use race in the drawing of these lines. This amendment, 10A, would, in effect, establish a mechanical criteria for the drawing of districts that uses race. It's in conflict with criteria that says we will not use race. I would urge members to vote it down.

SEN. HISE:  Senator Clark.

SEN. CLARK:  Thank you, Mr. Chair.

Senator Clark, Senate District 21. The court order which essentially brought us back here said that we should justify any black voter age population in excess of 50 percent. How are we going to know whether or not we met that requirement by not exceeding 50 percent?

SEN. HISE:  Representative Dollar.

REP. DOLLAR:  Thank you, Mr. Chair.

Members of the Committee, based on the comments Senator Smith-Ingram mentioned, I would just read to you verbatim Page 3, Footnote 1 of the Covington decision as written by the Court, states
as follows, "In reaching this conclusion, we make no finding that the General Assembly acted in bad faith or with the discriminatory intent in drawing the challenged districts which were precleared by the Justice Department pursuant to Section 5 of the VRA, nor do we consider the challenged districts involved any impermissible packing of minority voters. As plaintiffs acknowledged, they bring no such claim."

SEN. HISE: Any other questions or comments? Senator Clark?

SEN. CLARK: I don't think I -- excuse me. Senator Clark, Senate District 21. I don't think I've had my question answered. In the three-judge panel, they indicated that we should have no districts with a black-voting-age -- black-voting-age population in excess of 50 percent. How do we make sure we achieve that objective?

SEN. HISE: I assumed the question was rhetorical. But I think the response given is that was not what they said. Representative Michaux.

REP. MCHAUX: He should've little bit further into that footnote -- in the footnote.

SEN. HISE: Recognized for a comment.
REP. MICHAUX: Yes, I'm sorry. Representative Michaux. The footnote of the comment Representative Dollar made, it said -- it certainly said that. But it also says, nor do we consider whether the challenged districts -- whether the challenged districts involved any impermissible packing. They didn't rule out any impermissible packing. It just says they didn't consider it in this decision. And that was not a -- that was a footnote in the decision. And --

SEN. HISE: Representative Dollar.

REP. DOLLAR: That's not what the footnote reads here. And I would also point out to the gentleman that what is -- is noted here, in the record, is as plaintiffs acknowledge, they bring no such claim. No such claim was brought in the case to start with.

SEN. HISE: Senator Brown.

SEN. BROWN: Thank you, Mr. Chairman. Harry Brown, District 6. Senator Smith-Ingram's provision, or criteria, mentions that it's the nine Senate districts and 19 House districts. But those districts, in the new maps, no longer exist. So I don't know how they are relevant in this particular case. Because the new maps, those districts are no
longer relevant any longer.

SEN. HISE: Any other questions, comments?

SEN. SMITH-INGRAM Mr. Chair, clarification.

SEN. HISE: Yeah.

SEN. SMITH-INGRAM I am not aware that there are any maps. Are there maps that Senator Brown that we don’t? Because how can you draw maps without the criteria being voted on?

SEN. BROWN: I’ll follow. I should have been more specific. With the new county groupings, that is impossible.

SEN. HISE: And I’m assuming we can get a copy of the 2010 map, as well the 2011 maps, if the Senator needs those. Senator Smith-Ingram has moved for the adoption of the criteria that I am labeling as 10A for here, Total Black Voting Age Population. Seeing no other comments or questions, we will begin with a roll call of the Senate.

CLERK: Senator Bishop?

SEN. BISHOP: No.

CLERK: Senator Bishop, no. Senator Blue? Senator Brown?

SEN. BROWN: No.
CLERK: Senator Brown, no. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel? Senator Harrington?

SEN. HARRINGTON: No.

CLERK: Senator Harrington, no. Senator Jackson?

SEN. JACKSON: No.


SEN. LOWE: Yes.

CLERK: Senator Lowe, yes. Senator Newton?

SEN. NEWTON: No.

CLERK: Senator Newton, no. Senator Rabon?

SEN. SMITH-INGRAM: Yes.

CLERK: Senator Smith-Ingram, yes.

SEN. VAN DUYN: Yes.

CLERK: Senator Van Duyn, yes. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HI SE: No.

CLERK: Senator Hise, no.
SEN. HISE: Committee Clerk will call the members of the House.

CLERK: Representative Jackson?
REP. JACKSON: Yes.
CLERK: Representative Jackson, yes.

Representative Szoka?
REP. SZOKA: No.
CLERK: Representative Szoka, no.

Representative Stevens?
REP. STEVENS: No.
CLERK: Representative Stevens, no.

Representative Bell?
REP. BELL: No.
CLERK: Representative Bell, no.

Representative Brawley?
REP. BRAWLEY: No.
CLERK: Representative Brawley, no.

Representative Brockman?
REP. BROCKMAN: Yes.
CLERK: Representative Brockman, yes.

Representative Burr?
REP. BURR: No.
CLERK: Representative Burr, no.

Representative Davis?
REP. DIXON: No.
CLERK: Representative Dixon, no.
Representative Dobson?
REP. DIXON: No.
CLERK: Representative Dobson, no.
Representative Dulin?
REP. DOBSON: No.
CLERK: Representative Dulin, no.
Representative Farmer-Butterfield? Representative Farmer-Butterfield, yes. Representative Floyd?
Representative Garrison?
REP. DULIN: Yes.
CLERK: Representative Garrison, yes.
Representative Gill?
REP. GILL: Yes.
CLERK: Representative Gill, yes.
Representative Grange?
REP. GRANGE: No.
CLERK: Representative Grange, no.
Representative Hall?
REP. HALL: No.
CLERK: Representative Hall, no.
Representative Hanes?
REP. HANES: Yes.
CLERK: Representative Hanes, yes.
Representative Hardister?
REP. HARDISTER: No.

CLERK: Representative Hardister, no.

Representative Harrison?

REP. HARRISON: Yes.

CLERK: Representative Harrison, yes.

Representative Hastings?

REP. HASTINGS: No.

CLERK: Representative Hastings, no.

Representative Howard?

REP. HOWARD: No.

CLERK: Representative Howard, no.

Representative Hunter?

REP. HUNTER: Yes.

CLERK: Representative Hunter, yes.

Representative Hurley?

REP. HURLEY: No.

CLERK: Representative Hurley, no.

Representative Johnson?

REP. JOHNSON: No.

CLERK: Representative Johnson, no.

Representative Jones? Representative Jordan?

Representative Jordan, no. Representative Malone?

REP. MALONE: No.

CLERK: Representative Malone, no.

Representative Michaux?
REP. MICHAUX: Aye.

CLERK: Representative Michaux, aye.

Representative Moore? Representative Pierce?

REP. PIERCE: Aye.

CLERK: Representative Pierce, aye.

Representative Reives?

REP. REIVES: Aye.

CLERK: Representative Reives, aye.

Representative Willingham?

REP. WILLINGHAM: Aye.

CLERK: Representative Willingham, aye.

Representative Speciale?

REP. SPECIALE: No.

CLERK: Representative Speciale, no.

Representative Rogers?

REP. ROGERS: No.

CLERK: Representative Rogers, no.

Representative Saine?

REP. SAINÉ: No.

CLERK: Representative Saine, no.

Representative Wray?

REP. WRAY: Aye.

CLERK: Representative Wray, aye.

Representative Yarborough?

REP. YARBOROUGH: No.
CLERK: Representative Yarborough, no.
Representative Torbett?

REP. TORBETT: No.

CLERK: Representative Torbett, no.
Representative Lewis?

REP. LEWIS: No.

CLERK: Representative Lewis, no.
Representative Dollar?

REP. DOLLAR: No.

CLERK: Representative Dollar, no.

SEN. HISE: By a vote of 4 in favor, 8 opposed in the Senate, and a vote of 13 in favor, 24 opposed in the House, the proposed criteria fails. Members, I have no other proposed criteria in front of --

SEN. SMITH-INGRAM Mr. Chair?

SEN. HISE: Yes?

SEN. SMITH-INGRAM Just to clarify the record, thank you, I would like to make a statement. I was in error. I was off by $600,000. It is not 5.4 million that has been spent. Since 2011, it's actually 4.8 million. But to our hard-working North Carolinians who send us here for good governance, that's still a heck of a lot of money.
SEN. HISE: Any other business to come before the Committee? Representative Jackson.

REP. JACKSON: I handed out some criteria as well, Mr. Chairman. That has been -- it has been handed out to all the members.

SEN. HISE: Okay.

(Proceedings went off the record.)

REP. JACKSON: It did, Mr. Chairman. And I understand that some of these may have been considered in part of the other ones. And I'd be happy to take the time to divide these up into six individual things and then have the Chair rule and appeal. But it just seems like, to me, it might be more time efficient if we just voted on these six together. And so I'd move adoption without further comment.

SEN. HISE: Okay. We have adoption request without comment. I will give the opportunity. Seeing none, we will begin the process of adopting the six criteria listed here. We will begin with those in favor vote. Those opposed to adoption vote no. We will begin with a roll call of the House. Committee Clerk, call the roll.

CLERK: Representative Jackson?
REP. JACKSON: Yes.

CLERK: Representative Jackson, yes.

Representative Szoka?

REP. SZOKA: No.

CLERK: Representative Szoka, no.

Representative Stevens?

REP. STEVENS: No.

CLERK: Representative Stevens, no.

Representative Bell?

REP. HALL: No.

CLERK: Representative Bell, no.

Representative Brawley?

REP. BRAWLEY: No.

CLERK: Representative Brawley, no.

Representative Brockman?

REP. BROCKMAN: Yes.

CLERK: Representative Brockman, yes.

Representative Burr?

REP. BURR: No.

CLERK: Representative Davis?

Representative Dixon?

REP. DIXON: No.

CLERK: Representative Dixon, no.

Representative Dobson?

REP. DOBSON: No.
Representative Dobson, no.

Representative Dulin?

REP. DULIN: No.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Aye.

Representative Farmer-Butterfield, yes. Representative Floyd?

Representative Garrison?

REP. GARRISON: Yes.

Representative Gill?

Representative Gill, yes.

Representative Grange?

REP. GRANGE: No.

Representative Hall?

REP. HALL: No.

Representative Hanes?

REP. HANES: Yes.

Representative Hardister?

REP. HARDISTER: No.

Representative Harrison?
REP. HARRISON: Aye.

CLERK: Representative Harrison, yes.

Representative Hastings?

REP. HASTINGS: No.

CLERK: Representative Hastings, no.

Representative Howard?  Representative Howard, no.

Representative Hunter?  Representative Hunter, yes.

Representative Hurley?  Representative Hurley, no.

Representative Johnson?  Representative Johnson, no.  Representative Jones?  Representative Jordan?

Representative Jordan, no.  Representative Malone?

REP. MALONE: No.

CLERK: Representative Malone, no.

Representative Michaux.

REP. MCHAUX: Yes.

CLERK: Representative Mchaux, yes.

Representative More?  Representative Pierce?

REP. PIERCE: Yes.

CLERK: Representative Pierce, yes.

Representative Reives?

REP. REIVES: Yes.

CLERK: Representative Reives, yes.

Representative Willingham?

REP. WILLINGHAM: Yes.

CLERK: Representative Willingham, yes.
Representative Speciale?

REP. SPECIALE: No.

CLERK: Representative Speciale, no.

Representative Rogers?

REP. ROGERS: No.

CLERK: Representative Rogers, no.

Representative Saine?

REP. SAINE: No.

CLERK: Representative Saine, no.

Representative Wray?

REP. WRAY: Aye.

CLERK: Representative Wray, yes.

Representative Yarborough?

REP. YARBOROUGH: No.

CLERK: Representative Yarborough, no.

Representative Torbett?

REP. TORBETT: No.

CLERK: Representative Torbett, no.

Representative Lewis?

REP. LEWIS: No.

CLERK: Representative Lewis, no.

Representative Dollar?

REP. DOLLAR: No.

CLERK: Representative Dollar, no.

SEN. HISE: Committee Clerk, call the
roll of the Senate members.

CLERK: Senator Bishop?

SEN. BISHOP: No.

CLERK: Senator Bishop, no. Senator Blue?

SEN. BROWN: No.

CLERK: Senator Brown, no. Senator Clark?

SEN. CLARK: Aye.

CLERK: Senator Clark, aye. Senator Daniel?

SEN. HARRINGTON: No.

CLERK: Senator Harrington, no. Senator Jackson?

SEN. JACKSON: No.

CLERK: Senator Jackson, no. Senator Lee?

SEN. LEE: Yes.

CLERK: Senator Lee, yes. Senator Newton?

SEN. SMITH-INGRAM: Aye.

CLERK: Senator Smith-Ingram, aye.

Senator Van Duyn?

SEN. VAN DUYN: Aye.
CLERK: Senator Van Duyn, aye. Senator Wade?

SEN. WADE: No.

CLERK: Senator Wade, no. Senator Hise?

SEN. HISE: No.

CLERK: Senator Hise, no.

SEN. HISE: By a vote of 13 in favor, 24 opposed in the House, 4 in favor, 8 opposed in the Senate, the six proposed criteria are rejected by the Committee. Senator Clark?

SEN. CLARK: Thank you. Senator Clark, Senate District 21. I just wanted to make one comment before we depart here. I did submit to the Committee a list of about 14 criteria. I'm not asking that we go over those one by one. Most of them have been covered during the course of this debate. I just wanted to let it know -- be known for the record that they have been submitted.

SEN. HISE: Those are clearly part of the record so -- any other matters to come before the Committee? I will announce, then, for members that -- first, just to recap, the Committee adopted nine criteria for redistricting. Those will be compiled, and we will put that list available on the website. And that will be given to the drawer.
of the map to make sure those designs for the Committee follow these criteria.

(Proceedings went off the record.)

SEN. HISE: Members of the press, just to let you know, if you're doing interviews, they will be up here, where we will have the Court Reporter available for that process. Thanks for coming in. Representative Torbett.

REP. TORBETT: Is there any information or intelligence you can give us on further activity of this Committee at this time?

SEN. HISE: We were talking about that we will obviously in session on the 18th. We anticipate the meetings to be on the 21st, 22nd, 23rd time frame that's coming in. So members have that, but I would also say keep watch on the website, as well as your e-mails. There may be things released from the Committee in that interim. Seeing no other items come before the Committee, having exhausted our business, this Committee will stand adjourned.

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

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 10, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 26th day of August, 2017.

[Signature]

[Name]
NORTH CAROLINA HOUSE OF REPRESENTATIVES SESSION

NORTH CAROLINA GENERAL ASSEMBLY

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Monday, August 28, 2017, 1:30 p.m.

PREPARED BY: Regina Toppins
RUFFIN CONSULTING, INC.
DIRECT DIAL: 252-243-9000
WWW.RUFFINCONSULTING.COM
SPEAKER MOORE: The House will come to order. Members will take their seats. Visitors will retire from the chamber. Sergeant-At-Arms will close the doors. Ask members and guests to please silence all electronic devices.

This afternoon's prayer will be offered by Representative Jones. We'd ask our members and our guests in the gallery to please stand and remain standing for the pledge of allegiance.

Representative Jones.

REPRESENTATIVE JONES: Let us pray. Our Father and our God, let us come before your throne today with praise and thanksgiving. You are a great God and a good God, full of love, mercy and grace. You're a God of truth. And in all our ways let us acknowledge you as God. Let us bring honor and glory to you today and everyday. We pray for our nation. We're calling in your word that blessed is the nation whose God is the lord. We lift up all of our people and all those in authority that they will seek and receive divine wisdom from above.

The psalm reminds us that it is better to put our trust in the Lord than to put our confidence in man. Let us put our trust in you, oh, Lord, our strength, and our redeemer.
Father, we lift up all that try to protect us, including our military and our law enforcement. We pray for their safety. We also lift up those that are dealing with weather-related disasters, such as the hurricane in the Texas area. We pray for their safety as well. We thank you for all your many blessings to us. You're a wonderful and a gracious God. As each may pray in their own way, I pray in the name of your son, my savior Jesus Christ, amen.

ASSEMBLY MEMBERS: Amen.

I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

SPEAKER MOORE: The gentleman from Harnett, Representative Lewis, is recognized for a motion.

REPRESENTATIVE LEWIS: Mr. Speaker, the Journal for August 25th has been examined and found to be correct. I moved that it be approved as written.

SPEAKER MOORE: Representative Lewis moves the Journal for August 25th be approved as written. Those in favor will say Aye; those opposed say No. The Ayes have it. The Journal is approved as written.

Calendar. House vote 927. The Clerk will read.
The House will come to order. Members, Members, please give your attention to the Chair just a moment. We, I believe during these proceedings we have a court reporter, who is also trying to transcribe, so we'd ask that the conversations please be kept down so that the court reporter can do that as well as just general respect to our fellow members. The Clerk will read.

HOUSE CLERK: Representatives Lewis and Dollar, House Bill 927, a Bill to be entitled Enact to realign the districts for elections of members of the North Carolina General Assembly. General Assembly of North Carolina enacts.

SPEAKER MOORE: Further discussion, further debate. Does the gentleman from Harnett wish to explain the Bill?

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker.

SPEAKER MOORE: And, by the way, the Chair will suspend Rule 12D. The gentleman has the floor.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker.

Mr. Speaker and Members, we are here today in order to comply with the Covington's Court order.
The court's specific finding was that despite a robust and extensive record produced by this General Assembly in 2011, there was not enough evidence of legally significant racially polarized voting to draw 19 majority/minority districts in the North Carolina House plan. It is important to note that the court did not find discriminatory intent on our part. Specifically the court that, "nor does it signify that the legislature acted in bad faith or with discriminatory intent in its redistricting."

The process that we're using today is in response and at the order of the court. The court gave us a timeline that requires us to enact a plan by September 1st. We produced the first such redraw 14 business days, 19 total days after the court order. As I had announced before, it was our intent to have more public input and to produce the maps by early November; however, in no way should these remarks be construed as being critical of the court.

Our intention today is simply to comply with the order of the court. The timeline that the court allowed provided time for us to meet and to receive public input as we adopted the criteria, it provided for us to have one statewide public hearing last Tuesday and we have had a robust committee process
thus far.

As a note on the public hearing, I think it's important to point out that one of the most prevalent feedbacks that we received, in fact, I personally got 2,050 e-mails asking that the legislature produce a map to look at before the public hearings were held. We did that. I had hoped that activists and other speakers who engage with different aspects regarding the legislative process might would have offered a little more input on the specific map, but that's not what they chose to do.

I will attest that I did attend the public hearing in Raleigh, I did also listen to the audio recordings provided by the House Sergeant-At-Arms of the remote sites.

I'm very proud of the map that this committee has produced. We produced a redistricting plan that complies with the criteria that the committee adopted as well, and most importantly, as was stated in the federal law. Other proposals that I've seen fail to live up to this map and I hope to be able to tell you why.

First, this map complies with the equal population requirement as established in Stevenson versus Bartlett. No district exceeds the plus or
minus five percent population deviation.

Second, our map produces contiguous districts. We did our best to avoid using water contiguity where it was not required by the county groupings formula.

Third, our map does comply with the county groupings formula as established by Stevenson versus Bartlett decision, and unlike other maps I've seen, this map complies with the county traversals as authorized in the Stevenson decision. This map splits 39 counties, the fewest in over two decades of maps.

Fourth, this map is more compact, using the parameters or Polsby-Popper score and the dispersion score the Reock score. This map is more compact than maps enacted by the General Assembly over the past two decades, and it complies with the committee's criteria to use compactness as established by the test I've already mentioned.

Fifth, this map splits fewer precincts than maps produced over the past two decades. It splits 49 precincts total, but 30 of those are retained from unaffected county groupings. And by that I did clarify to the committee that when you do the county optimization plan, some of the existing districts did not need to be changed in order to comply with the
order of the court and, therefore, they are not changed on this map.

Sixth, this map splits less municipalities and respects more municipal boundaries than prior plans enacted over the past two decades. This map also complies with the rest of the committee's criteria of encompassing protection, the use of election data and no consideration of race. We avoided maliciously double bunking incumbents. Indeed, there are only six incumbents that are double debunked in this plan. Four of them are required by the county grouping formula.

Members, this plan accomplishes what the court has asked us to do. This plan reflects thoughtful consideration, it reflects public input and it reflects my genuine desire to comply with the order of the court.

I will have an amendment coming shortly, but I would ask you to support the plan as amended.

Thank you, Mr. Speaker.

SPEAKER MOORE: Further discussion, further debate?

For what purpose does the gentleman from Wake, Representative Martin, rise?

REPRESENTATIVE MARTIN: To see if the bill
sponsor would yield to a few questions.

SPEAKER MOORE: Does the gentleman from Harnett yield to the gentleman from Wake?

REPRESENTATIVE MARTIN: I yield, Mr. Speaker.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: Thank you, Mr. Speaker, and thank you to the bill sponsor also.

Representative Lewis, in looking at the map, I'm looking at Wayne County off in the eastern part of the state and specifically at District 10, and as you know, of course, our state constitution does have a whole county provision, which as we know when redistricting law and principles is not absolute, it's subject to other factors, but it is in our constitution. And so, in looking at Wayne County, I see that it's spread over, as I count them, three separate counties. I'm sorry, the District 10 is spread into Wayne County, Johnston County, and Greene County, but as I look at it, it seems pretty clear that you could have drawn that district into just two counties. What was the reason for that?

REPRESENTATIVE LEWIS: Thank you for the question, Representative Martin. First, if I could point out that Wayne County is in a 7-county grouping
that stretches from Bladen in the south to Greene in the north. It goes as far west as Lee and, again, as far east as Greene.

What we are required to do, as you know, is the optimum number for a county for a state House seat, and I'm looking at my notes to make sure I don't misspeak on this very important number, the optimum number for a state House seat is 79,462. As I said, we are allowed to have a plus or minus 5%. So what we did in producing this map is to, first of all, create the optimal county grouping, which is done by taking the 2010 population and divided it by this number. Once we got a whole number that we could use, we then set about dividing up the areas within the county group.

To your specific question, we actually did look at a drawing that would have done what you suggest. However, in keeping with the entire nine criteria that were adopted, we feel like this draw is the preferred way to go. I realize that this is the only map that is before us now. I would point out for the record that there have been other maps submitted during this process that also would have crossed into a third county, to use your analogy or to use your specific example, but to be perhaps a bit more clear,
we believe that we have drawn this in compliance with
the Stevenson rules and been able to harmonize those
with the nine criteria that the committee adopted.

REPRESENTATIVE MARTIN: Mr. Speaker?

SPEAKER MOORE: For what purpose does the
gentleman rise?

REPRESENTATIVE MARTIN: To see if the bill
sponsor will yield to a follow-up question.

SPEAKER MOORE: Does the gentleman yield to
an additional question?

REPRESENTATIVE LEWIS: I yield.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: Thank you, Mr.
Speaker, and thank you to the bill sponsor also.

I’d like to ask a question specifically with
the part of your response where you said that in
looking at it with this option that emerged with
splitting the district over three counties versus a
district that was just in two counties, that the
option that we had before was in your words I think
the preferred option. Would you be willing to
elaborate a little bit more about what factors you
considered in how you weighed them when determining
that this was the preferred approach?

REPRESENTATIVE LEWIS: Thank you for the
question. There were nine criteria, I believe, Representative Martin, the best I can recall. This avoid us -- this helped us avoid having to pair incumbents in this draw.

REPRESENTATIVE MARTIN: Mr. Speaker?

SPEAKER MOORE: For what purpose does the gentleman rise?

REPRESENTATIVE MARTIN: Thank you, Mr. Speaker, to see if the bill sponsor would yield to another follow-up question.

SPEAKER MOORE: Does the gentleman yield to additional questions?

REPRESENTATIVE LEWIS: I do.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: Thank you, Representative Lewis.

So, the way what I hear in that answer I think is that in applying various factors that the committee adopted, that you chose incumbent protection as you were deciding that this was the preferred option over perhaps compactness because District 10 as it shows up here being spread across three counties is perhaps not as compact as a district might be in just two counties, not to mention its interaction with the whole county provision of the Constitution.
REPRESENTATIVE LEWIS: Well, thank you for that question, Representative Martin.

I should further elaborate that again when you look at all of the criteria, including the most important, you know, compliance with the state constitution, I do believe that the other draw would have created, based on what we saw, additional county traversals as well. So, while this is does go into three counties, it doesn't weave in and weave out and so on. So, I do believe that this draw best conforms to the criteria that was adopted by the committee.

REPRESENTATIVE MARTIN: Thank you, sir. Mr. Speaker?

SPEAKER MOORE: Gentleman may state his purpose.

REPRESENTATIVE MARTIN: To see if the bill sponsor would yield to another question.

SPEAKER MOORE: Will the gentleman yield to an additional question?

REPRESENTATIVE LEWIS: Yes, Mr. Speaker.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: Thank you, sir.

I'd like to shift to a little bit different part of the state over to Forsyth County, some districts there, and actually back over to Sampson and
Columbus. And there's districts in those counties that to my eye at least don't appear to be particularly compact. Would you mind telling me what the reason in a map that you say compactness was a top priority, why are these districts perhaps not as compact as other districts throughout the state?

REPRESENTATIVE LEWIS: Well, thank you for that question, Representative Martin. If I said that compactness was the top priority, then I misspoke. I said that was one of the criteria that was adopted by the committee, or at least that's what I intended to say.

The district in Forsyth County, House District 75, falls -- falls with the range of acceptable compactness as measured by the Polsby-Popper score. Again, not to try to repeat myself with you or the members of the House, when you apply all of the criteria that the committee was tasked with using, this is the draw that I feel best -- best meets all nine.

REPRESENTATIVE MARTIN: Mr. Speaker?

SPEAKER MOORE: The gentleman may state his purpose.

REPRESENTATIVE MARTIN: Thank you, to see if the bill sponsor would yield to another question.
SPEAKER MOORE: Would the gentleman from Harnett yield to an additional question?

REPRESENTATIVE LEWIS: I do.

SPEAKER MOORE: He yields.

REPRESENTATIVE LEWIS: Thank you, and I'm very grateful to the bill sponsor for his patience with my questions.

So, my question is with regard to House District 75 in Forsyth County, which is squinting my aged eyes to look at it. Looks like it takes up the southeast corner of Forsyth County, runs along the southern border of Forsyth County and then takes up a chunk of southwest Forsyth County that that district is -- meets your criteria for compactness; is that correct?

REPRESENTATIVE LEWIS: Well, thank you for the question, Representative Martin.

One of the things that I would point out and I will have to look at the exact report, but you know Forsyth County, of course, is the home of the great city of Winston-Salem, and I believe that we're able to maintain and respect the municipal boundaries of Winston-Salem by using this draw. So, again I would reiterate that, yes, it is probably possible to draw a more compact district, but compactness was not the
only criteria or the only goal that we had in the production of these maps.

REPRESENTATIVE MARTIN: Mr. Speaker?

SPEAKER MOORE: The gentleman may state his purpose.

REPRESENTATIVE MOORE: Thank you, Mr. Speaker, to see if the bill sponsor would kindly yield to another question.

SPEAKER MOORE: Does the gentleman yield to an additional question?

REPRESENTATIVE LEWIS: I do.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: Thank you, Representative Lewis. I appreciate your answer to that, and I wondered if you wouldn't mind also talking me through the other counties I mentioned, the districts in Sampson and Columbus counties look a little bit, again, to my untrained eye not particularly compact, and I wondered if you wouldn't mind discussing what the reasons for their lack of compactness would be.

REPRESENTATIVE LEWIS: Well, thank you for the question, Representative Martin.

The districts in the county grouping that you asked about which stretch from Bladen in the south
Greene in the North, I think you'll find that Bladen is a whole county, then we have enough of Sampson County to meet the population requirement. I did see a draw that may have perhaps been judged a bit more compact, but that would have created a situation where incumbents were paired.

Again, incumbency protection was not a primary goal, but it was one of the nine goals or one of the nine criteria that the committee adopted.

As far as the Columbus County draw, the Columbus County draw was a part of a grouping that stretches from Pender County in the east to Robeson County in the west, and what you will find when trying to draw this is when you start in Pender County and then you take enough population to meet the one person, one vote, it simply creates the district that you have there. Again, I would point out that the overall score of this map in compactness is within the guidelines that we have stated.

REPRESENTATIVE MARTIN: Mr. Speaker?

SPEAKER MOORE: The gentleman may state his purpose.

REPRESENTATIVE MARTIN: To see if the bill sponsor would yield to a further question.

SPEAKER MOORE: Does the gentleman yield to
an additional question?

REPRESENTATIVE LEWIS: Yes, sir, I yield.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: And thank you again for your patience, Representative Lewis.

So, you talked about in the context of these districts that at least in my eyes don't look as compact as a lot of the other ones, that a factor that you weighed here incumbent protection. Is it safe to say that in evaluating these maps for the best approach, that you weighed incumbent protection more heavily than compactness here?

REPRESENTATIVE LEWIS: Thank you for that question.

Again I would say that it was one of the criteria that was used in evaluating the maps. There are examples in this map where compactness was -- we could have been more compact had we not had incumbency protection as a goal. The most compact draw that I saw actually put five members in Wake County in the same seat, but that would not have been in keeping with the spirit and the other nine -- the other eight criteria that -- that were selected by the committee.

REPRESENTATIVE MARTIN: Mr. Speaker?

SPEAKER MOORE: The gentleman may state his
purpose.

REPRESENTATIVE MARTIN: To see if the bill sponsor will let me take him to one final part of the state.

SPEAKER MOORE: Does the bill sponsor yield to an additional question?

REPRESENTATIVE LEWIS: I yield.

SPEAKER MOORE: He yields.

REPRESENTATIVE MARTIN: Thank you, Mr. Speaker.

Thank you once again, Chairman Lewis. If we can take a look at the cluster that has Rowan, Davie Cabarrus and a few other counties in it, it looks to me that there are two districts in that cluster that are solely within one county, not the same county, but they're each within a single county. I think it's 76 and 82, but as I've looked at it, it seems that it's possible in that cluster to draw three house districts that would each be located within an individual county. What was the reasoning behind drawing the district this way?

REPRESENTATIVE LEWIS: Well, thank you for that question, Representative Martin.

Ironically, if you did the draw that you asked about, which would put two seats in Cabarrus
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County, you would have an additional county traversal into Rowan County, which, respectfully, is something that you just questioned over in Wayne County.

REPRESENTATIVE MARTIN: Thank you, sir.

SPEAKER MOORE: For what purpose does the lady from Orange, Representative Insko, rise?

REPRESENTATIVE INSKO: To ask Representative Lewis a question.

SPEAKER MOORE: Does the gentleman yield to the lady from Orange?

REPRESENTATIVE LEWIS: Yes, sir.

SPEAKER MOORE: He yields.

REPRESENTATIVE INSKO: Representative Lewis, when we did -- when you all did the 2011 maps for the U. S. Congressional races, the balance shifted from 7 democrats and 6 republicans to 10 republicans and 3 democrats. Those maps were found to be unconstitutional and needed to be redrawn, which you all did. And I remember that you stood up on the floor of the House and said that you were going to redraw the maps, not paying any attention to race and that you intended to draw the maps that would result in 10 republicans and 3 democrats, and that if you could, you would draw 11, but you couldn't do that.

So, just looking at the split that we have
now between House democrats here, 74 and 46 democrats, how by the average year, what would the new maps produce in that ratio?

REPRESENTATIVE LEWIS: Well, Representative, first of all, thank you for the question. And if I may, as you sort of prefaced your question, I'd like to preface my answer.

Perhaps in 2016 I did use a little bit more hyperbole on the floor than I wish I had. I can tell you that I had no partisan target in mind when these maps were drawn.

To answer your question, I would point out that we have provided on your desk a stack pack of ten different races that ten different electoral contests, which were a part of the criteria adopted by the committee. You will find that there are relative districts that tend to perform one way or the other, but there are a whole lot that tend to vote both ways in terms of one year they may have selected the democratic nominee for governor, the next went they selected the republican.

The short answer to your question, which perhaps I should have done first, is as I had no direct outcome target in mind. I honestly don't know, nor have I seen any numbers that indicate what the
partisan results of this map would be.

        REPRESENTATIVE INSKO: May I ask a
follow-up?

        SPEAKER MOORE: Representative Insko is
recognized. Does the gentleman yield to an additional
question?

        REPRESENTATIVE LEWIS: Yes, sir.
        SPEAKER MOORE: He yields.
        REPRESENTATIVE INSKO: So, I haven't
actually counted this map up either. I think the
original one I saw had potential for 76 republicans
seats and 44 democratic seats, but would it be fair to
say that if you could draw -- if you could draw more
districts that would be more favorable to republicans,
that you would do that, or based on your comments in
2016 I guess congressional districts, so if you could
do 11 you would. If you could do 77 for republicans,
would that be your goal?

        REPRESENTATIVE LEWIS: Well, thank you for
your question, Representative.

        The direct answer is my only goal in this is
to comply with the order of the Covington Court. I
would point out, though, because I think it goes to
what you're saying is that there are a lot of factors
that influence the outcome of elections. As you know,
you and I both served here for some time and there are
a lot of things that influence elections: The amount
of money that an incumbent can raise, let's just say,
the things like that, the name ID, the level of
constituency services that an incumbent provides. All
those things influence the outcome of elections that
are not a part of the map making process.

REPRESENTATIVE INSKO: Thank you.

SPEAKER MOORE: For what purpose does the
gentleman from Cabarrus, Representative Pittman, rise?

REPRESENTATIVE PITTMAN: To send forth an
amendment.

SPEAKER MOORE: The gentleman is recognized
to send forth an amendment. The Clerk will read.

HOUSE CLERK: Representative Pittman moves
to amend the bill on page 23, lines 21 through 27, by
deleting those lines and substituting the following.

SPEAKER MOORE: The gentleman is recognized
to debate the amendment.

REPRESENTATIVE PITTMAN: Thank you, Mr.
Speaker.

Ladies and gentlemen, making adjustments in
the districts in Rowan and Cabarrus counties does not
require moving one incumbent's precinct into another
incumbent's district and vice versa as the proposed
map would do. My amendment would undo this unnecessary maneuver so that each incumbent can remain in approximately the district each currently serves.

You know, there are a lot of folks in my district currently who have seen these maps and they're pretty upset about it, and they've been doing some research and they've given me some items that you might be interested to hear.

With the proposed map it is estimated that only about 10 percent of Cabarrus County motors -- excuse me, voters, can't talk today, would have the option of keeping their representative if they so choose. Approximately 120,000 voters would be disenfranchised to the extent that the legislature will have decided to remove their representative from them as opposed to the voters being able to make that decision themselves. Voters should be allowed to choose their representatives rather than the legislature or the courts choosing for them.

Cabarrus County is the 9th largest county in the state. Under the committee's map the eight larger ones all have complete districts within their counties. These include Mecklenburg, Wake, Guilford, Forsyth, Cumberland, Buncombe, New Hanover and Gaston. The next eight smaller counties all have two complete
districts within them. This includes Onslow, Johnson, Iredell, Alamance, Catawba, Randolph, Rowan and Robeson. Why is Cabarrus the only county in that size range being required to reach outside its borders to complete two districts? Cabarrus deserves the same treatment as every other large county.

If you make two incumbents switch districts, the constituents of each will lose the continuity of familiarity and service they have received from each of those representatives. That would serve no purpose except perhaps to dictate to the voters that they must choose someone else when that may not be their desire. These districts and others have been formed to favor members who have been in office longer, and to disfavor members who have not been here a long time. This is the sort of thing that I believe is causing many citizens in our state and across the nation to demand term limits. They are tired of long-term politicians protecting their own status as opposed to newer members the people might favor who don't intend to make a career of it.

Protecting long-term incumbents I believe is a problem. I understand it was a criteria that the committee chose to use in putting these maps together. However, you know, we serve two-year terms here and I
believe each term should be seen as standing alone. Doesn't matter if you've been here three or four years, doesn't matter if you've been here nine, ten years, 20 years, however long it may be, each election is a new thing and I believe the rights of all candidates should be respected. I mean I've had people run against me in the three elections that I've won and my attitude has always been they have just as much right to run as anybody, including myself. After all, these seats belong to the people, not to us.

I'm also being told that 90% of the voters in Cabarrus County under this proposed map would not be allowed to vote for their incumbent in Cabarrus County. Voters, again, should make that choice, not the legislature or the courts.

If someone wants to move into another district to run, I think they ought to get a house in that district and move themselves there, not move your whole precinct or that of an undesired opponent whether with or without Representative Johnson's consent this has been done, I couldn't say about that, but I know I was not consulted, I don't think Representative Ford was consulted about this configuration, and I'm pretty sure most of the voters in Cabarrus and Rowan County were not asked their
opinion.

Simply putting my precinct back into my current district and Representative Johnson's precinct back into her district is what my amendment would accomplish, and I tried to do as little moving around to accomplish that as I could.

What it entails is moving precincts 0404, 0405, 0406 and 0407 back into the 83rd District, and precincts 1209, 1212 and 0108 back into the 82nd District. That is within the 5%.

So, I appreciate your support for my amendment. Thank you.

SPEAKER MOORE: For what purpose does the gentleman from Harnett, Representative Lewis, rise?

REPRESENTATIVE LEWIS: To debate the amendment.

SPEAKER MOORE. The gentleman has the floor to debate the amendment.

REPRESENTATIVE LEWIS: Thank you.

Mr. Speaker and Members, if I could direct your attention to the 2017 House Redistricting Plan A, I'd like to talk a little bit about this amendment, but first I want to point out that this is an amendment that changes the county grouping that stretches from Richmond in the south to Davie in the

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north. This county grouping is a part of the county
optimal -- the optimal grouping scheme that both
parties to the lawsuit agree exists. This is the
optimal county grouping for this state. When you do
that, there was literally one more incumbent, one more
seated member of the General Assembly in this county
group than the population of that county group would
allow for.

I spent a lot of time trying to figure out
what to do with that issue. The only ways that I knew
to solve it, and I don't make light of this because I
know everybody works hard and sacrifices a great deal
to be up here, the options that I considered were you
could have gone to the north end of the county group
and grouped the incumbents that were there, you could
have gone to the south and grouped them there.
Frankly, you could have drawn them out of a hat, but
the only criteria that I could think of to use that
met with the criteria of the committee was to look at
the length of incumbency. The -- to be clear, under
no configuration, including the one that the gentleman
from Cabarrus has just sent forward, under no
configurations is there a way to avoid pairing
incumbents in this group.

What his amendment proposes to do is to pair
a different two. I would ask you respectfully to vote this down. It's unfortunate and regretful that we have to make a choice like this, but I have made it using the data that I had, which included the criteria of the incumbency and that, of course, includes the number of terms that are served.

So, I would ask you to vote no on this amendment.

SPEAKER MOORE: For what purpose does the gentleman from Cabarrus, Representative Pittman, rise?

REPRESENTATIVE PITTMAN: Speak on the amendment a second time.

SPEAKER MOORE: The gentleman is recognized to speak on the amendment a second time.

REPRESENTATIVE PITTMAN: Thank you, Mr. Speaker.

Ladies and gentlemen, just very briefly I would like to point out that I understand that either way somebody among the three of us that two are going to be paired. I would point out to you that geographically Representative Ford and Representative Johnson are much closer together than I am to either one of them. Thank you.

SPEAKER MOORE: Further discussion, further debate? If not, the question for the House is the
adoption of Amendment A1 sent forth by Representative Pittman. Those in favor will vote Aye, those opposed will vote No. The Clerk will open the vote.

Representative Rogers, Representative Corbin in chamber. Representative Alexander, Representative Collins.

Clerk will lock the machine and record the vote. 7 having voted in the affirmative; 102 in the negative. The amendment fails.

The gentleman from Harnett, Representative Lewis, is recognized to send forth the amendment. The Clerk will read.

THE CLERK: Representative Lewis moves to amend the bill on page 3, line 39 through page 4, line 2 by deleting those lines and submitting the following.

SPEAKER MOORE: The gentleman has the floor to debate the amendment.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker.

Mr. Speaker, first of all, I'd like to correct the record. When the committee met on Friday, there was an alternative proposal that had been submitted for consideration, and I erroneously stated the House plan that I submitted was more compact in
Wake County and I misspoke.

Representative Jackson from Wake County was kind enough to share with me on Friday that I had misspoke and provided the data to reemphasize that. Therefore, I worked on Saturday to try to improve the compactness scores. I also reached out for advice to some members of the House of the Wake County delegation for their input.

Therefore, despite what you may or may not think of the map, I would ask you to support this amendment. I think this map does a better job of keeping municipalities whole. I think this map is certainly more compact. The Reock score is increased by .019. The Polsby-Popper score is increased by 0.5.

Again, there is one fewer split town in this map, and I would urge members to please support this amendment.

SPEAKER MOORE: Further discussion, further debate? If not, the question for the House is the adoption of Amendment A2 sent forward by Representative Lewis. Those in favor will vote Aye, those opposed will vote No. The Clerk will open the vote.

The Clerk will lock the machine and record the vote.
64 having voted in the affirmative, and 46 in the negative the Amendment is adopted.

For what purpose does the gentleman from Lee, Representative Reives, rise?

He stepped off.

For what purpose does the lady from Franklin, Representative Richardson, rise?

REPRESENTATIVE RICHARDSON: Thank you, Mr. Speaker.

I would like to ask the bill sponsor about three questions, please.

SPEAKER MOORE: Does the gentleman from Harnett yield to three questions?

REPRESENTATIVE LEWIS: I yield to all of them, Mr. Speaker.

SPEAKER MOORE: He yields, and after he answers each question in the interest of time, Representative Richardson, the lady is permitted to go onto the next question.

REPRESENTATIVE RICHARDSON: Okay, thank you, Mr. Speaker.

My first question is I went to the public hearing in Halifax and there were quite a few people who were as was across the state. Was the information or the questions asked by those public hearings
included or impacted any of the changes in the maps that you presented?

REPRESENTATIVE LEWIS: Thank you for that question, Representative. The input that I can recall that we got was to make the districts compact. They were largely along the criteria that the committee has adopted. Unfortunately, I don't recall any specific criteria from the Halifax location that was incorporated in this drawing.

REPRESENTATIVE RICHARDSON: Thank you. I won't address that, but I just wondered.

My second question is that the plaintiffs had attorneys working for them. In deciding the maps that we are about to vote on, were any of the plaintiffs or the attorneys for the plaintiffs contacted and consulted about the results that will reflect in the maps that you've given us today?

REPRESENTATIVE LEWIS: Thank you for that question.

Certainly in my opinion would have been inappropriate for me to have contacted the plaintiffs attorneys to talk about this. I do appreciate the fact that the plaintiffs submitted maps for us to review. I, frankly, spent a lot of time reviewing it and I don't recall that there are any direct changes
to this map as a result of the map that the plaintiffs submitted.

REPRESENTATIVE RICHARDSON: Thank you.

My last question, it relates to the letter that attorney Anita Earle sent. Did that letter impact any changes once you received it from her?

REPRESENTATIVE LEWIS: Well, thank you for that question.

Certainly I do recall receiving the letter. I read the letter thoroughly. There are points of the letter that I would respectfully disagree with in terms of the way that the signers of the letter interpret various aspects of the law. Again, I think one of the biggest fallacies in the letter is the number of county traversals that following their theory of the law would create.

So, the short answer, and I apologize for continuing to do that, it's not my intent, I'm trying to recall, I do not recall that the letter left any direct changes in the map.

REPRESENTATIVE RICHARDSON: Thank you for your answers. Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the gentleman from Lee, Representative Reives, rise?

REPRESENTATIVE REIVES: To ask the bill
sponsor a couple of questions.

SPEAKER MOORE: Does the gentleman from Harnett yield to inquiry?

REPRESENTATIVE LEWIS: I yield to all questions.

SPEAKER MOORE: He yields.

REPRESENTATIVE REIVES: Thank you, Chairman Lewis, and I'll try to make a couple of presumptions to go ahead and try not to ask you a whole bunch of questions.

I believe the reason we left the racial statistics out of the stack pack was to secure the racial gerrymander per the court's order. With that being said, we still had Dr. Hoffler doing the maps this time around. Was there a particular reason that we were picking Dr. Hoffler again?

REPRESENTATIVE LEWIS: Thank you for the question, Representative Reives. And to be clear, the map that you have before you is just like any other piece of legislation that comes up. The idea behind the map and the process that produces the map is a -- is the legislative -- is the legislative process. I feel and continue to feel that Dr. Hoffler was the best person to help us quickly comply with the order of the court. So, yes, I think he was the best one to
hiring to help reproduce this map to present to you today.

REPRESENTATIVE REIVES: And follow-up?

SPEAKER MOORE: Gentleman yields to additional questions? He yields.

REPRESENTATIVE REIVES: Thank you.

And based on that, that because of the fact that he would have been the quickest, would have been because of the substantial amount of work and work product that he would have had from 2011; would that be fair to say?

REPRESENTATIVE LEWIS: Well, thank you for the question.

No, I don't think the 2011 plan would have had anything to do with it. I think it was more the we agreed that maptitude was the sort of the industry standard that's used nationwide, and he was just very fluent in being able to help legislators translate their desires to the maptitude program.

REPRESENTATIVE REIVES: Follow-up.

SPEAKER MOORE: Does the gentleman yield to additional questions?

REPRESENTATIVE LEWIS: Yes, sir.

SPEAKER MOORE: He yields.

REPRESENTATIVE REIVES: Based on that, is it
your belief, then, that he would not have used
information that he had had available to him back in
2011 and his knowledge of the districts to kind of
help push this process along?

REPRESENTATIVE LEWIS: Thank you for the
question.

The only information that Dr. Hoffler had
access to and used in preparing this map was that it
was adopted by the criteria because that was the only
-- was the criteria adopted by the committee because
that was the only information that was loaded up on
his computer.

REPRESENTATIVE REIVES: Follow-up.

SPEAKER MOORE: Does the gentleman yield to
additional questions?

REPRESENTATIVE LEWIS: I yield.

SPEAKER MOORE: He yields.

REPRESENTATIVE REIVES: Thank you.

So, did we put anything in place to make
sure that he wasn't using any other information, for
instance, his knowledge of the racial data,
statistics, district lines, things of that sort, that
information that has previously been used this time
around so as not to violate the court's order?

REPRESENTATIVE LEWIS: Thank you for the
question.

Part of his contract and certainly his instructions from me were to only use the criteria that was adopted by the committee.

REPRESENTATIVE REIVES: All right, thank you, Mr. Chairman. Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the gentleman from Durham, Representative Michaux, rise?

REPRESENTATIVE MICHAUX: To see if the gentleman would respond to a question or two.

SPEAKER MOORE: Does the gentleman from Harnett yield to the gentleman from Durham?

REPRESENTATIVE LEWIS: I do.

SPEAKER MOORE: He yields.

REPRESENTATIVE MICHAUX: Mr. Chairman, did you contact any of the members of the body before these maps were presented to the committee to get any individual input from them?

REPRESENTATIVE LEWIS: Representative Michaux, thank you for the question.

I have talked to members of the body throughout this process. Prior to the release of the first map I certainly had talked to probably Representative Dollar, who is the Chair of the committee with me, but I don't recall that I spoke to
any other member prior to the release of the first
map. I've continued to talk with members along the
way, which is why we put the map out was to get
feedback from the members and the public and we have
made certain changes in the map based on input from
members.

REPRESENTATIVE MICHAUX: Follow-up.

SPEAKER MOORE: Does the gentleman yield to
additional questions?

REPRESENTATIVE LEWIS: I yield.

SPEAKER MOORE: He yields.

REPRESENTATIVE MICHAUX: Let me try to make
it simple. Did you seek out any information at all
from the members of this body as to what they would
like to see in any map that was drawn on a personal
basis?

REPRESENTATIVE LEWIS: Thank you for that
question, Representative Michaux.

I produced a map and have received input
since then. I did not specifically seek out
information from members prior to that.

REPRESENTATIVE MICHAUX: Follow-up.

REPRESENTATIVE LEWIS: I yield to all
questions.

SPEAKER MOORE: He yields.
REPRESENTATIVE MICHAUX: In considering -- who -- who worked with you on consideration of the map that you submitted to the Redistricting Committee for their approval?

REPRESENTATIVE LEWIS: So, obviously Dr. Hoffler, who is a consultant that was hired drew the map at my direction, and Representative Dollar also added input to the maps after he had been named Co-chair of the committee.

REPRESENTATIVE MICHAUX: Another.

REPRESENTATIVE LEWIS: I yield to all questions.

SPEAKER MOORE: The gentleman yields.

REPRESENTATIVE MICHAUX: So, you and Representative Dollar and Dr. Hoffler were the only ones who put a map together that was presented to the Redistricting Committee for their approval?

REPRESENTATIVE LEWIS: So, to be clear, primarily I directed how the map was produced, but, yes, the three people that you said were the ones that largely had seen it prior to its public publication.

REPRESENTATIVE MICHAUX: Follow-up?

REPRESENTATIVE LEWIS: I yield.

SPEAKER MOORE: The gentleman yields.

REPRESENTATIVE MICHAUX: This won't take but
a couple more.

The court in turning -- in finding that the map you drew in 2011 was unconstitutional indicated that the maps were unconstitutional because they were racially gerrymandered. By racial gerrymandering, that race was brought into the map in order to make the maps that you drew; is that not correct?

REPRESENTATIVE LEWIS: Thank you for the question, Representative Michaux.

Certainly the court's ruling was that the maps were unconstitutional as racial gerrymander.

It's my understanding that the reason the court made that determination is that they said that we had not established enough in the record to trigger the use of race in drawing districts.

REPRESENTATIVE MICHAUX: Follow-up?

SPEAKER MOORE: Will the gentleman yield to additional questions?

REPRESENTATIVE LEWIS: I do.

SPEAKER MOORE: He yields.

REPRESENTATIVE MICHAUX: You keep saying that the court says that you had not figured enough in there in order to trigger race, but did they not indicate to you that race was a predominant factor in the way that those lines were drawn in 2011?
REPRESENTATIVE LEWIS: Representative Michaux, I'm not sure I completely understand what you're asking. I have acknowledged that the court ruled that 19 of the state House districts were racial gerrymanders without the necessary supporting the information from the court. I mean that the court says the legislature did not have enough information to use race in the drawing of the maps. No additional information has been presented to me or to the Redistricting Committee to refute the court, therefore, we did not use race in drawing this map.

REPRESENTATIVE MICHAUX: One follow-up question.

SPEAKER MOORE: Does the gentleman yield to additional questions?

REPRESENTATIVE LEWIS: I do.

SPEAKER MOORE: He yields.

REPRESENTATIVE MICHAUX: How do you, then, correct, how do you correct a racially predominantly drawn district without including race in order to correct that predominance?

REPRESENTATIVE LEWIS: Thank you for the question.

It's my understanding that the ruling of the court was that we did not have enough evidence to
justify the use of race in drawing districts, therefore, if race is not used at all in the drawing of the districts, certainly a court would not be able to find because race had not been a factor at all, it certainly could not have been a factor that was
incorrectly considered.

REPRESENTATIVE MICHAUX: Thank you.

SPEAKER MOORE: For what purpose does the gentleman from Wake, Representative Jackson, rise?

REPRESENTATIVE JACKSON: For a series of questions to the sponsor chair.

SPEAKER MOORE: Does the gentleman from Harnett yield to questions?

REPRESENTATIVE LEWIS: I yield.

SPEAKER MOORE: He yields, and Representative Jackson, you're welcome just to continue asking after each one.

REPRESENTATIVE JACKSON: Thank you, Mr. Speaker. I think it's only four questions, Chairman Lewis.

On Friday we talked about to back the scores, and you did make a change to Wake County, and so, I'll just ask was the map the committee considered on Friday what I'll call the Covington, the Covington map, is it still slightly better compacted scores than
the offer 927 as amended at this point?

REPRESENTATIVE LEWIS: Thank you for the question, Representative Jackson. The -- my understanding is that the Covington map is slightly better statewide on overall compactness and the -- in Wake County the now amended plan is better under the Reock score than the Covington map was and almost as good as the Covington map under the Polsby-Popper score.

REPRESENTATIVE JACKSON: Thank you.

Chairman Lewis, I noticed a series of split counties: Craven, Onslow, Pitt, Granville, Robeson, Johnston, Sampson, Nash, Harnett, Columbus and Stanly, and so, in my examination of those I didn't see a single place where the split worked to the advantage of the democratic party and to the detriment of the republican party, and I was just wondering if I was wrong or if you could point me to one those?

REPRESENTATIVE LEWIS: Well, thank you for that question, Representative Jackson. The -- I'm not aware of the outcome of how these splits effect various partisan performance of a district. Were I to gander, I would say that -- I would say that probably the placement of the line for population purposes in District 8 probably benefits democrats more than it
does republicans. That's one of the things I tried
the say when we were adopting the criteria. Every
choice, everywhere a line is made, there are political
ramifications for where that line falls, and one of
the reasons that I objected so much to the committee
to trying to specify that a precinct or a county could
only be split for population purposes, frankly, is I
knew that where ever the line went, there would be
political consequences for it and folks would blame me
for violating the criteria.

REPRESENTATIVE JACKSON: And the last
question I have for you is Representative Lewis or
Chairman Lewis, is in Wake and Mecklenburg County
there are five house districts that did not touch in
any way districts that had been declared
unconstitutional, and since you didn't consider race
in redrawing these districts, can you tell us why it
was necessary for you to change the boundaries of
House District 105 in Mecklenburg County and House
Districts 36, 37, 40 and 41 in Wake County?

REPRESENTATIVE LEWIS: The court ordered us
to correct racial gerrymanders, that is, districts
that use race too much. Freezing districts which do
not touch the illegal district would require the core
of the racial gerrymander as a starting point and then
we would be accused of racial gerrymandering all over again. Instead, we started with a blank slate. As you yourself have pointed out, the blank slate has let us do some good things. It's let us split fewer precincts, it's let us keep more municipalities whole.

The state constitution does assume that redistricting will be done after the census and not touched later on, but it does not speak to the situation we're in now, which is court ordered redistricting. In 2011 what I refer to as the VRA districts were created first. For example, in Wake County all of the remaining districts were drawn around the VRA seats. Therefore, all the remaining districts were, in fact, impacted by the Covington ruling.

In its ruling the Covington court criticizes split precincts. To correct that we needed to try to split less precincts in all of the districts that were in a group, and that's what we've done here in this drawing.

REPRESENTATIVE JACKSON: Thank you, Mr. Chairman.

SPEAKER MOORE: Further discussion, further debate? Does the gentleman wish to debate the bill?

REPRESENTATIVE JACKSON: I do.
SPEAKER MOORE: The gentleman from Wake, Representative Jackson, is recognized to debate the bill.

REPRESENTATIVE JACKSON: Thank you, Mr. Speaker.

Ladies and gentlemen, I apologize in advance. My comments are probably about 10 minutes long. So, I tried to summarize them as best I could. I want you to know that I do rise to oppose this redistricting plan today and I wanted to start with the issue of race, which I believe is at the heart of this plan and very much, unfortunately, part of the national public debate in recent months.

A lot of hate was on display a few weeks ago in Charlottesville, and I think the comments we heard at the public hearing last week were in large part a response to what happened in Charlottesville. So, from the beginning I want to state publicly and clearly and for the record that I do not think your plan is racial gerrymandered because my colleagues in this body are racist. No one in this body deserves to be called some of the names we heard that night or in some of the public comments that I have personally received. But today is the anniversary of Dr. Martin Luther King, Jr.'s I Have a Dream speech, and we have,
in fact, come a long way, but I do not believe we are
at the point in this country, in the south or even in
this state where you can no longer consider race in
these type of decisions.

I do believe your plan is still a racial
gerrymander, just as the plan from 2011 was found to
be. I believe your plan racially gerrymanders so that
you can lessen the opportunities of African-American
voters to have their voices heard in more districts
because that could in turn create more democratic
districts. That is at the core of your supermajority.

The plan that we are passing today is every
bit as constitutionally flawed as the one in 2011.
House democrats have pointed out some of the flaws on
the floor and in committee. The Covington plaintiffs
have done so through written correspondence to the
chairs and submission to alternative map. You have
not made the necessary changes, but I'm going to point
them out one final time.

First, there was the process you've known
since June 5th that your maps were unconstitutional
and needed to be redrawn and we did nothing. Governor
Cooper attempted to call us into special session on
June 7th; again we did nothing. Finally, you acted
laying out a long, drawn out timetable for public
input and hearings. It sounded great except that it was now August. And remember last time you tried to schedule filing in December and that's a long process and prevents us from recruiting candidates. That's not a problem for your side with so many incumbents and maps to consult, but the court figured this out and rightly called you out on it.

So that foot-dragging process led to an evening of one public hearing conducted in probably one of the most bizarre fashions I've ever seen. As best I can tell, what input we did receive through the hearing or the online process was not used in any meaningful way. I have no doubt that the maps we see today have existed in some basic form for sometime, after all, the clusters were drawn last year around this time, yet they were released on a Saturday, but just as pictures with no data. It took another couple of days to get the data we all know existed.

The second flaw in the plan before us today is the alleged non-use of racial data. Nine Supreme Court justices, who rarely agree on anything, struck down your maps as a racial gerrymander. Some argued that the court did not find such a racial gerrymander, only that you considered race without the proper factual findings or that the law has somehow changed
since 2011. In my opinion that just isn't accurate.

The Federal courts have referred to the 2011 plan as a racial gerrymander at least seven different times in two separate court orders requiring you to re-draw these 19 unconstitutional House districts.

Three federal judges issued an order instructing you on how to fix your map, including specific language directing the use of racial data. You are refusing to do so. You're pretending that the Voting Rights Act no longer exists.

You can look at page 151 of the court's opinion. There the court talks about the history of the prior Voting Rights Act districts in North Carolina and racially pulverized voting. The court says, "We would not dispute that some of the information is relevant and should be considered during a legislative redistricting."

Should be considered, that's what the court says. We didn't consider it. In the court's conclusion, "Section II of the Voting Rights Acts continues to play an important role in redistricting, and legislatures must undertake a district specific analysis to identify and cure potential Section II violations."

Again, note the magic words, legislatures
must. Again, we have not done that.

The maps before us today have stack packs with no racial data in them. You claim that means a racial gerrymander is impossible, yet the lines were drawn by the same expert who drew the maps in 2011. They used racial data so extensively as to be found unconstitutional. Dr. Hoffler spent months taking a scaffold to the North Carolina map and finding pockets of African-American voters to create 50% plus districts all across the state. He spent many more years helping the state answer pleadings, discovery requests, giving depositions and expert testimony. How do you instruct him now not to use what he knows all so well? It would be like telling Dale Jr. not to look at his speedometer. It's pointless. He still knows how fast he's going when he's in that car.

And you see it in the maps. You see racial gerrymanders that have not been cured. They live on, refusing to die like a character in The Walking Dead. If not, why do the districts look so similar to the ones last time?

What's more, you even refused to even check on the back end to make sure you have identified and cured potential Section II violations. The court has told you to do so, but you have refused. I'd ask that
you not cry foul if and when the court calls you to task on it. Everyone has warned you.

The third flaw I see is the unfortunate error of violating the whole county provision of the North Carolina Constitution. Your map splits more counties than the map I presented at committee. There are no unnecessary county traversals. Why not fix them now?

The fourth flaw also relates to the North Carolina Constitution. Unlike Georgia and other states, we cannot redistrict mid-decade without a court ordering us to do so. You abide by this constitutional rule by not redrawing areas like Alamance or New Hanover or Burke County, yet you violate the rule in Wake and Mecklenburg County.

It is possible and constitutionally required to leave districts unchanged that do not touch unconstitutional districts when the cluster is unchanged, yet you refuse to do so for reasons of politics.

There's no legal universe with your political reasons can trump the North Carolina Constitution. It's as clear as day. Article II, Section 5 says, "When established, the House districts in the apportionment of their representatives shall
remain unaltered until the return of another census of population taken by order of congress."

That same language is cited in both the Stevenson 1 and Stevenson 2 is one of the four constitutional limitations upon the redistricting authority of the General Assembly. Why would a party of strict constructionists ignore this prohibition?

Finally, I will point out the flaw that is obvious to anyone paying attention and that is partisan gerrymandering. Our current map is one of the most gerrymandered in the history of America. That is not an exaggeration. We are at the political center of the political scientists world, and you've doubled down what you did in 2011. And I know, I know you're going to say that democrats did it first, and there's two comments I'd like to say about that. First, at some point someone has to have the integrity and political courage to stop doing it. Obviously it won't be us today.

The second I looked up the last democratic plan of 2003, looking at the closest statewide race of 2000, which was the democratic candidate won by three points, the 2003 democratic gerrymander gave us, gave our party, the democratic party, 66 seats and yours 54. Obviously it was drawn at that time to help the
democrats, yet compared to what we have before us today, Attorney General Stein won in North Carolina. He wins over 42 seats in your plan. 35% of the North Carolina House.

In committee I presented a plan that resulted in Attorney General Stein winning 56 seats, and some of my republican friends were horrified, aghast. It was beyond the pale what I was proposing. I had a radical partisan gerrymander in favor of democrats, and imagine that, it was a plan that only gave you a simple majority. Your party's executive director said that the Covington's plaintiffs' plan was the racial gerrymander in this case and that what I was doing on Friday was an embarrassment.

Let me sum up those republic talking points for you. The plan before us today puts the democrats in the super minority, but it's completely fair and balanced. My amendment that would have put democrats in the close minority is the wildly partisan racial gerrymander. It takes a lot of gall to parrot those talking points. I encourage you to try it out in public sometime.

I know that partisan gerrymandering has not been struck down by the courts yet. Plans like the one before us today are putting us on that path.
There are bad democratic gerrymanders in states like Maryland, and bad republican ones in states like Wisconsin, but we remain the top dog in gerrymandering. Nobody does it like North Carolina. We're number one. The fact that you would do it again after your first maps were struck down by the courts is very interesting, to say the least. You could have drawn a more reasonable map that guaranteed you to stay in control of this body through 2020. You could have shown a little humility, a little moderation, a little caution knowing that the court this time has to approve this plan, but you didn't. You're going all in, and we'll see how this all works out in a few weeks.

On behalf of the House of Democrats I say that we will be voting against this plan. Thank you.

SPEAKER MOORE: For what purpose does the gentleman from Wake, Representative John, rise?

REPRESENTATIVE JOHNS: Briefly debate the bill.

SPEAKER MOORE: The gentleman is recognized to debate the bill.

REPRESENTATIVE JOHNS: Since I announced my intention to seek election to this body nearly a year ago, I have consistently and repeatedly spoken of my
firm belief that the task of drawing electoral
districts for the North Carolina House and the North
Carolina Senate should be assigned to a wholly
independent, impartial, and most importantly, a
nonpartisan commission.

In the public comments recently heard by the
Redistricting Committee, speaker after speaker after
speaker expressed the identical sentiment.

As we've heard so often, politicians should
not be put in the position of selecting their voters
as opposed to citizens selecting their
representatives. Our frail human nature being what it
is, when those directly affected and indeed those who
will specifically benefit by the process are those who
themselves are making the critical decisions as to
where the borders of legislative districts are set, it
is inevitable that self-district -- self-interest and
partisan concerns will creep in and in most instances
will ultimately prevail.

My personal wish, and I believe the wish of
the vast majority of North Carolinians, would have
been that the General Assembly would have considered
and early on passed a law establishing an independent
redistricting commission. Bipartisan proposals to do
so currently languish in the House Rules Committee,
and sadly, no such legislation was passed. What we have instead are the proposed maps before us, the many flaws of which have been pointed out in the questions and statements we have heard.

My primary and heartfelt goal, Mr. Speaker, will be to continue to see a significant change in this process, and one which will give our citizens the full confidence they deserve in their legislative districts.

Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the gentleman from Harnett, Representative Lewis, rise?

REPRESENTATIVE LEWIS: May I send forth an amendment?

SPEAKER MOORE: Representative wishes to send forth an amendment. Clerk will now read.


SPEAKER MOORE: The gentleman is recognized to debate the amendment.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker.

Mr. Speaker and Members, this is a purely
technical amendment recommend to me by essential staff. It simply makes it easier to identify the map that appeared on the calendar today from the map that now appears as amended with the Wake County amendment. Therefore, I would respectfully ask you to vote green and adopt this amendment. It just renames the map.

SPEAKER MOORE: Further discussion, further debate? If not, the question before the House is the adoption of Amendment A3 sent forward by Representative Lewis. Those in favor will vote Aye, those opposed will vote No. The Clerk will open the vote.

The Clerk will lock the machine and record the vote. 111 having voted in the affirmative, none in the negative. The bill is adopted. We're now back on the bill for the discussion, further debate.

For what purpose does the gentleman from Mecklenburg, Representative Alexander, rise?

For what purpose does the gentleman from Harnett, Representative Lewis, rise?

REPRESENTATIVE LEWIS: Mr. Speaker, may I please ask the gentleman from Wake, Representative Jackson, a series of questions?

SPEAKER MOORE: Does the gentleman from Wake yield to the gentleman from Harnett?
REPRESENTATIVE JACKSON: Yes, Mr. Speaker.

SPEAKER MOORE: He yields and the gentleman will be permitted to simply propound additional questions.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker, and thank you Representative Jackson.

Representative Jackson, just to be clear, you pointed out what you identify as deficiencies in this process. Have you done or caused to be done a district by district on the houses that gives any specific information that race should have been used?

REPRESENTATIVE JACKSON: I have not done a specific district by district analysis, Representative Lewis. As I mentioned on Friday, I have seen some racial data statistics for the different plans, but I have not taken it down to the -- if you read, as you read the Covington opinion, it's a 160 something pages and it goes in each district and it talks about what was the breakdown of African-Americans in the 2003 plan and did they elect the candidate of their choice. I did not take it down through that level, no, sir. I've just seen the preliminary statistics.

REPRESENTATIVE LEWIS: Thank you.

Did you -- did you ask for the racial data on the plan that is before us now from staff or an
outside source?

REPRESENTATIVE JACKSON: I have certainly seen data on the plan as existed last week. The plan that's before us now has been amended a few times, and so, I've not asked for that data. I have also seen some preliminary racial data on the Covington plaintiffs' map, and I can't remember if it was at my request or if I was just copied on that e-mail, Representative Lewis.

REPRESENTATIVE LEWIS: May I ask one last question, Mr. Speaker?

SPEAKER MOORE: Yes, sir.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker, and thank you Representative Jackson. Have you published this racial data or do you intend to? Is it a part of the record somewhere?

REPRESENTATIVE JACKSON: I believe it exists, Representative Lewis, in this computers. I have not published it. I believe that some members of my caucus have seen it as it applied to your previous plan as introduced to committee last week. I don't believe everyone on our side has seen the data as it exists for the Covington map. And, then, this weekend after you were kind enough on Saturday to share the Wake County amendment that you intended to run, I did
get a breakdown of some of the changes to some of those districts in Wake County and I've only shared that with a few members.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker, and thank you, Representative Jackson.

SPEAKER MOORE: Further discussion, further debate? If not, the question for the House is the passage of House Bill 927 on the second reading. Those in favor will vote Aye; those opposed will vote No. The Clerk will open the vote.

The Clerk will lock the machine and record the vote. 65 having voted in the affirmative; 47 in the negative. House Bill 927 passes at second reading and without objection be read a third time.

HOUSE CLERK: North Carolina enacts.

SPEAKER MOORE: Further discussion, further debate? If not, the question before the House the passage of House Bill 927 on the third reading. Those in favor will vote Aye; those opposed will vote No. The Clerk will open the vote.

The Clerk will lock the machine and close the vote. 65 having voted in the affirmative; 47 in the negative. House Bill 927 passes its third reading. The Bill is ordered enrolled and sent to the Senate. Strike that, the Bill is ordered in gross and
sent to the Senate.

Moving on to other business, Members, the Chair appoints the following members as well as constituting a committee on judicial redistricting. The committee members are as follows: Representative Berg, Chair; Representative Stevens, Vice Chair; Representative Ted Davis, Vice Chair; Representative John Bluss, Vice Chair. Members Representative Blackwell, Brisson, Bumgardner, Floyd, Goodman, Hall, Hastings, Harrison, Jackson, Jordan, John, Lewis, McNeil, Bobby Richardson, Rogers, Torbit, Ray and Zachary, and that's pursuant to Rule 26A.

We'll stand at ease momentarily. And since we have multiple Halls that was Representative Destin Hall.

The Clerk directs that 927 should be sent by special message to the Senate.

(HOUSE IS AT EASE.)

House will come back to order.

Members, for your planning purposes this is the schedule for today and for the next couple of days. First of all, we are -- we finished today's business. The Chair will direct, Mr. Clerk, that the three veto overrides: House Bill 205, House Bill 511, House Bill 576 be removed from today's calendar and
calendared for Wednesday, put on Wednesday's calendar.

    Tomorrow we will have -- tomorrow we will
have session at 1, but there will be no votes. Excuse
me, 1 or 2, we haven't determined. I think we're
going to go with 2, 2 o'clock tomorrow, but no votes
tomorrow. The plan tomorrow is going to be that the
Redistricting Committee will take up the Senate
redistricting map. The chairman will make an
announcement momentarily on that, and once that -- the
committee process will be tomorrow. And then on
Wednesday it is the Chair's intent that we take care
of second and third reading on Wednesday.

    Is there any objection to -- is there
anybody going to object to the reading of the Senate
redistricting map on Wednesday? Okay, then, the plan
will be that we'll do second and third reading on the
Senate map and on Wednesday. For ratification
purposes and so forth, I believe we still may be here
Thursday, but at least right now it would appear that
the voting business will be done Wednesday, but I'm
not sure. I know there are several other bills
floating around. There are some comp reports folks
are working on. So, those may be taken up Wednesday
and Thursday as well, but that's where we are for
right now.
The gentleman from Harnett, Representative Lewis, is recognized for an announcement.

The gentleman from Wayne, Representative Bell, is recognized for an announcement.

REPRESENTATIVE BELL: Thank you, Mr. Speaker.

Republican members, we're going to caucus on Wednesday. Right now the time is to be determined, but look somewhere in the 12 o'clock timeframe. So, prepare accordingly. Thank you.

SPEAKER MOORE: The gentleman from Wake, Representative Dollar, is recognized for an announcement.

REPRESENTATIVE DOLLAR: Tomorrow the House Redistricting Committee will meet at 1:00, 1:00 in Room 643. We'll be there to take up the Senate's Redistricting Bill.

SPEAKER MOORE: And the Chair would intend we have session tomorrow too. Is there any -- the Chair would move the rules be suspended so that the House may meet at the same time the committee is meeting.

Is there an objection? Hearing none, so ordered.

For what purpose does the gentleman from
Wake, Representative Jackson, rise?

REPRESENTATIVE JACKSON: For an announcement.

SPEAKER MOORE: The gentleman is recognized for an announcement.

REPRESENTATIVE JACKSON: Thank you, Mr. Speaker.

Our House democrats will caucus Wednesday at 1:00. Wednesday at 1:00 in our normal room. Thank you.

SPEAKER MOORE: So, just again to remind members, no votes in session tomorrow. It will be a no-vote session, but the Redistricting Committee will be meeting. There will be votes, however, on Wednesday and probably on Thursday.

Further notices and announcements?

For what purpose does the gentleman from Durham, Representative Michaux, rise?

REPRESENTATIVE MICHAUX: Inquiry of the Chair.

SPEAKER MOORE: Just a moment.

Members of the House will come to order.

The gentleman is recognized for an inquiry.

REPRESENTATIVE MICHAUX: Barring any other order or anything coming from the court, what's on
schedule after Wednesday or Thursday?

SPEAKER MOORE: The Chair believes we'll be done Thursday. I don't foresee us being here on Friday. If the gentleman is asking what specific bills there are?

REPRESENTATIVE MICHAUX: No, I'm talking about after we leave here Wednesday or Thursday, when do we come back?

SPEAKER MOORE: Sometime in October we have a -- we'll have a reconvening date in October. That date has yet to be determined, but the Chair believes it will be during the second week of October.

REPRESENTATIVE MICHAUX: I thought the resolution -- pardon me, another question. I thought the resolution we passed called for a September date?

SPEAKER MOORE: That is in there. That will be amended in this adjournment resolution. The Chair doesn't believe there will be a need to be back that early. So, looks like you'll be safe until October.

REPRESENTATIVE MICHAUX: What's safe about that?

SPEAKER MOORE: Something to look forward to, Representative Michaux. It's just like Christmas, it just keeps repeating itself over and over again.

Further notices and announcements?
If not, gentleman from Harnett,
Representative Lewis, recognized for a motion.

Just a moment.

REPRESENTATIVE LEWIS: Mr. Speaker.

SPEAKER MOORE: Just a moment,
Representative Lewis. Oh, yes, the Chair apologizes.
We actually have some pages with us today. If the
pages would please come forward that are going to be
serving with us this week. If you guys would come
forward, I want to make sure I introduce these pages.
I know a lot of members have left, but I would ask
that you give your attention. A number of you
probably have sponsored our pages who are here.

And to our pages, as the Clerk calls your
name, please step forward and wave so that my
colleagues and I will know who you are and where
you're from. All right, the Clerk will introduce the
pages.

HOUSE CLERK: Caroline Beason, Mecklenburg
County, Sponsor Representative Dulin. Rhea Bagia,
Mecklenburg County, Sponsor Representative Dulin. Zoe
Byrd, Johnston County, Sponsor Representative
Strickland. Tanner Harron, Guilford County, Sponsor
Representative Faircloth. Emma Hiott, Stanly County,
Sponsor Representative Burr. Carrie Holloway, Forsyth
County, Sponsor Representative Hanes. Victoria Hume,
Orange County, Sponsor Representative Meyer. Timothy
Parker, Wake County, Sponsor Representative Malone.
Katherine Sanota, Mecklenburg County, Sponsor
Representative Stone. Kirastacia Taylor, Orange
County, Sponsor Representative Meyer. Maxwell
Wagenseller, New Hanover County, Sponsor
Representative Butler. Nate Worley, Buncombe County,
Sponsor Representative Turner.

SPEAKER MOORE: Members, if you would please
join me in welcoming our pages here this week.

(APPLAUSE.)

We're glad to have you with us this week.

You may return to you post.

The gentleman from Harnett, Representative
Lewis, is recognized for a motion.

REPRESENTATIVE LEWIS: Mr. Speaker, in honor
and memory or Richard Thomas McDowell, the father of
Representative White, I move the House adjourn to
reconvene Tuesday, August 29th, at 1 o'clock p.m.
subject to the standard stipulation set forth in Rule
15.1, except, Mr. Speaker, may I change that and move
that the House reconvene on Tuesday, August 29th, at 2
o'clock p.m.

SPEAKER MOORE: The gentleman from Harnett
moves that the House be now adjourned, seconded by the
lady from Johnston, Representative White, in honor and
in memory of Richard Thomas McDowell, who is the
father of Representative White, subject to the
standard stipulations set forth in Rule 15.1 to
reconvene Tuesday, August 29th at 2 p.m.

Those in favor say Aye.

HOUSE MEMBERS:  Aye.

SPEAKER MOORE:  Those opposed say no. The
Ayes have it. We stand adjourned.

(HOUSE SESSION ADJOURNED AT 3:07 P.M.)
STATE OF NORTH CAROLINA
COUNTY OF DURHAM

REPORTER'S CERTIFICATE

I, Regina Toppins, Shorthand Reporter and Notary Public in and for the State of North Carolina, do hereby affirm that the foregoing pages contain a verbatim transcription of the above-captioned proceedings and have been transcribed to the best of my ability and understanding; I further affirm 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 28th day of August, 2017.

[Signature]

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NORTH CAROLINA SENATE SESSION

NORTH CAROLINA GENERAL ASSEMBLY

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Monday, August 28, 2017, 5:00 p.m.

PREPARED BY:  Karen Roche
RUFFIN CONSULTING, INC.
DIRECT DIAL:  252-243-9000
WWW.RUFFINCONSULTING.COM
SEN. BERGER: The Senate will come to order. The sergeant at arms will close the doors. Members, take your seats. Members and guests will please silence all electronic devices. Leading the Senate in prayer is Senator Norm Sanderson of Pamlico County. All members and guests, please stand.

SEN. SANDERSON: Thank you, Mr. President. I'd like to read just several verses of Scripture from the Book of Isaiah. Chapter 55, says "Seek you Lord while he may be found. Call ye upon him while he is near. Let the wicked forsake his way, and the unrighteous man his thoughts; and let him return unto the Lord, and he will have mercy upon him, and to our God, for he will abundantly pardon. For my thoughts are not your thoughts. Neither are your ways my ways" sayeth the Lord. Please pray with me. Lord, not our ways, but your ways. Not our thoughts, but your thoughts. Through and by the power of our Lord Savior Jesus Christ, Amen.

THE SENATE: Amen.

SEN. BERGER: Senator Pate is recognized for a motion.

SEN. PATE: Thank you, Mr. President. The journal of Friday, August 25, 2017, has been examined and is found to be correct. I move that we dispense
with the reading of the journal and that it stand approved as written.

SEN. BERGER: Without objection, the journal for August 25, 2017 stands approved as written.

Members, leaves of absence are requested and without objection are granted for Senators Barringer, Jim Davis, Ford, Jeff Jackson and Van Dunyn.

Courtesies of the chamber are extended to Karen Roche of Garrett Reporting Services. She is up on the dais next to the sergeant at arms.

Members, unless there's other business come before the Senate, we'll go straight into our calendar.

Senator Rabon, for what purpose do you arise?

SEN. RABON: Motion to address.

SEN. BERGER: State your motion.

SEN. RABON: Thank you, Mr. President.

Mr. President, I move that the rules be suspended until the end, that staff may accompany Senator Hise on the floor today.

SEN. BERGER: Without objection, so ordered.

SEN. RABON: Mr. President, I move that upon passage of third reading of Senate Bill 691, 2017 Senate Floor Redistricting Plan Second Reading be sent to the House by special message.

SEN. BERGER: Without objection, so ordered.
Senate Bill 691, the clerk will read.

THE CLERK: Senate Bill 691 2017 Floor Redistricting Plan, second reading.

SEN. BERGER: Senator Hise, could you step up here for just a moment?

Members, so you know, my understanding is that Senator McKissick had advised Senator Hise that there were a couple of amendments that were going to be offered and they are not available yet. What we're going to do is Senator Hise has an amendment that we can go ahead and run now. Once he runs his amendment, we'll take a recess waiting for the other amendments and then we'll proceed after that.

Senator Hise, for what purpose do you arise?

SEN. HISE: Send forth an amendment.

SEN. BERGER: Send forth your amendment. The clerk will read.

THE CLERK: Senator Hise moves to amend the bill.

Senator Hise is recognized to explain the amendment.

SEN. HISE: Thank you, Mr. President, Members of the Senate. As we're going through, we realize that there's going to be judges and others looking at these maps and we're trying to compact that and make as easy.
We had one of the original districts that is now numbered differently. I believe it was Senator Lowe's district. And just to avoid any confusion, it will change District 29 to District 32 and 32 to 29, so that the district numbers for that district will be consistent with the previous map to this map.

SEN. BERGER: Further discussion or debate on Amendment 7?

Hearing none, the question before the Senate is the passage of Amendment 7, Senate Bill 691. All in favor of the amendment will vote aye; all opposed to the amendment will vote no. Five seconds will be allowed for the voting. The clerk will record the vote.

(ELECTRONIC VOTE.)

SEN. BERGER: Senator Lee?

44 having voted in the affirmative and none in the negative. Amendment 7 passes and the bill is back before you.

Members, as previously indicated, we will take a recess until 5:40 --

SEN. BISHOP: Mr. President.

SEN. BERGER: Senator Bishop, for what purpose do you arise?

SEN. BISHOP: Before the body recesses, is it possible to ask Senator McKissick a question?
SEN. BERGER: Senator McKissick, do you yield?

SEN. McKISSICK: Yes, I yield.

SEN. P. BERGER: He yields.

SEN. BISHOP: Thank you, Senator McKissick.

When we were last together, Senator, I had asked about what Senator Robinson referred to as a prospectus of information perhaps prepared by Dr. Creighton and understood in the course of some questions to you that you would provide that to the body. I sort of expected it to be here at the beginning of session today. Do you remember what I'm referring to? And do you intend to furnish that?

SEN. McKISSICK: I'm not aware of any prospectus of information. The only thing there's been is dialogue and conversation. It's not as if there's been a compilation of documents that have been created that would be the type of thing that one could easily put into the record and disseminate. It's just the substance of the conversations that occurred. So there's not really a document that embodies all of those conversations and all that dialogue that's taken place over the last perhaps week and a half or so.

SEN. BERGER: Senator Bishop, for what purpose do you arise?

SEN. BISHOP: Ask a question of Senator
SEN. BERGER: Senator McKissock, do you yield?
SEN. McKISSICK: Yes, I yield.
SEN. BISHOP: Did you intend to offer something as to the time we had that colloquy last week?
SEN. McKISSICK: I think I provided the same response last week. That's consistent with my recollections. You might have understood what I said differently. But there is not a set of documents or a memorandum or anything that summarizes the substance of those conversations. There were many, many conversations but not a set of documents that resulted from it and summarized their content.
SEN. BISHOP: Thank you, Mr. President.
SEN. McKISSICK: Mr. President.
SEN. BERGER: Senator McKissick, for what purpose do you arise?
SEN. McKISSICK: So see if I could ask Senator Bishop a question.
SEN. BERGER: Senator Bishop, do you yield?
SEN. BISHOP: I do.
SEN. BERGER: He yields.
SEN. McKISSICK: Senator Bishop, do you have any type of compilation of documents or information that's not currently in the record that was used as a basis for
the plan that's been submitted by the redistricting committee as a preferred plan?

SEN. BISHOP: I have been blissfully uninvolved, Senator McKissick. I do not have any such thing.

SEN. McKISSICK: Thank you.

SEN. BERGER: Members, with that, we will take a recess until 5:45. Senate stands in recess until 5:45.

(The proceeding recessed at 5:30 p.m.)

(The proceeding reconvened at 5:47 p.m.)

SEN. BERGER: Members, a short announcement. My understanding is we are still waiting for some materials to be brought over here. Rather than have those materials being disseminated while we're trying to listen to the speakers, we're going to extend the recess until 6 o'clock. Senate stands in recess until 6 o'clock.

(The proceeding recessed at 5:48 p.m.)

(The proceeding reconvened at 6:16 p.m.)

SEN. BERGER: The Senate will come to order. Members will return to their seats. Members, we are on the third reading, Senate Bill 691. Is there further discussion or debate?

Senator Robinson, for what purpose do you arise?

SEN. ROBINSON: To send forth an amendment.

SEN. BERGER: Send forward your amendment. The
clerk will read.

THE CLERK: Senator Robinson moves to amend the bill.

SEN. BERGER: Senator Robinson is recognized to explain the amendment.

SEN. ROBINSON: Thank you, Mr. President.

On last week Senator Hise asked if I would consider doing some additional amendments to the proposed Senate District 28. And what you have in front of you is actually the proposed changes to that. And what it basically does it has a little less compactness; however, it still keeps two specific things. One in terms of it does not double-bunk incumbents. It keeps separate districts for those. And then it also -- and one of the things we talked about was the current VAP is 52 percent and it decreases. It still decreases at less than 45 percent down to 43 percent. So there's a better distribution in terms of population. And still, there are commonalities amongst the communities that are in both Senate District 28 and 27. So I'll stop right there.

Most of the explanation I gave last week is specific to this one. But this, I think, does a better job in terms of the districts, especially 27, Senator's Wade district, and my 28.
SEN. BERGER: Further discussion or debate on Amendment 8.

Senator Hise, for what purpose do you arise?

SEN. HISE: Speak to the amendment.

SEN. BERGER: You have the floor.

SEN. HISE: Thank you, Mr. President, Members of the Committee. You know, I think that we least had an opportunity to see something come forward that may have addressed some of the concerns. But what we see here is something where we continue to ignore the committee's criteria. This is still clearly a district drawn on the basis of race. Although, I will tell you, by the eyeball test, boy, these districts look a whole lot similar on these two maps. But I guess the claim is the eyeball doesn't apply when someone else drew them.

But there's only one purpose of this district. This is solely targeted at Senator Wade's district. It's an attempt to shave about eight points, depending on the race you're looking at, off of her race and try to change the balance of power so that there's more Democrats. That's what they're attempting to achieve in this amendment. That's what we're seeing come out over and over again. It also ignores the splitting of municipalities. As I understand, still splits Jamestown, still splits Summerfield -- two
municipalities that exist in the county and are now, contrary to the committee guidelines, broken up in the different districts.

So while I was hopeful at the potential we could have gotten from this draw, it seems like it was more important to make a political statement. So I will simply ask you that vote against this amendment.

SEN. BERGER: Further discussion or debate on Amendment 8?

Senator Robinson, for what purpose do you arise?

SEN. ROBINSON: To speak on the amendment.

SEN. BERGER: You have the floor.

SEN. ROBINSON: Thank you, Mr. President.

Contrary to what Senator Hise says is that there were split the same three split municipalities before. But just to back up a little bit. And this map is drawn on the basis of the 2010 elections and when I came in. And that was 2003 data in terms of what's -- and if you look at a comparison in terms of what it was then and what it has since become, is more aligned with the 2003. And that district did not target an incumbent.

So I would take exception to the fact that it targets anybody in this one except that my district was targeted in 2011 when it was redrawn. But this one gives the opportunity to both incumbents for election.
We have to run for it, but it still gives the
opportunity for everybody to compete for the seats.  

SEN. BERGER: Further discussion or debate on
Amendment 8?

Senator Brown, for what purpose do you arise?

SEN. BROWN: To ask Senator Robinson a question.

SEN. BERGER: Senator Robinson, do you yield?

SEN. ROBINSON: Yes.

SEN. BERGER: She yields.

SEN. BROWN: Senator Robinson, there are two
full districts in Guilford County and, at this point, I
would say that one of them is pretty much a Democratic
county and the other one is a very competitive -- one is
a Democratic district and the other one is a very
competitive district. Looking at this map, I think it
generates basically two Democratic Senate districts.
Was the intent to gerrymander Guilford County to do
that?

SEN. ROBINSON: Mr. President.

SEN. BERGER: You may answer.

SEN. ROBINSON: The intent here was, Senator
Brown, to do what Senator Hise asked. If you look at
Greensboro and based on the population, how they vote,
and most of 28 is Greensboro, it's more of a Democratic
voting area. But the Guilford County area around it
tends to be more Republican voting.

So if you look at it in terms of that, then you can understand 28 being more of Democratic percentages. But the intent simply is to give voters an opportunity to vote. If you want to go back to 2003, which I would prefer, it would -- you know, it would be a very clear map as far as I'm concerned.

But that was not the intent here. The intent with Mr. Creighton when we took information from Senator Hise was to do the best job we could in terms of creating a map that did not double-bunk incumbents.

SEN. BERGER: Further discussion or debate on Amendment 8?

Senator Brown, for what purpose do you arise?

SEN. BROWN: One more question, if I could.

SEN. BERGER: Senator Robinson, do you yield for a question?

SEN. ROBINSON: Yes.

SEN. BERGER: She yields.

SEN. BROWN: So I guess you're saying then after talking to your consultant that, trying to create two Democratic Senate districts was never the issue.

SEN. ROBINSON: That was not the intent here.

The intent was to create, based on what the courts said, fair voting districts where citizens could make a
decision in terms of whatever candidates, whether it's
incumbents or anybody else.

SEN. BROWN: It just happened to have turned out
that way, I guess.

SEN. BERGER: Senator Brown, is there another
question?

SEN. BROWN: That's okay.

SEN. BERGER: Further discussion or debate on
Amendment 8?

SEN. McKISSICK: Mr. President.

SEN. BERGER: Senator McKissick, for what
purpose do you arise?

SEN. McKISSICK: To speak on the amendment.

SEN. BERGER: You have the floor.

SEN. McKISSICK: First, I'd like to thank
Senator Robinson for seeing this amendment forward. And
what you really have here is a plan that allows for far
more compact districts and far more competition within
the districts.

I know last week there was some question about
whether if, you know, Trump or Clinton would have won
these districts. If you look at those particular
criteria, you would have seen one of these districts
being strongly carried by Clinton, one of them only
marginally carried by Clinton, by a 1.3 percent margin,
and the other two carried by Trump. That allows for
competition. It allows for choice among voters. And
that's really what voters want. They want the
opportunity to elect the politicians.

Now it could be argued and perhaps persuasively
argued that, had it not been for racial gerrymandering,
you would have seen a different outcome in the
legislative races from this district than what we saw in
terms of results. But I think these are good
districts. So I want to commend Senator Robinson for
her work on studying what could be done to come up with
a configuration that would be improved. I think Senator
Hise had suggested that she give it some thought and
reflection over this past weekend. Certainly a great
deal of depth and analysis went into it.

And one thing which I would like to do for the
record in case it's not in the record already, I
requested statistical packages be put together based
upon 2016 data. For the record, I'd like to reflect the
fact that they are there and been distributed to members
and should be considered as part of the consideration
before this body as we deliberate on this amendment.

Thank you.

SEN. BERGER: Further discussion or debate on
Amendment 8?
Senator Robinson, for what purpose do you arise?

SEN. ROBINSON: To ask Senator McKissick a question.

SEN. BERGER: Senator McKissick, do you yield?

SEN. MCKISSICK: Yes, I do.

SEN. BERGER: He yields.

SEN. ROBINSON: Senator McKissick, as you look at the proposed map SRN-2 and you look at the cluster here, can you identify for me based on the configuration the political parties currently in that cluster?

SEN. MCKISSICK: Within the clusters here within your district?

SEN. ROBINSON: No.

SEN. MCKISSICK: Within the entire cluster.

What we would have in this cluster is Senator Tillman who represents a portion of what is now the newly configured cluster. We would have Senator Gunn representing a portion of this particular cluster and we'd have Senator Wade representing a part of this particular cluster. In addition to yourself, it would be three Republicans and one Democrat.

As I said earlier, perhaps had it not been for the racial gerrymandering that took place previously back in 2011, perhaps you might have seen a different outcome considering the way they voted in the
presidential elections back in 2016.

SEN. BERGER: Further discussion or debate?

SEN. ROBINSON: Just a follow-up question.

SEN. BERGER: Senator Robinson, for what purpose do you arise?

SEN. ROBINSON: To ask Senator McKissick a follow-up.

SEN. BERGER: Senator McKissick, do you yield?

SEN. McKISSICK: Yes, I yield.

SEN. BERGER: He yields.

SEN. ROBINSON: Senator McKissick, in this particular cluster then, do all of those individuals you named in terms of representation have a part of Guilford County? They would represent a part of Guilford County?

SEN. McKISSICK: They would indeed. And incumbency has been, in fact, respected as this plan was developed -- one of the criteria of this committee. Of course, these criteria were not ranked, so there's no way to know what criteria had priority. But the way the original plan was presented, it was a majority/minority district even today after the courts have asked us to really reflect upon that and to go back and not have any racial gerrymanders.

SEN. ROBINSON: Follow-up question, Mr. Chair.

SEN. BERGER: Senator McKissick, do you yield?
SEN. McKISSICK: Yes, I do.

SEN. BERGER: He yields.

SEN. ROBINSON: So for clarification purposes, in this cluster of Guilford, Randolph, Alamance where four senators, incumbents are in this cluster, then there would be three Republicans and one Democrat. Am I correct, based on how it's drawn?

SEN. McKISSICK: That is exactly correct.

SEN. BERGER: Further discussion or debate on Amendment 8?

Hearing none, question before the Senate is the passage of Amendment 8, Senate Bill 691. All in favor of the amendment will vote aye; all opposed of the amendment all vote no. Five seconds will be allowed for the voting. The clerk will record the vote.

(ELECTRONIC VOTE.)

12 having voted in the affirmative and 33 in the negative, Amendment 8 fails and the bill, Senate Bill 691 is back before you.

Further discussion or debate?

SEN. CLARK: Mr. President.

SEN. BERGER: Senator Clark, for what purpose do you arise?

SEN. CLARK: To send forth an amendment.

SEN. BERGER: Send forward your amendment. The
clerk will read.

THE CLERK: Senator Clark moves to amend the bill.

SEN. BERGER: Let the record reflect that Senator Barringer is now in the chamber.

Senator Clark is recognized to explain the amendment.

SEN. CLARK: Thank you, Mr. President.

Senators, what this particular amendment does is it will modify the Hoke – Cumberland cluster which consists of Senate Districts 21 and 19. The major thrust of this modification is to move Fort Bragg into Senate District 21 as opposed to it being in Senate District 19. And I'll get to that in a moment.

But before I address that issue, I want to address a few other questions that might come my way. First of all, I see nothing illegal in this particular plan. And, secondly, race was not a consideration at all and it does not split any municipalities. As a matter of fact, I used the 2017 plan submitted by the Senate as a baseline in which there was only one municipality split and that was the city of Fayetteville. All of the other municipalities in Cumberland County as in the 2017 plan before us will reside in Senate District 19.
So back to the Fort Bragg issue. So why do I want to move that into Senate District 21 as opposed to Senate District 19? Well, I told myself -- well, apparently it's appropriate to use the Bishop criteria that was put forth by Senator Bishop back there. So although we're not considering communities of interest, we can and should consider cluster areas with interests that they hold in common.

And if you look at the layout of Cumberland County and where Fort Bragg is, you'll see that on the southern border of Fort Bragg you have several VTDs. Now these communities have a lot of in-common interests with Fort Bragg there. They share interests such as sporting, sustaining housing, entertaining the troops there. So it seems far more appropriate to group these -- to group Fort Bragg with these particular VTDs as opposed to connecting it to Senate District 19 which runs as we're making it now and then it goes out into the rural horses of the county.

And also, in addition, I looked at the House plan that was proposed by our counterparts in the House and they did conform with this idea of clustering areas with common interests. So if you look at the House plan you'll see that those VTDs right along the southern border of Fort Bragg are, in fact, clustered with it.
within two House districts in the proposed plan. So that's why I believe Fort Bragg should really be linked with Senate District 21 as opposed Senate District 19.

Now the issue with this is Fort Bragg has about 25,000 folks in it. So when you move that over into Senate District 21, that is going to require some adjustment elsewhere within Senate District 21.

Now one of the criteria that I gave to Dr. Creighton is I understand that another unwritten rule is that if we have a cluster that has at least two Senate districts within it and that one of those Senate districts if it's possible to elect a Republican, then we want to make sure that is the case is in the future. So I told him, I said, "I want to make sure that Senate District 19 remains competitive to the extent that a Republican as sharp as Senator Meredith there could still get elected there." And he has, in fact, done that on my behalf. So we can take that one off the plate. Senator Meredith -- I'm sure he's proven time and time again that he can get elected in a Democratic leaning district and nothing will change there.

So you'll notice that the district here, Senate District 21, is more compact than the version in the 2017 plan. And as I indicated, it also protects Senate District 19 in the fact that a Republican can still get
elected there.

Let me see. Are there any other things I want to mention. So that's pretty much it in a nutshell. So if no one has any questions, I recommend that you consider supporting this particular amendment. Thank you.

SEN. BERGER: Senator Bishop, for what purpose do you arise?

SEN. BISHOP: To ask a question of Senator Clark.

SEN. BERGER: Senator Clark, do you yield?

SEN. CLARK: I yield.

SEN. BERGER: He yields.

SEN. BISHOP: Senator Clark, I read with interest a media account that the amendment to District 21 that we saw in committee, quote, "Was something the Republicans wanted to keep him," ie., you "out of Senate District 19 held by Wesley Meredith."

Now my first question is, the previous amendment to District 21, you offered that, didn't you, sir.

SEN. CLARK: I sure did.

SEN. BISHOP: And --

SEN. BERGER: Senator Bishop, follow-up?

SEN. BISHOP: Thank you, Mr. President. Yes, I would like to ask another question.
SEN. BERGER: Senator Clark, do you yield?
SEN. CLARK: I sure do.
SEN. BERGER: He yields.
SEN. BISHOP: The extension out into the east there, that is a modified version of what you offered previously; correct?
It has a slight modification. It just moves the lines a little bit. Nothing substantial.
SEN. BISHOP: Further question.
SEN. BERGER: Senator Clark, do you yield?
SEN. CLARK: I yield.
SEN. BERGER: He yields.
SEN. BISHOP: One other approach would be just to undue that extension to the location of your new house; correct?
SEN. CLARK: If you would like to do that, you can send forth an amendment to do that.
SEN. CLARK: Further question.
SEN. BERGER: Senator Clark, do you yield?
SEN. CLARK: I yield.
SEN. BERGER: He yields.
SEN. BISHOP: Do you intend to send forth an amendment to that effect?
SEN. CLARK: No. The amendment I intended to send forth is the one you're looking at now.
SEN. BISHOP: All right. Further question for Senator Clark.

SEN. BERGER: Senator Clark, do you yield?
SEN. CLARK: I yield.
SEN. BERGER: He yields.
SEN. BISHOP: You preempted a number of questions you thought might be asked and I appreciate your having done that to save time. I can't recall -- and as I've heard you say it, did you consider political data in the precinct changing that you did in this newest offered version of 21?
SEN. CLARK: I guess you could say that to the extent that I directed the gentleman working with me to make sure that Senate District 19 could still elect a Republican. So I guess you could say that, yeah, I did consider political data.
SEN. BISHOP: Follow-up for Senator Clark.
SEN. BERGER: Senator Clark, do you yield?
SEN. CLARK: I yield.
SEN. BERGER: He yields.
SEN. BISHOP: So do I understand then that the direction to Dr. Creighton was to make it so that a Republican could still win --
SEN. CLARK: That's correct.
SEN. BISHOP: -- but knowing that the district
was going to be less favorable to a Republican than as previously configured.

SEN. CLARK: That is not direction I gave, and I don't know whether it is less or not since I haven't looked at that. My main focus was I believe Fort Bragg should in Senate District 21, not Senate District 19.

SEN. BISHOP: Understood. Thank you.

SEN. BERGER: Further discussion or debate on Amendment 9?

Senator Hise, for what purpose to you rise?

SEN. HISE: Speak to the amendment.

SEN. BERGER: You have the floor.

SEN. HISE: Thank you, Mr. President, Members of the Committee. I guess this debate on this amendment is going to whether or not Fort Bragg should be in Senator Meredith's district or Senator Clark's district.

To a point, it does not raise any -- as the speaker said, it doesn't raise any racial issues, it doesn't raise any other -- just where the base should be located. I don't think when you look at the numbers that you're going to see that that's why this area is being moved to the state. But I do find them really interesting.

I think if you look at 2016 as District 19 was previously drawn, Pat McCrory carried 52.63 -- now a 2
percentage point -- 2.5 percentage point movement. But it appears that that's not competitive under this model. So what we have to do is then draw it at where Pat McCrory would have 48.3. So minus 2 Republican is competitive, but plus 2.5 is not.

As a matter of fact, if you go to the Trump race and you'll find that Trump in the previously drawn district carried 51.71 percent of the district -- 1.7 over. Now that's not competitive; however, we've decided that now Trump carrying 47.37 percent coming to a 2.7 percent advantage, now that's competitive.

So this whole concept that we've been hearing about competitive. It is clearly a statement of where will Democrats win? That's what the amendments are looking for. And so we're going to use the ruse of where we're going to move a military base, probably a fairly strong Republican as our stance as a party for supporting our military, and I think if you look at the stance the other party has made on the military and others and their respect for it, I think you'll be clear to see why that favors Republicans. But we're going to use that ruse in this concept and say "Let's take a district and shift it more Democrat" with no good reasons coming in. So I will say that I see nothing in this that the courts would raise. It is not an issue of
race.

As we said, Senator Clark did ask that we extend this district out to pick up the new home that he had built, an address that we were not given prior to the consideration. And so we've accommodated that. But apparently that move was not enough. Now Senator Clark seems to want us to pick the areas that he wants to come with him to make sure that no one around him is competitive. So, again, I think it's important that we merely reject this amendment.

SEN. BERGER: Further discussion or debate on Amendment 9?

SEN. McKISSICK: For what purpose do you arise?

SEN. McKISSICK: Speak on the amendment.

SEN. BERGER: You have the floor.

SEN. McKISSICK: I want to thank Senator Clark for setting forth the amendment. It makes total sense that you would have all of Fort Bragg in Senator Clark's district. There's no reason for it not to be there. Before the way the district line had been drawn, the only thing he got was an empty part of a field out in Fort Bragg. It didn't make any sense whatsoever. But by reconfiguring the district and the way that it's being configured today, it's within Senator Clark's
district. Yes, it is a somewhat more competitive district.

But these districts have the potential to flip back and forth depending upon the candidates who are running. If Senator Meredith is running and he appeals to a broad range of constituents, I have no doubts that he can prevail in the district that he has been provided with this plan. I have no doubts whatsoever. I also believe that Senator Clark with his district being configured the way it is, it relates more to communities of interest. You want to put all of Fort Bragg there. To be quite frank, many of the people living in Fort Bragg probably vote absentee in other parts of the country. They don't necessarily vote in Cumberland County. And the actual number that do, to be quite candid with you, I'm not sure what that number would look like. Having said that, I think this is a valid amendment; one that really sets forth an alternative and I ask for your support.

SEN. BERGER: Further discussion or debate on Amendment 9?

Senator Brown, for what purpose do you arise?

SEN. BROWN: To ask Senator Clark a question.

SEN. BERGER: Senator Clark, do you yield?

SEN. CLARK: Sure.
SEN. BERGER: He yields.

SEN. BROWN: Senator Clark, is Fort Bragg all in -- I think it's all in Cumberland County, isn't it?

SEN. CLARK: No. Some of it's in Spring Lake, actually, and some of the training areas actually extend into Hoke County.

SEN. BROWN: But the majority of it is in Cumberland County.

SEN. CLARK: The majority of it is in Cumberland County. That's correct, sir.

SEN. BROWN: Follow-up.

SEN. BERGER: Do you yield, Senator Clark?

SEN. CLARK: Yes, I yield.

SEN. BERGER: He yields.

SEN. BROWN: So you think it's wise to take Fort Bragg which is mostly in Cumberland County and put it in a district that's mostly Hoke County?

SEN. CLARK: Actually, that's not correct. 75 percent of the voting population within Senate District 21 is in Cumberland County.

SEN. BROWN: On the map, though --

SEN. BERGER: Senator Brown.

SEN. BROWN: I'm sorry. Follow-up.

SEN. BERGER: Senator Clark, do you yield?

SEN. CLARK: I yield.
SEN. BERGER: He yields.

SEN. BROWN: On the map, though, most of Fort Bragg is in Cumberland County; correct?

SEN. CLARK: Actually, that might not be correct either if you consider the training area. Because if you look across the northern portion of Hoke County -- I haven't actually measured that area -- but much of the training area of Fort Bragg extends all the way clear across the top portion of Hoke County. As a matter of fact, y'all decided to give me all the training area in Cumberland County in Senate District 21, so you may as well give me the population as well.

SEN. BROWN: Speak to the amendment.

SEN. BERGER: Senator Brown, you have the floor to speak to Amendment 9.

SEN. BROWN: I think most of us know that most of Fort Bragg is in Cumberland County and I think what this amendment does is it takes Fort Bragg and put it in a district that's mostly Hoke County. I'm not sure why anybody would want to do that, and so I think this would be a bad amendment to do that.

SEN. BERGER: Further discussion or debate on Amendment 9?

Hearing none, the question before the Senate is the passage of Amendment 9, Senate Bill 691. All in
favor of the amendment will vote aye; all opposed to the amendment will vote no. Five seconds will be allowed for the voting. The clerk will record the vote.

(ELECTRONIC VOTE.)

SEN. BERGER: 12 having voted in the affirmative and 34 in the negative, Amendment 9 fails and the bill is back before us. Further discussion or debate on Senate Bill 691?

Senator Hise, for what purpose do you arise?

SEN. HISE: Send forth an amendment.

SEN. BERGER: Send forward your amendment. The clerk will read.

THE CLERK: Senator Hise moves to amend the bill.

SEN. BERGER: Senator Hise is recognized to explain Amendment 10.

SEN. HISE: Thank you, Mr. President, and Members of Senate, again. For clarification purposes and wind changes and others, I have come forward and as we've exhausted the amendments, I want to send forth the one that will change the title to 2017 Senate Floor Redistricting Plan Fourth Edition so we're clear as to when the changes occurred in this process. I'd ask for your support. It makes no substantive changes to the bill.
SEN. BERGER: Further discussion or debate on Amendment 10? Hearing none, the question before the Senate is the passage Amendment 10 to Senate Bill 691. All in favor of the amendment vote aye; all opposed will vote no. Five seconds will be allowed for the voting. The clerk will record the vote.

(ELECTRONIC VOTE.)

SEN P. BERGER: 46 having voted in the affirmative and none in the negative, Amendment 10 passes and Senate Bill 691 is back before us. Is there further discussion or debate on Senate Bill 691?

Senator Pate, could you come up here, please?

SEN. BERGER: Senator Cook, for what purpose do you arise?

SEN. COOK: To debate the bill.

SEN. BERGER: You have the floor.

SEN. COOK: I rise today to defend Beaufort County. The proposed North Carolina Senate redistricting map was my own county in a politically untenable situation. The new map moves Beaufort from District 1 to District 3 which would include Martin, Bertie, Warren, Vance, and Northampton. These counties are not compatible with Beaufort. The plan places Beaufort into a six-county pod that is strongly liberal.
This conservative leading county will be drowned in a sea of liberalism. The plan will dilute the interest of Beaufort to the point of insignificance.

Beaufort has been a part of the eastern coastal district for about 150 years, and now it will be coupled with counties that are to the north and west of it. Counties with which it has little common interest.

Most of the folks of Beaufort are very happy with this proposed pod except for my wife who has been urging me to quit the Senate for years, and, of course, the chairman of the Beaufort County Democratic Party.

I understand that this proposed Senate map the Senate is attempting to conform to the pod policy advocated by the courts which require grouping counties into pods with little discretion or the exercise of judgement; however, Beaufort, with this proposed pod, is not a good thing and it will cause it to wander in a political death for years.

SEN. PATE: Is there further discussion or debate?

Senator Berger, for what reason do you arise?

I'm sorry. Senator McInnis --

SEN. McKISSICK: That would be McKissick.

SEN. PATE: Senator McKissick, I finally recognized you. For what purpose do you arise, sir?
SEN. McKISSICK: I know Senator McInnis and I look so much alike. I guess we were brothers separated at birth. To speak on the plan.

The one thing that I'll essentially say is this. We've had a lot of debate. We've had a lot of discussion over the last several days, the last week, about what is right in terms of alternative plans for the North Carolina Senate and that's important and that is significant.

I think, unfortunately, one of the major criteria that were missed from the conversation when the redistricting committee set criteria was that fact they were sitting back and trying to correct an efficiency established by the court.

And the court basically said that race had been unconstitutionally used in a way that was used to draw these majority/minority districts. Somehow race was not considered at all. Now race should not have ever been a predominant factor that could have been used without a racially polarizing voting study. But race should be a factor that one could look at in terms of drafting and designing districts. That it could be one that is considered by this body. It was not one considered by this body, at least by the majority when plans were drafted.
When it comes to incumbency, it was not really established whether there was going to be a survey taken to find out who was running and who was not running to determine what that might do to the configurations of the districts.

We found out that several people weren't running and that certainly those districts within those clusters might have been designed differently. They might have been more compact. They might have been situated in a way that voters would have had a greater opportunity to pick a candidate of choice in a competitive race. The thing that shows up consistently when polls are done in this state is that people want competitive races. They want to be able to pick a candidate of choice.

They don't want maps gerrymandered in this state to give a single party, in this case, a particular Republican party, a leg up. They don't want to see it done for Democrats either. But the way to do it is to create competitive districts.

So I think we've missed an opportunity to really draw these maps in a way that allows more competitive districts to be drawn. Certainly there are going to be four open seats on this map as it's showing up today but based upon the topography of the districts that are open, three of them will certainly be Republican and
only one of them is likely to become a Democratic seat. We can do better than this. We can make choices that people will embrace. We can come up with a way of working on both sides of the political aisle to create competitive districts so the voters have a choice. The voters can make decisions. And yes, the districts can be compact. Yes, we can avoid splitting precincts or voter tabulation districts. And, yes, we can make certain that when it comes to municipalities, we try to respect the boundaries when it's possible to do so, understanding the whole county provisions of the state constitution.

Unfortunately, this map which we've seen today is another opportunity to gerrymander. Only this time it's based upon incumbency. And those incumbents gain those positions as a result of maps that were drawn that were racially gerrymandered. So in my mind, many of those gains were illegal and improper gains. And the only way to correct them, the only way to go back and try to correct that wrong and that deficiency would be to consider race as part of the equation in redrawing the districts. And that we have failed to do. I think it's unfortunate that have we done so. I don't know what the courts will do when they have an opportunity to review things. Certainly the Democrats from Mecklenburg
County presented a viable alternative, a very viable alternative that allowed for competitive districts.

I know Senator Bishop said, "Well, Trump, might have lost. He'd only gotten 44 percent of the vote in some of those districts. Well, that depends upon the people in Charlotte and how they might vote in any given year. One could also argue that perhaps not all the members that were elected as a part of this body, as a party of the House, would have won those districts had it not been for the racial gerrymandered districts that were created down in Charlotte.

I know when Malcolm Graham came here, when Malcolm Graham was elected -- and so many of you that have been here for a while knew Malcolm -- he ran from a district that only had 28 percent African-American voting age population and he won against an established incumbent.

The only thing that any of us want to see are good, competitive districts, fair, reasonable and competitive. The courts have given us that opportunity. The courts have ruled that what was done before was illegal. It was wrong. It was unconstitutional racial gerrymander. The courts expect us to act responsibly. I'm afraid that we've negated our responsibility.

SEN. PATE: Is there further discussion or
debate?

Senator Berger, for what purpose do you arise?

SEN. BERGER: Thank you, Mr. President. To speak on the bill.

SEN. PATE: You have the floor.

SEN. BERGER: Thank you. Members of the Senate, I hear Democrats complain that they're not competitive in State Senate elections under the proposed maps because Republicans gerrymander the districts. Liberals in the media and academia have picked up on this theme and run with it. But in the publicly understood sense of the word, it is not truly a gerrymander.

Back in 2001, my first year serving in the Senate, I was one of only 15 Republicans elected to serve in this body. In a year North Carolina voted for George Bush for President by 13 points over the Democratic candidate Al Gore -- 56 percent to 43 percent.

The Democrats promptly embarked on a redistricting scheme for the State Senate that was by any measure a severe gerrymander intended to preserve that 35-15 partisan advantage. That map known as NC Senate Plan 1C divided -- divided 51 counties. Smaller counties like Sampson and Iredell were chopped up between four Senate districts each. One western North
Carolina district stretched and wound across pieces of nine counties running from the Georgia border up through Asheville and into McDowell County.

This fracturing and severe gerrymandering of counties was a relatively recent occurrence. In fact, prior to 1982, no county had ever been divided to form a State Senate district in North Carolina.

The requirements that Senate districts be made up of whole counties dates back in different forms to our state's original 1776 constitution which allotted one senator to every whole county. It was not until 1981 the U.S. Department of Justice decision that the North Carolina Constitution provision requiring counties be kept whole in drawing legislative districts violated the Voting Rights Act that our state began to see the sort of grossly gerrymandered districts like you see in the 2001 NC Senate Plan 1C.

These sorts of grotesque districts would probably still be the norm in North Carolina and, frankly, the Democratic party would probably still control the State Senate if not for a man from Beaufort County named Ashley Stephenson. Ashley passed away in 2009. In 2001 Ashley Stephenson filed a lawsuit asking the state courts to enforce the whole county provisions of the state constitution. He argued that the state did
not have a binary choice between either the whole county provision of the North Carolina Constitution and the Voting Rights Act, that, in fact, the state constitution and federal law could be harmonized.

In the landmark 2002 Stephenson decision, the State Supreme Court agreed with him and laid out a specific method to keep counties whole while complying with federal law. The system for drawing legislative districts laid out in the Stephenson decision requiring districts to comply with the Voting Rights Act -- required the districts to comply with the Voting Rights Act have roughly equal population, elect a single senator instead of multiple senators, and most importantly, create a process for grouping and keeping counties whole. They are the strongest anti-gerrymandering provisions for a legislature in the entire country. And the results of the decision are eminently evident.

The courted ordered 2002 State Senate map following the Stephenson decision divided just 16 counties as opposed to 51. The 2003 State Senate map, again, adopted by the Democrats to comply with the Stephenson decision, divided only 12 counties. The 2011 State Senate map adopted by this body divided 19 counties, and the proposed 2017 State Senate map before
you today divides just 12 counties. When map drawers
divide between 10 and 20 counties, they simply cannot
create the sort of redistricting mischief that they can
when they divide 50-plus counties and they force
decisions based on traditional redistricting principles
over political considerations. For example, I ended up
doubled-bunked and had a primary against former Senate
Republican Leader Bob Shaw in the 2002 map.

I've heard people argue that this proposed
Senate map is a political gerrymander. It is not. But
the argument goes something like Republicans and
Democrats should both get about the same number of seats
in the State Senate because Pat McCrory and Roy Cooper
tied at 49 percent of the vote in the governor's race.
This ignores a couple of things. One, we are not a
European country with proportional representation.
That's not our system. If we were, the libertarian, Lon
Cecil, who got 2 percent of the vote for governor, would
be breaking all ties between McCrory and Cooper.

Number two, while the governor's race was a tie,
in 2016 Republican candidates for the State Senate got
almost 500,000 more votes than Democratic candidates.
But something else has been happening that folks
arguing against this map haven't spoken about much. A
North Carolina Democrat as a distinct political
Think about this. Back in the 1990s and early 2000s Democrats won on average between 50 and 55 counties in competitive statewide races in North Carolina. In 1992 that number was right at 56. ’96 it was 54. 2000 it was 56. Since 2010 Democrats have averaged between 30 and 35 wins in competitive statewide races. 30 to 35 county wins. In 2012 it was 36. In 2014 it was 32. In 2016 it was 31.


So just to compare, Jim Hunt lost just 27 counties in 1996. Roy Cooper won just 28 counties in 2016. And Roy Cooper had actually won 63 counties in his competitive 2000 attorney general's race. Roy Cooper won 28 counties in his competitive 2016 governor's race. That is not gerrymander. It's happened all across the state.

Let's just take a few more obvious county examples. In the west, Madison County, historically...
Democrats won Madison County in a slew of statewide races. In 2000 they won the governor, lieutenant governor, attorney general, superintendent of public instruction, labor and auditor races. In 2002 they won the U.S. Senate race. In 2004 they won superintendent, public instruction, labor, secretary of agriculture, auditor, lieutenant governor and governor. In 2008 they won treasurer, superintendent, labor, agriculture, auditor, insurance, governor and U.S. Senate. In 2016 Democrats did not carry Madison in a single statewide race. President Trump won 60 percent. Senator Burr won 57 percent. Statewide Republican candidates averaged at least 55 percent in Madison County.

Another example, Allegheny County. Democrats won Allegheny County in every competitive statewide race except the race for president in 2000. And Mike Easley won the county with nearly 58 percent in 2004. In 2016 Hillary Clinton won 24 percent. Deborah Ross won 25 -- 26 percent when she ran. Roy Cooper won 31 percent and Josh Stein took 34 percent of the votes in Allegheny County.

Rutherford County, Republicans averaged about 70 percent in Rutherford County in 2016. President Trump won 72 percent. Lieutenant Governor Forest, 71; Buck Newton, 70. Roy Cooper outperformed most of the other
Democrats on the ticket by winning just 32 percent of the vote in Rutherford County.

In the Piedmont - Person County, Democrats won Person County in the overwhelming majority of statewide races 2000, 2004 and 2008. Roy Cooper, Bev Perdue, Mike Easley, each one with 57 percent in 2000. In 2016 Elaine Marshall was the only Democrat who carried the county. Clinton and Ross won just 40 percent. Cooper won 43 percent.

In my home county of Rockingham in the 1990s and 2000s, Republicans rarely won in Rockingham County. It went for Jim Hunt twice, Beverly Perdue twice, Mike Easley twice, Roy Cooper in his 2002 race for attorney general. In 2016 Democrats averaged 38 percent in Rockingham County. In the two most prominent races, they won. Roy Cooper and Josh Stein won 39 percent each in Rockingham County.

In the east, Columbus County. In 2016 Columbus County went 60 percent for Trump, 59 percent of Senator Burg and Pat McCrory. It went 58 percent for Lieutenant Governor Forest, 55 percent for Superintendent Johnson, 56 percent for Treasurer Folwell. In 2008, just eight years before, Bev Perdue won 65 percent in Columbus County. Walter Dawson, 63 percent. In 2004 Democrats averaged over 63 percent in competitive statewide races.
in Columbus. In 2000 they averaged 68 percent. Many cleared 70 percent. In Roy Cooper’s 2000 race for attorney general, he won 67 percent in Columbus County. In the 2006 race for governor, he won less than 40 percent there.

Sampson County -- Democrats carried Sampson County in seven of the eight most competitive statewide races in 2000. They won the county in six of the eight most competitive in 2004. Since 2008 only one Democrat has won the county. Roy Cooper lost by 17 points -- 58 to 41 in 2016.

Robeson County, Democrats averaged 73 percent of Robeson County in 2000, 68 percent in 2004, 67 percent in 2008. In 2016 they lost the three top-of-the-ticket statewide races in Robeson County.

Terrell County, in 2000 Democrats won every competitive statewide race in Terrell County and their candidates averaged 71 percent. Roy Cooper won 74 percent; Mike Easley, 73 percent; Beverly Perdue, 74 percent. In 2004 Democrats won every competitive statewide race except for president averaging 62 percent. In the 2016 cycle, Democrats averaged 48 percent and Governor Cooper performed 33 points worse -- 41 percent -- in 2016 than he did in 2001.

Democrats are only competing in 20 to 30
Counties in North Carolina. That might be a viable strategy for squeaking out a close win in the occasional statewide race, but you cannot build a legislative majority in a state with 100 counties when you only compete in a quarter of them.

Do we really think all of these county shifts, these seat changes in a decade's time are the result of gerrymandering? Of course not. Gerrymandering didn't do that. Democrats did that. It's why Republicans were able to take the majority in State Senate in 2010 with a map drawn by the Democrats.

Granted, this trend isn't exclusive to North Carolina. Nationally Democrats have lost over 900 legislative seats since 2010, not to mention the U.S. House of Representatives, the U.S. Senate and the White House. A News & Observer headline two days after the 2010 midterms that wiped Democrats out of the U.S. House, in that headline the head of the Democratic party -- National Democratic Party, quote, "Voices regrets but signals no change of course."

And the losses continued in 2012, 2014 and 2016. The nonpartisan Cook Political Report says maybe 17 percent of the Democratic parties problems nationally are the result of new district lines. Something else clearly happened while Democrats were blaming
1 gerrymandering for putting and keeping them on the back row.

2 When I first ran for State Senate, many of the Democrats in this chamber and many of the Democrats running, shared the cultural values of North Carolina's moderate to conservative voters. They were pro-education, but many were also pro-business, pro-gun and pro-life.

3 But today, North Carolina Democrats, just like the National Democrats align with the powerful special interests like big national labor unions, far left environmentalists and the abortion lobby. It used to be that a North Carolina Democrat wouldn't be seen with a National Democratic presidential candidate like Michael Dukakis, Walter Mondale, John Kerry. Nowadays they rush to get endorsements from former President Obama and Hilary Clinton. It used to be North Carolina Democrats campaigned all over rural North Carolina. In 2016 that wasn't the case.

4 It's easy to understand why gerrymandering has been the bogeyman since they were swept out of power in 2010. It's easier to blame the maps, blame a process, blame anything, really, than it is to take responsibility for losing touch with the politics of voters in 75 of North Carolina's 100 counties.
But here's the hard truth. The Democratic party could be competitive in legislative elections all over the state if it competed in all 100 counties instead of only 30. There are more registered Democratic voters than Republican voters in 27 of the proposed districts. But if you're going to be competitive in legislative elections across the state, you're going to have bring back the North Carolina Democrat as a distinct political type separate from the national Democrat.

And the North Carolina Constitution requires legislative districts to be constructed out of whole counties. So unless you think the county lines in our state have been gerrymandered, it's pretty clear this is not a political gerrymander. And if the North Carolina Democratic party struggles to elect Republican senators under this map, it isn't because of the way the lines were drawn, but the platform that parties' candidates are running on.

But we're not here today because of a political gerrymandering claim. We're here to adopt a new legislative redistricting plan because the U.S. Supreme Court struck down the 2011 State Senate map ruling that nine of the districts including the map were racial gerrymanders. I think it is very important that we acknowledge this. The District Court ruled and the
Supreme Court affirmed that the 2011 map was racial gerrymander.

In 2011 the legislature made a decision based on a U.S. Supreme Court decision in the Strickland case to draw the minority district required by the Voting Rights Act with African-American voting populations of at least 50 percent. The Trial Court ruled that interpretation of the Strickland decision was, quote, "an error of law." And while the court acknowledged that, quote, "In reaching this conclusion, we make no finding that the General Assembly acted in bad faith or with discriminatory intent in drawing the challenge of the districts which were pre-cleared by the Justice Department pursuant to Section 5 of the Voting Rights Act," end of quote. The court's ruling must be respected and the error of law that resulted in racial gerrymanders must be corrected.

The U.S. Supreme Court has set several new precedents since the last body adopted legislative district maps. Most consequentially, the Supreme Court rendered Section 5 of the Voting Rights Act inoperative in Shelby County versus Holder. The Shelby County decision is important to understand how we are seeking to comply with the court's order.

To simplify, prior to Shelby County, North
Carolina's redistricting plans were subject to Section 5 preclearance by the United States Justice Department. The burden fell on the state to prove the proposed maps did not unfairly limit the opportunity of minority groups to elect candidates of their race.

Today, post-Shelby County, North Carolina's redistricting plans are not subject to Justice Department preclearance and the burden of proving that a plan limits a minority group's opportunity to elect a candidate of their choice rests with a plaintiff in a court challenge.

Senator Blue spoke Friday in detail about the Gingles factors that would allow the legislature to consider race in drawing a district. One, that they geographically compact minority community exists for which a majority/minority district can be drawn, two, that the minority community votes cohesively, and three, that the white majority typically votes together in sufficient numbers to block the minority community from electing a candidate of their choice. I won't expand on Senator Blue's comments on the first two Gingles criteria but do want to elaborate on the third criteria.

In 2011 the legislature commissioned two expert studies on racially polarized voting in North Carolina to support the decision to draw districts with
African-American populations of 50 percent. To my knowledge, these were the most complete and exhaustive studies ever entered into the record during a redistricting process.

In the Covington decision striking down the 2011 legislative maps, the court cited those legislative decisions as critical to determining the plan was a racial gerrymander. The court determined the expert reports did not -- did not sufficiently prove racially polarized voting to prove the third Gingles factor was present and justified drawing 50 percent minority districts. Quote, "Contrary to defendant's contentions, the Block and Brunell reports do not establish a strong basis in evidence for Gingles third factor in any potential district."

And in light of the 2014 Alabama Legislative Black Caucus versus Alabama Ruling, the court strongly objected to that legislature's decision to adopt -- I'm sorry -- strongly objected to the legislature's decision to adopt a 50 percent target to draw true minority/majority districts. Quote, "In light of Alabama, we are mindful that a legislature's policy of prioritizing mechanical racial targets above all other districting criteria (save one-person, one-vote) provides particularly strong evidence of racial predominance."
We have carefully considered the court's order in Covington. Given the court's rejection of the 2011 expert reports, we do not believe we can develop a strong enough basis in evidence that the third Gingles factor is present to justify drawing districts on the basis of race. Nor, in spite of repeated requests by the redistricting committees have the public, plaintiffs in the Covington litigation, or members of this body presented evidence that the proposed map should be changed because the third Gingles factor is present and unaddressed.

So I strongly believe we have complied with the courts admonishment with that. Again, in quoting, "If during redistricting the general assembly had followed traditional districting criteria and in doing so, drawn districts that incidentally contained majority black populations, race would not have predominated in drawing those districts," end of quote.

With the information available to them, Senator Hise and the redistricting committee adopted nine criteria to use in drawing this proposed map. Some of the map drawing principles are inviable and must be followed like equal population contiguity and the North Carolina constitutional requirements on county grouping. And because we cannot prove the third Gingles factor,
not using racial election data, incumbency protection
and municipal boundaries are secondary and occasionally
internally contradictory considerations. They must be
harmonized with each other while complying with the
inviable criteria.

I believe that this redistricting plan put
forward by Senator Hise's committee successfully
harmonized the criteria adopted. This map is not a
racial gerrymander and fully complies with both the
court order and tradition redistricting principles.

I've also reviewed the data Senator McKissick
requested and is placed on the members' dashboards. In
the nine districts the court ruled where racial
gerrymanders only the Guilford County District as the
court predicted could incidentally occur when using
traditional districting principles. In this case
following Greensboro's municipal boundary continues to
have a black voting age population over 50 percent and
it has fallen from 56.5 percent to 50.5. The other
eight previously unconstitutional districts now have
black voting age populations ranging from 32.9 percent
to 48.5 percent.

While the 2011 map had no districts with black
voting age populations between 26.5 percent and 43
percent, the new map has five new districts that fall in
that range including one new district with a black
voting age population of over 40 percent and two new
districts with a black voting age populations over 30
percent.

This is important because the expert reports
which you can see on your dashboards submitted by Alan
Lichtman on behalf of the Democrats and plaintiffs in
the Covington and Harris cases define all those
districts as having the, quote, "Ability to elect a
candidate who is the preferred choice of a cohesively
voting minority community."

So while race was not used to draw this plan, I
believe it fully remedies the racial gerrymander in the
previous map while avoiding any new potential claims of
both dilution under Section 2 of the Voting Rights Act.

In closing I'll say again, this map is not a
racial gerrymander. This map is not a political
gerrymander either. It complies with state and federal
law. It remedies defects the court found in the
previous map. It splits fewer counties. It divides far
deeper precincts. I urge you to vote for the bill.

SEN. PATE: Is there further discussion or
debate?

Hearing none, the question before the Senate is
the passage of Senate Bill 691 on its third reading.
All in favor will vote aye; all opposed will vote no.

Five seconds will be allowed for voting and the clerk will record the vote.

(ELECTRONIC VOTE.)

SEN. PATE: 31 having voted in the affirmative, 15 having voted in the negative, Senate Bill 691 passes its third reading. The amendments will be engrossed and the bill will be sent to the House by special message.

Notices and announcements. Are there any notices or announcements? Is there any further business to come before the Senate?

SEN. BLUE: Mr. President.

SEN. PATE: Senator Blue, for what reason do you arise?

SEN. BLUE: Point of personal privilege.

SEN. PATE: You have the floor, Senator.

SEN. BLUE: Thank you, Mr. President. Ladies and gentlemen of the Senate, I just wanted rise to make a quick observation. A friend of mine and many of ours was funerlized today down in Fayetteville. I had the fortune of knowing the Reverend Dr. C.R. Edwards since my teen years when he passed through the church in Fayetteville when I grew up in an adjoining county. And I just want to mention that C.R. Edwards was a major force in Fayetteville and Cumberland County from the
early 50s until his death, although he had moved to Raleigh and became one of my constituents here about 17 years ago in Knightdale. But Dr. Edwards served with me in the House of Representatives and he served here in the Senate while I served in the House. He served three terms here in the Senate and distinguished himself. If those who sit in seats 15 and 20 would look at the tags on your desk, you'll see his name on those. I think it was seats 15 and 20.

But, in addition to serving in these legislative chambers, he chaired his local school board in one of the most tumultuous times as that school board was going through its desegregation efforts. He served on the University Board of Governor's and distinguished himself well in a very, very well-lived life. He served as the president of the General Baptist State Convention.

So I would ask you, Mr. President, as we adjourn this evening that we adjourn in memory of the late Senator Dr. Reverend C.R. Edwards.

SEN. MCKISSICK: Mr. President.

SEN. PATE: Senator McKissick, for what purpose do you arise?

SEN. MCKISSICK: Point of personal privilege.

SEN. PATE: You have the floor.

SEN. MCKISSICK: I find it quite ironic today
that it's August the 28th. I don't know if that date means much to many of you in this room but to many people from my generation, it was the date back in 1963, the famous march in Washington, the day that Dr. King gave his "I have a Dream" speech 54 years ago today. We talked about not judging people by the color of their skin, by the content of their character. We've come so very, very far as a state, and as a country in addressing those ills that affected us in that time frame. But I'm also reminded tonight when we're still here in a battle in North Carolina dealing with racial gerrymandering of how much further we have to go.

SEN. PATE: Further notices and announcements.
SEN. HORNER: Mr. President.
SEN. PATE: Senator Horner, for what purpose do you arise?
SEN. HORNER: One of personal privilege.
SEN. PATE: You have the floor.
SEN. HORNER: I'd like to end on a positive note after a tough day. Today is one of those important days in our state. It's the first day of school and everyone here has been responsible in some way to help this thing happen. And please tell a teacher "Thank you."

SEN. PATE: Senator Davis, for what purpose do you arise?
SEN. DAVIS: For a brief announcement.

SEN. PATE: You have the floor, Senator.

SEN. DAVIS: Thank you. Members, hopefully we also have another positive note to Senator Horner. And that is, even though we came short over the weekend, it was an awesome trip to Pennsylvania and we continue to support our Southeast, North State Greenville, North Carolina champions. And I want to share with everyone, we've been scrambling around today and we're going to work to get those little young men up here, hopefully Wednesday. And I just ask one thing of my dear friends in this chamber. Is when we get these little ones up here, just give them a high five and a hug. Thank you so much.

SEN. PATE: Further notices and announcements? Hearing none, is there further business to come before the Senate?

If not, Senator Berger is recognized for a motion.

SEN. BERGER: Thank you, Mr. President. I move that the Senate to now adjourn in memory of the late Senator Reverend Dr. Chauncy R. Edwards. Subject to the standard stipulations set forth in Senate Rule 24.1 and the receipt of messages from the House, we reconvene on Tuesday, August 29, 2017 at 2 p.m.
SEN. PATE: The motion is that the Senate do now adjourn, adjourning to the memory of Former Senator, the Reverend Dr. Chauncy R. Edwards, and subject to the stipulations stated by Senator Berger to reconvene Tuesday, August 29th -- what was the time again, Senator? -- 2 p.m., seconded by Senator Blue. All in favor say aye.

THE SENATE: Aye.

SEN. PATE: All opposed, no.

THE SENATE: (No response.)

SEN. PATE: The ayes have it and the Senate stands adjourned.

(There was a pause in the proceeding.)

THE CLERK: Message from the House. House Bill 927 Committee substitute by Representatives Lewis and Ballard, an act to realign the districts for the election of the members of the North Carolina House of Representatives is referred to redistricting committee.

(The proceeding concluded at 7:25 p.m.)
CERTIFICATE OF NOTARY - COURT REPORTER

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, KAREN ROCHE, Notary Public in and for the above county and state, do hereby certify that the proceeding was taken before me at the time and place hereinbefore set forth; that the proceeding was duly recorded by me by means of stenotype, which is reduced to written form under my direction and supervision; and that this is, to the best of my knowledge and belief, a true and correct transcript.

I further certify that I am neither counsel to any party nor interested in any way in the outcome of this proceeding.

This is the 28th day of August, 2017.

Karen Roche
Notary Public, Wake County, North Carolina
Notary No. 201519800020
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- **E** indicates a list of elected positions.
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NORTH CAROLINA GENERAL ASSEMBLY
SENATE COMMITTEE ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Tuesday, August 29, 2017
Reported by Robbie Worley

Worley Reporting
P. O. Box 99169
Raleigh, NC 27624
919-870-8070
SEN. HISE: Good morning. Welcome to the Senate Committee on Redistricting. Today we will be taking up House Bill 927, the 2017 House Redistricting Plan A2. Our Sergeant at Arms for today's meeting are Terry Edmondson, Larry Hancock, Frances Patterson and Hal Roach. Thank you all for being here today.

I don't have any of the Senate pages, but apparently we do have some House pages that are coming today to observe the process. So, welcome, and I hope you have a wonderful week here at the General Assembly.

With nothing else standing in front of us, I'm going to recognize Representative Lewis, who is going to do the presentation for House Bill 927. All members should have in front of them copies of the House maps, as well as the appropriate stat pack for those maps should be attached. Representative Lewis.

REP. LEWIS: Thank you, Mr. Chairman. Good morning. My name is David Lewis. I'm the senior chair for the House Redistricting Committee. I appreciate the chance to be here this morning. To begin my hour-and-a-half presentation, I asked Senator Berger to help me prepare my remarks.
Members -- excuse me. Senators, I do have prepared remarks, but the essence is that the Joint House and Senate Committees on Redistricting adopted -- the map that the House has passed, I feel, best embodies those criteria that were adopted. I feel they comply with all federal and state law, and I will be happy to answer any questions, but I would appreciate your support.

SEN. HISE: Any questions or comments from a member of the Committee? Seeing none, does anyone have a motion? Senator Bishop.

SEN. BISHOP: Move for favorable report.

SEN. HISE: Senator Bishop has moved for favorable report on House Bill 927. Final intent. Any other comments or questions?

Hearing none, all those in favor, please raise your hands.

(Show of hands vote.)

SEN. HISE: All those opposed.

(Show of hands vote.)

SEN. HISE: By a vote of 10 to 1, the motion for a favorable report carries. Thank you, Representative Lewis.

REP. LEWIS: Mr. Chairman, I want to express my sincere thanks to you, and also to the
members of the Committee for being here this morning.

SEN. HI SE: Thank you very much. Having exhausted the agenda, this meeting stands adjourned.

(Meeting adjourned at 10:11 a.m.)
STATE OF NORTH CAROLINA
COUNTY OF GRANVILLE

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 29, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 5th day of September, 2017.

[Signature]

Worley Reporting
REP. DOLLAR: We are pleased to have with us this afternoon, four pages: Anna Hyatt, who is sponsored by Representative Justin Burr; Victoria Hume, sponsored by Representative Meyer; Nate Worley, sponsored by Representative Brian Turner; Sarah Byrd, sponsored by Representative Larry Stricklan. Thank you for being with us today. We also are being served today, as always very ably, by our Sergeants at Arms, Reggie Sills, David Leighton, Warren Hawkins, Johnny Bae, Thomas Terry, and Joe Crook.

We are here today to take up the Senate Bill 691, the 2017 Senate Floor Redistricting Plan. Senator Hise, you are welcomed to the committee. Sir, you are recognized to present your bill.

SEN. HISE: Thank you, Mr. Chairman. Given the Senate Committee meeting this morning, I will really say I’m trying to present to you maps that comply with the Court’s order, that were drawn under the criteria established by the Committee, both the House and the Senate Committee meeting on redistricting, and that passed the Senate yesterday. And I will be more than happy to answer any questions that you may have.

REP. DOLLAR: Any members of the
Commission wishing to be recognized? Any questions?

Seeing none, Chairman Lewis.

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

REP. DOLLAR: The gentleman is recognized for a motion.

REP. LEWIS: Thank you, Mr. Chairman.

Mr. Chairman, I move that Senate Bill 691 be reported favorable.

REP. DOLLAR: Members of the Committee have heard the motion. Further discussion, further debate?

Seeing none, all those in favor of the motion, please signify by saying aye.

(Voice vote.)

REP. DOLLAR: Those opposed, no.

(No responses.)

REP. DOLLAR: The ayes have it.

REP. LEWIS: Mr. Chair.

[Inaudible discussion.]

REP. DOLLAR: Division being requested.

We will do a vote by a show of hands and total count. All those in favor of the motion, please signify by raising your hand.
(Show of hands vote.)

REP. DOLLAR: All those opposed, please raise your hand.

(Show of hands vote.)

REP. DOLLAR: 18 in the affirmative, 15 in the negative, and the motion passes. The committee is adjourned. Thank you.

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

CERTIFICATION OF TRANSCRIPT

This is to certify that the foregoing transcript of proceedings held on August 29, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

This 5th day of September, 2017.

[Signature]

Worley Reporting
SENATE
NORTH CAROLINA GENERAL ASSEMBLY
2017 SESSION

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IN RE: SECOND READING OF
HOUSE BILL 927
2017 HOUSE REDISTRICTING
PLAN A2
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TRANSCRIPT OF PROCEEDINGS
PHIL BERGER, PRESIDENT PRO TEMPORE PRESIDING
Wednesday, August 30, 2017
9:30 a.m.

PREPARED BY: Audra M. Smith, RPR, FCRR
RUFFIN CONSULTING, INC.
DIRECT DIAL: 252-243-9000
WWW.RUFFINCONSULTING.COM
APPEARANCES

PHIL BERGER, PRESIDENT PRO TEMPORE
BILL RABON, CHAIRMAN, RULES AND OPERATIONS OF THE SENATE
SARAH LANG, PRINCIPAL CLERK
TERRY RUMLEY, ADMINISTRATIVE CLERK
PHILIP KING, SERGEANT-AT-ARMS
SENATOR RABON: The Senate will come to order. Without objection, the Senate will stand in recess to reconvene today at 10 a.m.

(A recess was taken from 9:33 to 10:17 a.m.)

SENATOR BERGER: The Senate will come to order. Sergeant of Arms will close the doors. Members will go to their seats.

Members and guests, please silence all electronic devices. Leading the Senate in prayer is Senator Deanna Ballard of Watauga County. All members and guests will please stand.

(Prayer lead by Senator Deanna Ballard.)

SENATOR BERGER: Senator Pate is recognized for a motion. The Senate will come to order. Senator Pate is recognized.

SENATOR PATE: Thank you. The Journal of August 29, 2017 has been examined and found to be correct. I move that we dispense with the reading of the Journal and that it stand approved as written.

SENATOR BERGER: Without objection, the
Journal of August 29, 2017 stands approved as written.

Members' leaves of absence are requested, and without objection, are granted for Senators Barringer, Britt, Jim Davis, Ford and Meredith.

And, members, courtesies of the chamber are extended to Audra Smith of CaseWorks, Incorporated who is our court reporter today.

We are now prepared to go into the calendar unless there's further business before we get to that point.

House Bill 927, second reading. The clerk will read.


SENATOR BERGER: Senator Hise is recognized to explain the bill.

SENATOR HISE: Thank you, Mr. President. Members of the Senate. Everyone should have on their desk a copy of the map as well as the appropriate the staff pack for the House maps that were drawn.

Briefly just to go over, this meets the criteria established by both House and Senate
committees for the drawing of the maps under Equal Population Contiguity Compactness, both of our standards are met there. Has fewer split precincts. Does much better at protecting municipal boundaries.

There are six double bunk -- double bunking of six members. For double bunk as a result of county grouping formula and two other members of the majority party.

You should have also in that staff pack the election data that's there, and I think it is important to note these maps were drawn without the consideration of race and that individuals were not assigned to districts on the basis of their race.

I'd be more than happy to answer any questions anyone may have, but as they are, the House maps, I'll present them to you and see what you need to know.

SENATOR BERGER: Further discussion or debate on House Bill 927?

Senator Bryant, for what purpose do you rise?

SENATOR BRYANT: To speak on the bill,

Mr. President.
SENATOR BERGER: Will yield the floor.

SENATOR BRYANT: Mr. President and members, I want to point out to you several concerns about the House district plan.

There are several concerns still in terms of the racial gerrymandering. My understanding in that in Guilford County there are three of the districts that are almost on the same footprint as they were in the original plan that has been struck down by the courts. I don't have the black VAP data in front of me, but I can provide that to you if you're interested, but I think there are some high -- there are some still some packing in those districts in Guilford County, so I just want to bring that to your attention and surely recommend a more thorough look at that.

There are also some State constitutional concerns with this map. First of all, just on the issue of compactness and the eyeball test, I just bring your attention to -- I think it is House District -- look at 10 and 21. Look at that Greene and Wade, Sampson counties, that House District 21 is
interesting and probably could vary from some
scientific study of some sort or another. So
that's just one example of some areas where
compactness is really challenged and serve as
a partisan gerrymandering or I believe or
perhaps some other purpose.

Also in Cabarrus County, and in that
same Wayne/Greene cluster, there are some
violations of the whole county provision. If
you look at District 10, it crosses three
counties when obviously it does not have to
in order to meet to population requirements,
and I think in Cabarrus County, if you look
under -- that's District 83, 67, 83, 82.

There -- Cabarrus County is carved up into
three districts when of course the population
requirements could be met without going into
three districts. I think that surely begs
the question of the whole county -- fidelity
to the whole county provision.

And finally in Wake and Mecklenburg
County in this map, there are districts that
were changed that were not even affected by
the court decision and not even affected by
district that was -- even an adjacent
district as related to the court decision. They were just changed for no purpose other than perhaps improving the opportunities for the republican incumbents in those districts or some other reason. And our Constitution forbids redistricting outside of the 10-year cycle unless the court orders that to be done, and in this instance those districts are not ordered to be redistricted under this -- under the court order.

So on those matters, I would ask that we vote against these maps, that we take a little bit longer, or at least look at these concerns between second and third reading.

Why we would position ourselves for these challenges, I can't understand, given what we've been facing in terms of the cost of litigation and length of the litigation. We've already been through multiple courts who have struck down these maps under some of these same complaints. We're even adding new challenges to the ones we already have been ruled -- that we've already lost on. So I urge us to go against these maps and give these legitimate concerns further
consideration. Thank you.

SENATOR BERGER: Further discussion or debate?

SENATOR MCKISSICK: Mr. President.

SENATOR BERGER: Senator McKissick, for what purpose do you rise? You have the floor.

SENATOR MCKISSICK: To speak on the proposed plan.

SENATOR BERGER: You have the floor.

SENATOR MCKISSICK: I think Senate Bryant shared some excellent observations in terms of concerns that many of us have about the plans here before us today, and this concern about going out and redrawing districts that were not impacted by the unconstitutional racial gerrymandering is certainly something to be concerned and how that violates our Constitution.

Just here in Wake County, that occurred in Districts 36, 37, 40 and 41 and down in Mecklenburg County down in District 105. So we should be very mindful of the scope and the extent to which we needed to take action based upon the ruling of the court, and I
I think that going back and redrawing these unimpacted districts that are not contiguous with their having contact with some of these racial gerrymandering districts is, indeed, a violation of our State Constitution and I encourage those to vote against this plan.

SENATOR BERGER: Further discussion or debate?

Senator Bryant, for what purpose do you rise?

SENATOR BRYANT: To speak briefly a second time, Mr. President.

SENATOR BERGER: You have the floor.

SENATOR BRYANT: Members, I forgot one additional point I wanted to bring to your attention and for the record. Overnight, I read -- it was brought to my attention a study that's been done by Dr. Elizabeth Saboko (phonetic) who is a genetic scientist who specializes in population variation -- population connectivity and variation. And in her study, she looked at the county groupings and analyzed the bias, the partisan bias in the decision making for splits within the county grouping, and one of these -- her...
observations concerned me, and that was the
effect in rural North Carolina, and she found
that there was an observable bias against
democrats in nearly half of the county
groupings.

There's been a lot of talk about the
democratic party not being competitive in
parts of the state. But instead this shows
that rural democrats, including
African-American democrats, are being
significantly harmed by the majority's
proposed maps. It appears that rather than
packing voters into the districts as was the
complaint in the lawsuit, the plan now cracks
voters by splitting them into districts based
on race and party. So I just want to bring
that to your attention.

And I look at my home district, Nash
County for example on the House plan, the
choices of going to the south in the Franklin
County pairing, instead of to the north,
creates that problem. And also there are
other rural districts in the state where the
choices of how to make the splits shows this
pattern. So I wanted to bring this to your
attention and have this also stated for the record. Thank you.

SENATOR BERGER: Further discussion or debate? Is there further discussion or debate on second reading of House Bill 927?

Hearing none, the question for the Senate is the passage on second reading of House Bill 927. All in favor vote aye, all opposed will vote no. Five seconds will be allowed for the voting. The clerk will record the vote.

(Voting commenced.)

SENATOR BERGER: 30 having voted in the affirmative, and 15 in the negative. House Bill 927 has passed its second reading and will, without objection, be read a third time.

MS. RUMLEY: The General Assembly of North Carolina enacts.

SENATOR BERGER: Is there a discussion or debate on third reading on House Bill 927?

Hearing none, the question for the Senate is the third passage on third reading, and we are going to electronic vote third reading of this bill. Passage of third
reading of House Bill 927. All in favor vote aye, all opposed vote no. Five seconds will be allowed for the voting. Clerk will record the vote.

(Voting commenced.)

SENATOR BERGER: 30 having voted in the affirmative and 15 in the negative. House Bill 927 has passed its third reading and will be enrolled.

Members, this next order of business is the issue of recognition of the Little League team from Greenville and they are scheduled to be here at 11 o'clock. I would -- we'd entertain a motion that we stand at ease until 11 o'clock.

Senator Rabon, for what purpose do you rise?

SENATOR RABON: Thank you, Mr. President. I have a motion.

SENATOR BERGER: State your motion.

SENATOR RABON: Mr. President, I move the Senate stand at ease until 11 o'clock.

SENATOR BERGER: All in favor say aye. All opposed, no. The Senate will stand at ease until 11 o'clock.
(The Senate was at ease at 10:31 a.m.)
STATE OF NORTH CAROLINA )
COUNTY OF FORSYTH )

REPORTER'S CERTIFICATE

I, Audra Smith, Registered Professional Reporter in and for the above county and state, do hereby certify that the transcription of the proceedings and events was transcribed hereinbefore set forth; that the transcription was performed under my direction and supervision, and that this is, to the best of my knowledge and belief, a true and accurate transcription to the best of my ability.

I further certify that I am neither of counsel to either party nor interested in the events of this case.

IN WITNESS WHEREOF, I have hereto set my hand this 6th day of September, 2017.

__________________________
Audra Smith, RPR, FCRR

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NORTH CAROLINA HOUSE OF REPRESENTATIVES SESSION

NORTH CAROLINA GENERAL ASSEMBLY

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Wednesday, August 30, 2017, 2:00 p.m.

PREPARED BY: Regina Toppins
RUFFIN CONSULTING, INC.
DIRECT DIAL: 252-243-9000
WWW.RUFFINCONSULTING.COM
SPEAKER MOORE: The House will come to order. Members and guests will take their seats. Visitors will retire from the chamber. The Sergeant-At-Arms will close the doors. We ask all members and all guests with us today to silence any electronic devices.

This afternoon's prayer will be offered by Representative Arp. We ask members, guests and visitors to please stand, those in the gallery as well, and remain standing for the pledge of allegiance.

Representative Arp.

REPRESENTATIVE ARP: Thank you. If you would like, you may join with me in prayer.

Our heavenly father, we pause before you this morning to open our session. Lord, we have many emotions on our hearts, great joy and the celebration of youth and victory and celebration, but, Lord, also we have great concerns in our hearts for our fellow citizens in Texas, and even North Carolinians who have gone on down, both with volunteers and professionals, to help out with relief efforts. Lord, our hearts turn to them and ask for their safety that you provide them, Lord, that you minimum loss of life and that we grow together as a country and community, Lord,
through that which me makes us a strong as a nation
because you've loved us and given us the spirit of
love to help our fellow man.

As we undertake the business of this state I
pray that you give us wisdom, humbleness and a genuine
desire to love and those who you love to serve those
in this great state. Lord, we just lift our efforts
to you, ask that you bless them and give us wisdom and
guidance to make the right decision. As we honor you
with all we do. In Jesus' name I pray. Amen.

AUDIENCE: I pledge allegiance to the flag
of the United States of America and to the republic
for which it stands, one nation under God,
indivisible, with liberty and justice for all.

SPEAKER MOORE: The gentleman from Harnett,
Representative Lewis, recognized for a motion.

REPRESENTATIVE LEWIS: Mr. Speaker, the
Journal for August 29th has been examined and found to
be correct. I move that it be approved as written.

SPEAKER MOORE: Representative Lewis moves
that the Journal of August 29th be approved as
written. Those in favor say Aye; those opposed say
No. The Ayes have it. The Journal is approved as
written.

The gentleman from Pitt, Representative
Murphy, is recognized to speak to a point of personal privilege as well as the representative statement if the gentleman desires.

REPRESENTATIVE MURPHY: Thank you, Mr. Speaker. We have a --

SPEAKER MOORE: Just a moment, the House will come to order. The gentleman has the floor.

REPRESENTATIVE MURPHY: Statement of personal privilege and recognize that I would like the Clerk to read.

SPEAKER MOORE: The Clerk will read in its entirety.

HOUSE CLERK: A Representative Statement, recognizing the North State Little League Team.

Whereas, the Little League Baseball World Series took place in Williamsport, Pennsylvania, between August 17th and 27th of, 2017; and

Whereas, the State of North Carolina was represented in the World Series by the North State Little League Team from Greenville, North Carolina; and

Whereas, North State defeated South Carolina, Florida, Tennessee, and Georgia to become the Southeastern region tournament champions; and

Whereas, North State went on to defeat the
regional tournament champions from the Midstate, Sioux Falls, South Dakota, by a score of 6-0; the West, Rancho Santa Margarita, California, by the score of 16-0; and the Southwest, Lufkin, Texas, by a score of 2-1; and

Whereas, North State's outstanding pitching earned the team's place in history by becoming the first team in the Little League Baseball World Series not to allow any hits in two consecutive games; and

Whereas, North State was defeated by Lufkin the United States championship game and by Mexico in the consolation game; and

Whereas, North State finished the World Series as second in the nation and fourth in the world;

Now, therefore, the members of the North State Little League Team and their coaches have brought great honor to the City of Greenville and the State of North Carolina for their outstanding performance and sportsmanship during the 2017 Little League Baseball World Series and deserve to be honored for their accomplishments.

In Witness Whereof, the undersigned certifies that the foregoing statement was read in the House and placed upon the Journal on the 30th day of

SPEAKER MOORE: Gentleman from Pitt has the floor to speak to a point of personal privilege.

REPRESENTATIVE MURPHY: Thank you, Mr. Speaker.

Ladies and gentlemen, I present to you 12 young men and -- young men who have honored our state and they are now fourth in the world. With your pleasure I would like to call each one, and as I call their name, if they would stand.


Thank you all, thank you all for the --

(Applause.)

Thank you all for the memories that you've given us. I have a little something extra to say to you guys:

Take me out to the ball game, take me to see our All Stars. They've been pounding the baseball to
bits, giving their opponents all kind of fits. Let me root, root, root for our young men, they've represented us so well. For it's one, two, teams they sent home as their victories start to swell.

Verse Two: Take me to see our All Stars, their journey began months ago. Hours of practice learning techniques, pitching the baseball like major league freaks. Let them hit, pitch and run, mow the other teams down like grass. For it's one, two series they won by kicking them in the pants.

Take Coach Fields, Allen and Vaughn, Wagner Grubb, the team mom, traveling all over God's green earth, draining all the money from their parents' purse, but we root, root, root for our young men. Go rescue me, rescue the day because it's one, two hot dogs chugged down as we jump back in the fray.

Last: More wins in Williamsport, not ours. That's just the breaks of the game, but champions in our mind you'll always be, memories everlasting for all there to see. We'll always root, root, root for our state team. You surely have stolen our hearts, for as victors here you'll always be seen when the next season starts.

Congratulations, gentlemen. Thank you for a job well done.
(APPLAUSE.)

SPEAKER MOORE: Folks, no doubt we can tell clearly the ability to sing is not required to serve in the House of Representatives.

For what purpose does the gentleman from Scotland, Representative Pierce, rise?

REPRESENTATIVE PIERCE: To ask the member a question.

SPEAKER MOORE: Does the gentleman from Pitt yield to the gentleman from Scotland? He yields.

REPRESENTATIVE PIERCE: Who were the other two persons on the up front at the -- I don't think you called their names; could you tell us who they are, please?

REPRESENTATIVE MURPHY: That is Ms. Candy Smith, and is one of the coach's dads, who I can't remember. It's Jeff Fires.

REPRESENTATIVE PIERCE: Thank you.

(APPLAUSE.)

SPEAKER MOORE: On behalf of my colleagues now we appreciate you all being with us today. I tell you a lot of folks here were paying close attention to the games and were watching, and really are very proud of the hard work you did here, you and the support of your families to be traveling around the State and the
country. And so, you've made North Carolina very proud, and I know that no doubt years from now when you are a little older and you look back, you are going to appreciate even more what you all accomplished, not only for yourselves, but also your -- for Greenville and your home state. And I would ask my colleagues -- actually, does Representative Richardson -- for what purpose does the lady from Franklin, Representative Richardson, rise?

REPRESENTATIVE RICHARDSON: Thank you, Mr. Speaker. I would just like to rise and congratulate my soror. My mayor and Candy Smith, she's a Delta, and we're so proud of her and her team and we say congratulations to all of you. All the Deltas around are very proud of you. Thank you.

(APPLAUSE.)

SPEAKER MOORE: But, again, I know and I know you all are on a tight schedule. Once again, thank you all, and I ask my colleagues to please join me again in congratulating these -- these folks.

(APPLAUSE.)

SPEAKER MOORE: Thanks again. Y'all are welcome to stay with us here in session, or we'll put you -- we'll put you to work here very quickly. Otherwise, thank you for being with us. All right,
thanks, y'all.

Senate Bill 691, the Clerk will read.

HOUSE CLERK: Senate Bill 691, a bill to enact to realign the districts of election of the North Carolina Senate. General Assembly of North Carolina annex.

SPEAKER MOORE: The gentleman from Harnett, Representative Lewis, is recognized to address the bill.

REPRESENTATIVE LEWIS: Mr. Speaker, may I make a request to the Chair?

SPEAKER MOORE: The gentleman may state his request.

REPRESENTATIVE LEWIS: Mr. Speaker, may I have staff on the floor to aid me?

SPEAKER MOORE: The gentleman is permitted to have staff on the floor.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker.

SPEAKER MOORE: And any other members who wish to have staff on the floor, the permission is extended as well.

The gentlemen has the floor.

REPRESENTATIVE LEWIS: Thank you, Mr. Speaker.
Mr. Speaker and Members, the Senate map complies with state and federal law, it adheres to traditional districting principles and it remedies defects the court found in the previous map. It splits fewer counties and divides far fewer precincts and fewer municipalities than previous plans for this body.

The only members double bunked are those forced by the county grouping formula, and that is exclusively to the detriment of the majority party in this map. It fully cures the defects found by the Covington Court, and, for the record, I will note that this statement also applies to the House map.

At multiple points during the House debate, in committee and on the floor, members of the Democratic Party revealed that they had requested and received a statistical package that included the race for the 2017 House Redistricting Plan and they accepted amendment to Wake County that was passed yesterday. In addition, an Associated Press reporter has apparently also seen these statistics provided by the minority party. This data has already been released for the proposed Senate plan via request from Senator Floyd McKissick of Durham.

So that there wasn't an asymmetry of
information, yesterday morning I asked for central
staff to prepare the full statistical package for the
House plan as it passed on the House floor yesterday
and posted to the House Select Committee on
Redistricting's website. It has been posted there
since yesterday just before the Senate committee
considered our plan.

To be clear, race was not used in drawing of
the map, and I did not request or see this information
for the House plan until yesterday after the House
plan passed this chamber. Since yesterday I have
reviewed this data for our plan and believe it fully
remedies the racial issues the court identified in the
previous map. It also avoids any theoretical vote
delusion claims under Section II of the Voting Rights
Act.

An additional export -- pardon me. An
additional report from the democratic plaintiff
expert, Dr. Alan Lichman, has been entered into the
Senate record, and I believe the report is relevant to
our plans as well. Further, I believe our map
complies with traditional redistricting principles
outlined by the court.

Members, to get back to the map before us
today, I believe the Senate map complies with the
committee's adopted criteria, state and federal law. For those reasons, I ask for your support in voting green to adopt this Senate map. Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the gentleman from Cumberland, Representative Richardson, rise?

REPRESENTATIVE RICHARDSON: To debate the bill.

SPEAKER MOORE: The gentleman is recognized to debate the bill.

REPRESENTATIVE LEWIS: Members of the General Assembly, I thought long and hard about speaking on this, and I felt moved by one of our colleague's comments in the last debate on the House plan, and that was Judge Joe John. To me he is like the E.F. Hutton of our body. When he talks, we ought to listen. And there's several -- what makes this place so magical and special is there are several of us like that. Representative McGrady is like that. And those wonderful, wise people when they get up and speak, they transcend party, they transcend the ages and they're a part of this body's politic that makes it special.

And we are at our best when we get away from
party, and we get away from the caucus and what the
caucus wants us to do and we follow our hearts. And I
know that each of you in 2008, if you ran in 2008 and
you were elected, one of the things you ran on and one
of the things I ran on is that if I got in this body
and was reelected to this body again, that I would
support and fight with all I could to make sure that
we had impartial redistricting.

Now listen to what Representative Lewis just
said. It comply -- we have had this expert that says
it complies with this law, and we've had this expert
say it complies with split districts, and we've had
this looked at by numerous other people, and we've
done this and we have done that to comply with the
court order. Think about what your common sense is
saying to what he just said there and what we put that
man through in the last three weeks trying to draw
these districts. What all's we had to do and all we
should do is what Judge John said two days ago and
that is follow our hearts, follow what people want us
to do and say to the court here's how we're going to
solve this problem. We are going to put six
republicans of impeccable character on a commission
and six democrats with impeccable character on the
commission and we're going to let them draw the
Districts.

Citizens ought to draw the districts that we are elected in and not us. When we were in power, we messed it up. You all ran and said you were going to fix it and now that you're in power, power is a very seductive thing, you all are messing it up. We ought to be ashamed of ourselves, and we ought to do the right thing, and the right thing here is I sat in these public hearings. Folks, people took the time from their jobs, from their homes, from their daily lives to come to those public hearings, what little bit of public hearings we gave them, and they made their voices clear, almost unanimous. Every person that came to those things almost to a -- almost to a person is almost unanimous demanded from us that we have a fair and impartial redistricting, and the only way to do it is to get us out of it and let the citizens draw the lines.

I would encourage each of us to vote against this, send it back to our caucuses and demand that we all go united to the court and say, court, we want a fair and impartial commission to do this. It is a fundamentally right thing to do, and each of us in our hearts know that that is the right things to do, and each one of us at one time or another has campaigned
and told our constituents that we would do that. And one of these days the citizens are going to have enough of these broken promises and they're going to send us home, and they should, because the right thing to do here is to let citizens draw the lines. Thank you.

SPEAKER MOORE: For what purpose does the gentleman from Cabarrus, Representative Pittman, rise?

REPRESENTATIVE PITTMAN: To speak on the bill.

SPEAKER MOORE: The Gentleman asks to debate the bill.

REPRESENTATIVE PITTMAN: Thank you, Mr. Speaker.

Ladies and gentlemen, I don't suspect I'm going to sway many people to do what I'm going to do today. I just want you to understand what I'm doing. I meant to say this Monday, I didn't hit my light in time because it doesn't matter whether it's the Senate of the House, I feel the same way about this whole process.

If the courts had simply said here's some guidelines that you need to follow next time you do redistricting, I don't think I'd have much of an argument against that. However, our state
constitution says that we do redistricting after the
census every ten years. So, I'm voting no because I'm
not willing to violate our state constitution by doing
do it four years early. Thank you.

SPEAKER MOORE: For what purpose does the
gentleman from Wake, Representative Hall, rise?

REPRESENTATIVE HALL: Speak to the bill.

SPEAKER MOORE: The gentleman is recognized
to debate the bill.

REPRESENTATIVE HALL: Members, I got elected
in this body in 2012 along with a lot of colleagues on
that side, which is the first year these new maps were
in place, and my first real observation of my caucus I
hate to say, but it was we whined a lot, we
complained. We complained that you weren't treating
us fairly, and I still remember the responses from a
lot of you, it was that, that we did too, it was that
elections have consequences.

I vividly remember the we did it too
argument because that was the first time I talked on
this floor. I didn't realize as a freshman that the
Speaker rarely comes down unless he feels strongly
about something. So, then Speaker Tillis had come
down and talked about the rules, how they were much
fairer than we had done with you guys. And there was
a lot of weight to that argument, but I made the freshman mistake of standing up and saying that's an irrational argument, just because we did it, you shouldn't. I don't want to tell you the consequences I suffered, but, needless to say, I did not win my first debate on this floor.

Because of the raw nerves it touched, I realized that there was probably a lot of truth to that, we did not treat you very well. The other thing that was said a lot was elections have consequences, and that's what we're here about. I agree, you're right, they do. We're here about maps and elections, so that's what I'd like to talk about. But the first thing I think that has to be said is that I don't think any of us should conflate winning elections with winning the hearts and mind of the people.

There are 120 opinions in this room on what that means, so instead of just adding mine to that, what I'd like to do is just throw out some actual numbers.

The first one, I'm going to get some grumbling, I know no one wants to hear this, but the first number is a million people. More than a million people, more than a million Americans voted for the democratic candidate for President in this last
election, yet we don't control the presidency, we
don't control congress and we don't control this body.
Move on quickly to congress and I'll talk about the
first election after you guys drew the maps. In that
first election when I came to this body in 2012,
50.93% of North Carolinians actually went to the poll,
walked in and voted for the democratic person on their
ballot for the US Congress in North Carolina. 49.6%
voted for the republican. So, more people actually
walked in the polls and voted for the democrat in that
election, yet the result was you guys got a 10/3
split, 77% of the seats to 23. And I know what every
member of this body is thinking right now, the same
thing I'm thinking, we did it too, and you're right,
we did.

Last week Leader Jackson pointed out the
results here in the House, the elections, after the
last time we drew the maps versus the last when you
guys drew the maps. So, under the 2003 democratic
gerrymander, and that's what it was, it was a
gerrymander as well, they gave us 66 seats in that
next election and you had 54.

My point is that I think your version is far
more one-sided because right now after that election
you had 77 seats to 43. And I think it's important,
an important point that Leader Jackson made that we also understand that elections have consequences, but we didn't give ourselves the supermajority in the state, in a state that votes almost equally every single time for democrats and republicans. And my point is that I think every member of this body is politically astute enough to understand that North Carolina is an extremely purple state. Every election it's almost an equal number of democrats that vote for you guys and vote for us.

In this body, in the North Carolina House, in the 2016 election roughly 48% of North Carolinians walked into the poll and voted for a democrat running for this body, the North Carolina House. You did win that election as well, and 52% of the voters voted for republicans, but if you look around this chamber it's 75 members on that side, which is obviously a supermajority.

I'm pointing out the disparities in the election from the President all the way down to this House because I honestly feel there's never been a time in America's history when the disparity between the will of the voters and the actual electoral outcome has been this great.

George Washington was revered for being the
first man that voluntarily gave up power, and I know
that we can't be held to their standards. No one
here, including myself is George Washington. I say
that with a humility, again, of knowing that we did it
as well, but the absolute empirical data of the votes
cast in the state make clear that the people of North
Carolina don't want us to have a supermajority.

    Thank you, Mr. Speaker.

SPEAKER MOORE. For what purpose does the
gentleman from Wake, Representative John, rise?

REPRESENTATIVE JOHN: Debate the bill.

SPEAKER MOORE: The gentleman has the floor
to debate the bill.

REPRESENTATIVE JOHN: Thank you, Mr.
Speaker.

    First of all, I appreciate your not
referring to me as the gentleman from E.F. Hutton, but
more seriously, Mr. Speaker, I'm not going to repeat
the full statement I made when this body was
considering the proposed House plans, but everything I
said on Monday is applicable again today as we
consider these proposed Senate maps, characterized
perhaps to an even greater degree by the flaws which
mark the House maps.

    In short, politicians who directly benefit
from the drafting of legislative districts should not be the drafters of those districts. We absolutely must have in North Carolina a truly independent, impartial and most importantly not partisan redistricting commission.

I'll be voting no as I did when we considered the House maps. I recommend the same to you. Thank you for your attention. Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the lady from New Hanover, Representative Butler, rise?

REPRESENTATIVE BUTLER: To briefly debate the bill.

SPEAKER MOORE: The lady is recognized to debate the bill.

REPRESENTATIVE BUTLER: I had no intention, actually, of speaking on this issue today, but as I saw the young men from Greenville here, and I did watch their ball game, they should have won that thing. They were up 5 to nothing, and all those curly headed fellows in the front there did so well.

You know, the public like those boys expect nothing less than a level playing field. The public made that perfectly clear throughout meetings all across this state. I thought about what if we had
told those children, boys, do the best you can, but
you're going to start six runs down, and you're going
to bat left-handed even if you're a righty and you're
going to have to hop on one foot to first base.
That's not fair.

So, in life, in sports and in politics the
public expects a level playing field, and what we have
in North Carolina is a national reputation for sports
earth politics, and none of us should be very proud of
that in this body.

So, fairness, a level playing field and good
conscience should rue the day. I vote you to vote no
on these maps. Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the
gentleman from Wake, Representative Dollar, rise?

REPRESENTATIVE DOLLAR: To debate the bill.

SPEAKER MOORE: The gentlemen has the floor
to debate the bill.

REPRESENTATIVE DOLLAR: Members of the
House, there's been some arguments made here in the
last few minutes that I just want to make a couple of
points about. One, the gentleman says all of this is
a purple state. Well, that's very deceptive and let
me tell you why that's deceptive. In the last
statewide election republicans won 13 of 17 statewide
races. 13 of 17. That seems a whole lot more leaning
to the republican side, the conservative side of the
actual issues, that are -- that come before our state
and federal elected officials from here in North
Carolina.

I would also remind one of the members, you
know, talked about various formulas and who won this
and who won that. I mean what do you want? Do you
want proportional representation? Then you need to go
change the U. S. Constitution if that's what you want.
If you want a European system, go out there and get
it. Don't try to boot strap it through all sorts of
various and sundry mechanisms that, you know,
professors and different things come up with around
the -- around the country.

The fact is, is that you have a
misdistribution of your voters of people willing to
support you. That's your problem that you probably
ought to go try to solve if you want to solve it.

I would also note just two other quick
things. One, you know, when we talk about reform, I
remember because I was around this town for a while
now, and I remember cases going back to the early and
mid '80's and coming forward and I seem to note that
it was republicans who were helping with lawsuits or
initiating lawsuits to reform redistricting, and time
and time again winning against in our state supreme
court and winning in the United States Supreme Court.
So, folks need look at themselves and look at your own
history. Republicans have a history of reform here.
We have the history of reform, hard fought. And
that's the reason why we have some of the most
stringent requirements of anywhere in the country like
it's forgotten, it doesn't get reported on, but it's
an actual fact. And we have complied in both the
House and Senate map with those requirements, state as
well as federal.

And it was also a fundamental question about
what do the people want, what do the people want.
Well, it occurs to me that we are debating the Senate
maps, and I would point this out to everybody here and
everybody listening, Senate republicans won a
supermajority under the democrat maps, under the
democrat maps. So, clearly, that was the will of the
people. And I encourage you to vote for this bill.

SPEAKER MOORE: For what purpose does the
lady from Durham, Representative Morey, rise?

REPRESENTATIVE MOREY: Thank you, to debate
the bill.

SPEAKER MOORE: The lady has the floor to
debate the bill.

REPRESENTATIVE MOREY: Members, I echo the comments of my colleagues, and I just want to be reminded of the public hearings. And when we sat in Raleigh and watched the various people throughout the state speak, there was one young mother here in Raleigh who sat for two and a half hours. She had a one-year-old toddler, kept running in running out, disturbing and she finally got her opportunity to speak. And she said I'm a nobody to you. You won't hear my voice, but I care about fairness. I want a future for my child.

So, for all those people who spoke, I think this whole body did hear their voices, but they are asking for fair maps, and I echo my colleagues that we do need independent, nonpartisan redistricting; therefore, I'll be voting no. Thank you very much.

SPEAKER MOORE: For what purpose does the gentleman from Wake, Representative Jackson, rise?

REPRESENTATIVE JACKSON: I speak on the bill.

SPEAKER MOORE: The gentleman has the floor to debate the bill.

REPRESENTATIVE JACKSON: Thank you, Mr. Speaker.
I rise, ladies and gentlemen, to oppose the Senate redistricting plan. I know that they've had a good debate on their and their chamber, and I know it's normal for us to just accept what the Senate does, and so, I'm not going to really get into many of the details.

I will point out something. I know for a fact that a nonpartisan redistricting bill has passed this chamber in the past and, you know, some people are kind of questioning if it passed only because we knew the Senate would never take it up, but I will say to you this: I floated this idea to many of the bills sponsors over the last several years. There's nothing that prevents the House from doing our own type of nonpartisan redistricting. We don't have to get the senate to go along with it in the House plans. We can do what we want. So, if you, in fact, in the last four years have voted for nonpartisan redistricting, we can make that happen.

As to this plan, I want to say that the racial gerrymandering issues in the Senate map is basically the same ones as I mentioned in the House map. Senate republicans did not use racial data, and in my opinion again what we have before us today does not apply to Federal court's order. Also, this map
does also double down on the partisan gerrymander from 2011. And I know I've read several people have complimented Senator Berger and the speech that he gave on the Senate floor about how my party's problem is not, in fact, gerrymandering, it's that we can't appeal to rule voters, and I understand talking points and I understand how people parrot that.

You know, I just simply don't agree with that, but if you accept that Senator Berger's argument is true, then you also have to accept the flip side of that argument, which is that democrats are doing really well in urban areas, but yet these maps don't reflect that truth. So, if you don't accept the notion that the maps are gerrymandered in the east and in the rural areas, you have to at least accept that they are, in fact, gerrymandered in the urban areas to prevent democrats from having more seats than they probably should.

In Wake County if you look at Senate District 18, and Senate District 15, Guilford County, if you look at Senate District 28 and Senate District 27, Forsyth, you can look at Senate District 29, and Senate District 31, and then Mecklenburg County, you can look at Senate District 41, which starts in the northeast portion of the county and goes down the
western border of the county, all the way down into
the southern part of the county. And then you can
look at the districts in Cumberland County in all its
gerrymandered glory. In fact, it was gerrymandered
pretty badly before it was added on, but then when
they went and got the section adding Senator Clark's
second home in, it really became a work of art.

I've not done an in-depth analysis of the
Senate maps or the alternative maps, but it's really
hard for me to imagine that this is the best we can
do. We can draw maps that are less partisan, more
compact and maps that don't repeat the racial
gerrymander of 2011. I think that's what the court
expected us to do. I think we'll be back here in 2019
doing this again after the court's vote it out. I'll
be voting red today.

SPEAKER MOORE: For what purpose does the
lady from Mecklenburg, Representative Cunningham,
rise?

REPRESENTATIVE CUNNINGHAM: To speak on the
bill.

SPEAKER MOORE: The lady has the floor to
debate the bill.

REPRESENTATIVE CUNNINGHAM: Thank you, Mr.
Speaker.
You know, as I sit here and I heard what my colleague said, Representative Hall, that we were whining. I'm not a whiner. I want to get that clear.

This redistricting is serious for the people of the State of North Carolina. It's two things that was said that really bothers me. One is that race was not taken into consideration. That was one of the criteria, and I understand that, but when I walk in a room, you know exactly who I am. I don't get to take off my skin and be anything else. So, I think it should always be taken into consideration. So that's the decision that they made.

The other thing is about this redistricting is it's all about power. It's about who gets to make the decisions for the whole State of North Carolina, for all the citizens of North Carolina. This is about power. Are you willing to share power with someone that is not equal to you? That's the question. Are you equal, are you ready to share power?

The redistricting that we're going under now that we have waited a decade almost for that was unconstitutional, that we were elected under, we've waited almost a decade for this to happen and it looks like we will have an additional wait. Are you ready to share power, that's what redistricting is about.
No, the maps are not exactly what I would like them to be, but do I have the power and are you willing to share the power? The people of North Carolina are looking for us to learn how to share power. Thank you.

SPEAKER MOORE: For what purpose does the gentleman from Nash, Representative Jordan, rise?

REPRESENTATIVE JORDAN: To debate the plans.

SPEAKER MOORE: The gentleman is recognized to debate the bill.

REPRESENTATIVE JORDAN: Thank you, Mr. Speaker.

There's a whole lot of stuff that I can stand up here and say, but I really just want to make two points. Aside from the fact that I'm a primary sponsor of the nonpartisan redistricting plan, so that makes me immune to a lot of the whining that's going on across the aisle.

The two points I'd like to make are follow-up on Representative Jackson's comments about how Senate District 21 in Cumberland County. Did you hear him very carefully? Did you hear him ask about that district? It looks like Puff The Magic Dragon to me. And that little puff there that came from Senator Clark, who apparently asked the Senate majority to add
that in for him I guess to gerrymander for him,
although he's been one of the leading members talking
about this deficiency gaps, how there are wasted
voters for anybody who votes for a losing candidate,
your vote is wasted, and anyone who votes for more
than what the winning candidate needed is also wasted
votes. I'm afraid the court is going to look at that,
ridiculous formulas like that in the future. But the
other point I'm going to make and I'm voting, I'm
actually voting against this map and I wanted to
explain why because I took some of my colleagues by
surprise in committee yesterday, and that is for this
reason: I thoroughly understand step one being the
Senate county groupings, and I think that's very good.
That is important for everyone to understand listening
here today and listening online, that this process,
even though it is not the non-partisan districting
process that I would prefer, starts with actual
objective steps and it included grouping the counties,
all right.

Well, despite that, I'm going to vote
against this because basically my area northwestern
North Carolina is going to lose a Senate
representative, and that's why I'll be voting against
this map today. Thank you, Mr. Speaker.
SPEAKER MOORE: Further discussion, further debate. If not, the question for the House, passage of Senate Bill 691 on second reading. Those in favor will vote Aye, those opposed will vote No. The Clerk will open the vote.

The Clerk will lock the machine and record the vote. 68 having voted in the affirmative; 47 in the negative. Senate Bill 691 passes the second reading.

Any overrule to that objection?

Clerk will read that in.

HOUSE CLERK: Senate Rule 691 annex.

SPEAKER MOORE: Any further discussion, further debate? If not, question for the House pass Senate Bill 691 on the third reading. Those in favor will vote Aye; those opposed will vote No. Clerk will open the vote.

Clerk will lock the machine and record the vote. 68 having voted in the affirmative; 47 in the negative. Senate Bill 691 passes the third reading. The Bill is ordered enrolled.

Members, we are about to take a recess until 3:30. It is right now it's -- actually, strike that, until 3:45. That will be a one-hour recess for a number of reasons. I believe the Majority Leader is
going to announce a caucus 30 minutes from now.

Sorry, Representative Bell, I didn't realize you had stepped away from your desk.

Gentlemen is recognized for an announcement.

REPRESENTATIVE BELL: Thank you, Mr. Speaker. Republicans, you just saw on your e-mail we're going to caucus 30 minutes after recess in Room 1228. That's 30 minutes after recess in Room 1228. Please be prompt. Thank you.

SPEAKER MOORE: Mr. Clerk, Chair directs that House Bill 717 revised judicial districts be removed from the Committee on Elections and Ethics Law; directs that it be referred to the Committee on Judicial Redistricting.

For what purpose does the gentleman from Chowan, Representative Steinberg, rise?

REPRESENTATIVE STEINBERG: A point of personal privilege, Mr. Speaker.

SPEAKER MOORE: The gentleman is recognized to speak to a point of personal privilege.

REPRESENTATIVE STEINBERG: Thank you.

This tragedy unfolding in Texas from Hurricane Harvey reminds all of us of the immeasurable value of our service personnel who leave their homes and risk their lives to assist in rescuing citizens
from grave peril. As a North Carolina State Representative serving northeastern North Carolina, it is an honor to serve a district that includes a major coast guard installation located in Elizabeth City and officially designated All American Coast Guard City. Captain Joseph Deere, commanding officer of Air Station Elizabeth City and the magnificent men and women of the coast guard serving with C130 fixed wing aircraft and H60 helicopters and other personnel, courageously exemplify the best of the American spirit as they assist those in need in Texas and around the nation.

Today, I offer my continued thanks to the coast guard, their families and the civilians who support their mission for their exceptional commitment and work on behalf of the American people.

Thank you, Mr. Speaker.

SPEAKER MOORE: For what purpose does the gentleman from Guilford, Representative Quick, rise?

REPRESENTATIVE QUICK: A point of personal privilege.

SPEAKER MOORE: The gentleman is recognized to speak to a point of personal privilege.

REPRESENTATIVE QUICK: Prior to my arrival here in the North Carolina House, District 58 was
represented by a gentleman named Mr. Ralph C. Johnson. Mr. Johnson passed away earlier this year, and this morning I was privileged to be part of a ceremony that re-named a new connector road in Greensboro, North Carolina, the Ralph C. Johnson Way.

I'd ask my colleagues here today if you would join me in acknowledging the work and life of former Representative Ralph C. Johnson as we celebrated his life in Greensboro earlier this morning.

(APPLAUSE.)

SPEAKER MOORE: For what purpose does the gentleman from Wake, Representative Jackson, rise?

REPRESENTATIVE JACKSON: Inquiry of the Chair.

SPEAKER MOORE: The gentleman is recognized to inquire.

REPRESENTATIVE JACKSON: What time will we be coming back, Mr. Speaker?

SPEAKER MOORE: We're going to be back at 4 -- excuse me, at 3:45.

REPRESENTATIVE JACKSON: Inquiry of the Chair.

SPEAKER MOORE: The gentleman is recognized.

REPRESENTATIVE JACKSON: Will we be done
today?

SPEAKER MOORE: Maybe. I hope so.

REPRESENTATIVE JACKSON: Okay, for an announcement.

SPEAKER MOORE: The gentleman is recognized for an announcement.

REPRESENTATIVE JACKSON: House democrats will caucus at 3 o'clock in 12 -- I mean 14, whatever our normal room is.

SPEAKER MOORE: Thanks.

Members, if there's no more notices and announcements right now, subject to the standard stipulations set forth in Rule 15.1, the Chair directs the House to stand in recess until 3:45.

(THE HOUSE STANDS IN RECESS AT 2:47 P.M.)
STATE OF NORTH CAROLINA
COUNTY OF DURHAM

REPORTER'S CERTIFICATE

I, Regina Toppins, Shorthand Reporter and Notary Public in and for the State of North Carolina, do hereby affirm that the foregoing pages contain a verbatim transcription of the above-captioned proceedings and have been transcribed to the best of my ability and understanding; I further affirm 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 30th day of August, 2017.

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NORTH CAROLINA GENERAL ASSEMBLY
SENATE COMMITTEE ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS
AUGUST 24, 2017 SESSION

In Raleigh, North Carolina
Thursday, August 24, 2017
Reported by Rebecca P. Scott

Worley Reporting
P.O. Box 99169
Raleigh, NC 27624
919-870-8070
SEN. HISE: The Committee will come to order. Thank you, members of the Committee and members of the public that are here today. Very briefly, I'll begin by going through the Sergeant at Arms for the Senate for this meeting of the Senate Redistricting Committee. Terry Barnhardt, Terry Edmondson, Frances Patterson, and Hal Roach. Thank you.

And we do have one page with us today, Tanner Minton. Right here. Thank you very much for coming here and being part of this today.

Members, we will have one bill before us today. That is Senate Bill 691, the 2017 Senate Districts. I will be presenting that in just a moment and will hand the gavel over to Senator Brown to conduct the meeting while I present.

But just a few rules. I am going to ask, kind of particularly regarding the complex nature of amendments and others to this particular bill, if members are wishing to amend the particular bill, if you would send forth your amendments so that we can begin to get those in order and in place before we begin this process or while we're in the presentation.

So that being said, I will turn the gavel
over for 691, and I do believe we have a PCS.

To let you-all know, while this is a pretty standard procedure, I do want everyone to note that we do have a court reporter here, so it will be important that anytime you are recognized, you would state your name for the record so that we may adequately transcribe this for the proceedings.

SEN. BROWN: Thank you, Senator Hise.

So, Senator Hise, I'm going to turn it over to you to present the bill.

SEN. HISE: Thank you, Senator Brown.

And I guess I would begin by offering a PCS for consideration.

SEN. BROWN: Okay. I need a motion for the PCS. Senator Tillman makes that motion. All in favor say aye.

(Voice vote.)

SEN. BROWN: Any opposed? The ayes have it. Senator Hise?

SEN. HISE: Thank you, members of the committee—

SEN. TILLMAN: Senator Brown, I'll take that motion back. Let one of the official members make that.

SEN. BROWN: Senator Tillman, are you
throwing us a curve? Since you're not on the Committee, I should have caught that. I think Senator Harrington made the same motion at the same time.

SEN. TILLMAN: I heard her.

SEN. BROWN: So Senator Harrington makes that motion. All in favor?

(Voice vote.)

SEN. BROWN: Any opposed? All right. The motion carries. Senator Hise?

SEN. HISE: Thank you. I think all members should have in front of them an overall copy of the map as well as the stat-pack from the Committee available for the map of the redistricting. I'm going to take a few minutes and go over the criteria of the Committee and a bit on how the maps that are presented meet the criteria that the committees for both the House and the Senate established for drawing maps.

To begin with, I will begin with equal population. The committees were required to use the 2010 federal decennial Census data as the sole basis of population for drawing legislative districts in these plans. The number of persons in each legislative district shall comply with the
plus or minus five percent population deviation standard established in Stephenson versus Bartlett.

You'll see from the first page of the stat-pack the total population for all 50 Senate Districts under the 2010 Census. The most overpopulated district is by 4.94 percent, Senate District 8, which is composed of Bladen, Brunswick, and Pender Counties in whole and a part of New Hanover County. This district was not redrawn in this process and was not affected by the court order.

The most underpopulated district -- underpopulated district is Senate District 3. It is underpopulated at negative 4.55 percent. It is a district in the northeast which is composed of whole counties including Vance, Warren, Northampton, Bertie, Martin, and Beaufort Counties. That is a six-county pod that under the Stephenson decision would meet that criteria.

Contiguity, the second standard. Legislative districts shall be comprised of contiguous territory. Contiguity by water would be sufficient. You will find that the legislative districts -- you will find that the legislative districts are meeting that legal criteria, and all
the districts are contiguous within the process.

Next county groupings and traverses. The Committee shall draw legislative districts within county groupings as required by Stephenson v. Bartlett. Within county groupings shall not be -- within county groupings shall not be traversed except as authorized by Stephenson I, Stephenson II, Dickson I, and Dickson II. The rules for county groupings were established in Stevenson I and have been affirmed in later cases. The map follows the county grouping formula listed several weeks ago.

We have not received as a committee any more optimal or alternative group plans. The map does not traverse any county. More than once is prohibited by Stephenson I, and though it requires the formula announced -- does not require the maximizing of keeping counties whole, you will see that the map presented keeps 88 counties whole of the 100 counties in North Carolina.

Just to briefly clarify on that, as the hierarchy determined in the Stephenson's decision, we must create all one-county groupings. There existed only one, and that would have been in Mecklenburg that was coming to the Senate. Then we
must create all possible two-county groupings, then all possible three-county groupings. You cannot sacrifice creating a three-county grouping for later sacrificing having more four-county groupings. So it is required for the smallest number of counties to be formed within a district.

Standard number 4, compactness. The Committee shall make reasonable efforts to draw legislative districts in the 2017 House and Senate plans that improve the compactness of current districts. We established two guides for use for determining that. The Reock dispersion and Polsby-Popper scores which dealt with the parameter. And so coming in, we set -- the committee adopted as a guide for compactness minimal score drawings for those.

For the Reock score, it was -- we have no district lower than the .15 minimum threshold, and then the--

SEN. BROWN: A lot of P's.

SEN. HISE: ---Polsby-Popper score, the minimum threshold adopted by the Committee of .05. None of the districts you will find adopting this were below those minimum standards. And this plan improves on the compactness of the 2011 Senate plan
and fares historically well against any Senate plans adopted by the legislature over the last few decades.

Criteria number 5, fewer split precincts. The Committee shall make reasonable efforts to draw legislative district plans that split fewer precincts that the current legislative redistricting plans. Following public input urging this Committee to split fewer precincts in the drawing of these plans, the Committee chose to adopt this as criteria.

The 2011 Senate plan split 257 precincts. The plan you have before you now splits only nine precincts. Two of those splits were retained in New Hanover County because those districts were not redrawn. Two splits are made to avoid the double-bunking of incumbents. The other splits were either made in a place that does not divide a population so that while the precinct may be split for compactness, there is no population in one side or other of that division, or to follow a new precinct line that has been established since 2011.

Criteria number 6, municipal boundaries. The Committee may consider municipal boundaries when drawing legislative districts in these plans.
Multiple members of the public asked the committee to consider not dividing municipalities where possible, and the Committee adopted that criteria. This plan splits just 25 municipalities in North Carolina in populations -- in places where there is population or the city does not cross a county line.

By any measure, the plan splits far fewer counties than the one adopted in 2011. It fares historically well against all Senate plans adopted by the General Assembly over the last two decades, especially in light of the annexation done by municipalities over that time frame and does not always follow -- that does not always follow county boundaries.

Number 7, incumbency protection. Reasonable efforts and political considerations may be used to avoid pairing incumbent members of the House or Senate with another incumbent in the legislative districts in the 2017 House and Senate plans. The Committee may make reasonable efforts to ensure voters have a reasonable opportunity to select -- to elect nonpaired incumbents of each party to a district in the 2017 Senate plans. The Committee adopted criteria pledging to make
reasonable efforts not to double-bunk incumbents.

The map does double-bunk eight members. Three pairs of Republicans and one cross-party pair. Senator Randleman and Senator Ballard were -- were double-bunked by necessity within their county grouping. Senator Krawiec and incoming Senator Barrett were potentially double-bunked by the necessity with their county groups.

Senator Alexander and Senator Barefoot were double-bunked in Wake County, but Senator Barefoot has already announced that he does not intend to seek reelection. And Senator Smith-Ingram and Senator Cook were double-bunked by necessity as well within their county groups.

Criteria number 8, election data.
Political considerations and election data may be used in the drawing of legislative districts in the 2017 House and Senate plans. For this purpose, we selected ten races from 2010 to 2016. The 2010 US Senate race, 2012 Presidential, Governor, and Lieutenant Governor race, the 2014 Senate race, and the 2016 President, US Senate, Governor, Lieutenant Governor, and Attorney General races. So you should have information on each of those in your
Criteria number 9, no consideration of racial data. Data identifying the race of individuals or voters shall not be used in the drawing of legislative districts in the 2017 House and Senate maps. In the drawing of these maps in the Senate, we did not consider race of individuals in the drawing of the maps or the assignment of voters to a particular district.

In 2011, 40 counties in the state were under the preclearance standards under Section 5 of the Voting Rights Act. In the intervening time, that preclearance from the Justice Department has been lifted by a Supreme Court decision. It will not be incumbent upon this General Assembly to seek preclearance for these plans.

In the drawing of the current legislative districts, the General Assembly conducted an unprecedented effort to reach out to interested parties, receive public input, receive expert testimony, and hear from members of the body about legally relevant evidence regarding the drawing of districts under the Voting Rights Act.

Despite a voluminous record that was established by the General Assembly during the 2011
redistricting process, the three-judge panel in the Covington case said that this did not constitute substantial evidence that would justify using race to draw districts in compliance with the requirements of the Voting Rights Act. Therefore, we do not believe it is appropriate, given this Court’s order in this case, for the Committee to consider race when drawing districts.

We have asked on multiple occasions and will continue to ask this Committee for any legal significant evidence of racially polarized voting that this Committee should consider in this process. We have received none to date, but we remain open to receiving that information from any members who wish to submit such.

Members have in front of us now -- that is the picture of the maps as they currently exist. Obviously, you have a larger version sitting in front of you. With that being said, I will open up for any discussions. I would reiterate that if we could please receive any amendments that you would have to expedite this process.

SEN. BROWN: All right. Questions for Senator Hise? Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.
Senator Hise, you brief the various compactness measures in terms of the limitations. Could you bring that back up for us?

SEN. HISE: I can try. That's a technology request.

SEN. CLARK: Those. Go back. Yeah. I don't recall having seen those before. Were they presented at a previous committee meeting? I must have missed that.

SEN. HISE: These are the standards, and I think we have some of that literature, if we can -- if you need copies of it, that have established these as the minimum standards for using these criteria.

SEN. CLARK: Were they approved by the Committee?

SEN. HISE: They were presented to the Committee in that process as the use of those scores, and as in many other things, the score has a .05 value. These are the standards for using those criteria.

SEN. CLARK: Could I receive a copy of those? I don't recall going over that or even having been provided a copy.

SEN. BROWN: We'll get you a copy of
that, Senator Clark. Other questions? Senator Blue?

SEN. BLUE: So a question, yes, Senator Hise. The criteria said you may use, so it is your statement that you used this compactness standard on all the districts?

SEN. HISE: All of the districts meet the .05 and .15 levels of the two tests.

SEN. BLUE: I'm sorry. I didn't understand that.

SEN. HISE: All of the districts in the Senate are above the standards of .05 or .15 established by the test.

SEN. BROWN: Follow up, Senator Blue?

SEN. BLUE: Yeah. Did you at any point in drawing these districts, or the map drawer, determine what the Court was looking for when it said that certain districts were racially discriminatory and how you would cure that remedy?

SEN. HISE: What we have received, and I would state it in this manner, is that we received from the Courts that race was overutilized in the drawing of districts, standards that we had previously presented, as well as having a target race. So we have in this case, given the changes
in the Voting Rights Act or others, we have not drawn this with any consideration of race. So, therefore, we did not overutilized race in the drawing of the maps.

SEN. BROWN: Follow up?

SEN. BLUE: Follow up. So it's your considered opinion that the Court did not want you to look at race in order to cure what it had determined to be a racially discriminatory scheme?

SEN. HISE: In my determination, the Court said that we had overutilized race previously. In this version of the maps, we did not utilize race at all.

SEN. BLUE: Follow up?

SEN. BROWN: Follow up.

SEN. BLUE: I just want to make sure. It's your interpretation of the Court's opinion that you don't need to use race in order to determine that you've remedied a violation that they said was based on race?

SEN. HISE: I would again say that the Court had determined previously that we overutilized race. That was the finding of the Court, and their remedy in redrawing it to us is that at this point, we have not utilized race at
SEN. BROWN: Senator Blue?

SEN. BLUE: Since my district in Wake County was one of those that the Court determined you used race to too great of a degree, did you look any way at all in simply reducing the racial percentage of the existing districts as a cure for the gerrymander rather than radically changing districts?

SEN. HISE: We did not -- we did look at any statistics regarding race in the development of these maps.

SEN. BROWN: Follow-up?

SEN. BLUE: In formulating the plan to draw new districts to cure the gerrymanders, what made you determine to totally reconstitute several of the existing districts?

SEN. HISE: We were given by the Courts, I believe, nine districts in the Senate in which we had overutilized race. We were also given directive by the Courts as a whole that -- against setting a particular target for race in that process, and so the remedy that the Committee adopted to deal with that was to not consider race at all. Therefore, it would not be claimed that we
somehow overutilized race when we did not use race at all.

SEN. BROWN: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.

Senator Hise, in our criteria regarding compactness, we did state very clearly here that one of our objectives was to make sure that the compactness values were improved as we moved from the enacted plan as we moved to the proposal. Why is it that some of the compactness scores of some of the existing districts -- why did they not improve?

SEN. HISE: I believe you'll find that the compactness scores as a whole improved and that each individual district meets the standards of compactness.

SEN. BROWN: Follow-up?

SEN. CLARK: We were not provided those individual standards of compactness of all of the districts. Although as a whole, some of the values may have improved, but some of the districts themselves, the compactness values did not improve, and I want to understand why that was the case.

May I make a comment?

SEN. BROWN: Senator Clark, go ahead.
SEN. CLARK: The criteria, as put here before us in the paper and was approved by the Committee, says the plan should be there to improve the compactness the current districts. We did not improve the compactness all the current districts.

SEN. HISE: We did improve the compactness of the districts as a whole.

SEN. CLARK: That may have been the case, but that's not what our criteria says. It does not say "the districts as a whole."

SEN. HISE: No. The criteria does not say each individual district shall have a lower compactness score. You are correct. It does not say that. It says we will improve compactness as a whole in all the districts.

SEN. BROWN: Senator Clark?

SEN. CLARK: I have the criteria before me, and what you just said is not correct. It does not say improve the compactness as a whole. It says "improve the compactness of the districts."

And if we go to Mecklenburg County, more specifically, we see there are three districts, which happen to be Democratic districts, that have improved compactness scores. The two Republican ones do not. And I was wondering what brought
SEN. HISE: As you will find, the compactness of the state is a fixed manner in the manner in which you divide it. Improving the compactness score will be improving the average of all the compactness across the district, and that's what will meet that standard.

SEN. BROWN: Senator Clark?

SEN. CLARK: Mr. Chairman, with all the compactness scores out there, there's only one suitable for comparing the compactness of one plan versus another, and that's the perimeter score. The Polsby-Popper and Reock scores are not designed to determine the relevant performance in regards to compactness of one plan versus another.

SEN. BROWN: Senator Blue?

SEN. BLUE: A question, again, Mr. Chairman. If I could go back to the incumbency protection provision of the criteria. Did you ascertain how many current members were seeking reelection?

SEN. HISE: We did not other than information went out for individuals who were -- where their address was located. We went with that file as we had it at the time. When individuals
announced or told us directly that they were not running, we considered that information.

SEN. BROWN: And that was about a week or two ago, wasn't it, Senator Hise?

SEN. HISE: Yes, it was.

SEN. BLUE: So in Wake County double-bunked where you had an option -- because I think in the other three, it was because of the groupings -- why did you choose to double-bunk and leave an open district right next door to one of the members that you moved into a district that already had a member in it?

SEN. HISE: We do not double-bunk in Wake County. Senator Barefoot announced to me and then publicly that he was not seeking reelection.

SEN. BROWN: Senator Blue?

SEN. BLUE: Did you inquire of any other Senators -- did you inquire of any of the African-American Senators whether they were seeking reelection?

SEN. HISE: No one else provided us information that they were not intending to run, except Senator Tucker did, I mean, but in Wake, no one else provided us that information.

SEN. BROWN: Senator Blue?
SEN. BLUE: Then if, in fact, a major portion of a Senator who you double-bunked in Wake County -- a major portion of his district was right next door without an incumbent in it, what were the factors in the decision to not put him in the district that was already part of his district but to double-bunk in another district?

SEN. HISE: I would say, once again, that we did not double-bunk any members in Wake County.

SEN. BLUE: Follow up?

SEN. BROWN: Follow up.

SEN. BLUE: But the reason I ask that is that you made a big deal out of compactness and those things, and yet, there are several examples where you squiggled and reached down through areas that could be much more compact to accommodate specific members when there's no compelling reason to do that if the sole reason is to keep from double-bunking.

Let me ask this question a different way, if I could.

SEN. BROWN: Okay.

SEN. BLUE: Do you read incumbent protection in the criteria to mean that you take care of an incumbent in a district that he or she
can get reelected in or simply not to double-bunk him with another person in the same district?

SEN. HISE: I think if you look at Wake County specifically, I'm sure that individuals may find other ways in which they -- they could have chosen to double-bunk anyone, but I would say that it is also noted that those two homes are close together by any standard. I believe on this map many people would find it hard to distinguish, as in the circles don't continue, but we were able to take what was Senator Barefoot's district as it was drawn and to draw Senator Alexander into that district to avoid double-bunking with Senator Chaudhuri.

SEN. BLUE: Further follow-up?

SEN. BROWN: Senator Blue, go ahead.

SEN. BLUE: Then, knowing that Senator Barefoot was not running for reelection, did you consider making the district that he was serving in as well as the adjoining districts more compact by having him double-bunked with another Senator in Wake County?

SEN. HISE: This -- this district as it is met the -- both of the compactness scores that we have established, and therefore, this is the
district we have chosen to avoid the double-bunking.

SEN. BROWN: All right. Any other questions for Senator Hise? Senator Van Duyn?

SEN. VAN DUYN: Thank you. Several of my constituents traveled significant distances to make public comment. Was it yesterday or the day before?

SEN. HISE: I believe it was Tuesday.

SEN. VAN DUYN: Are we going to get some analysis of that public comment so that we can see what it is that -- what their opinions were?

SEN. HISE: The court reporters--- Let me check and see the status on that.

(Pause in proceedings.)

SEN. HISE: The court reporters are developing the transcription of those. The comments submitted online are available to the members through a particular point, and I think we can update those each day. We've been taking online submissions since we began this process from individuals. As soon as the court reporters have finished the transcribing of those comments, those will be available as well as I believe there are audio and, in some respects here in Wake County,
potentially video of those comments, as they would
go forward, that is available to members upon
request.

SEN. VAN DUYN: Follow-up?
SEN. BROWN: Follow-up, uh-huh.
SEN. VAN DUYN: Are we going to do any
analysis on those comments?
SEN. HISE: Members are free to do any
analysis they wish on those.

SEN. VAN DUYN: Okay. Well, now I
haven't read them, but I listened for a couple of
hours, and I also, of course, was here for the
public comment that we did on the criteria, and one
of the things I heard over and over and over and
over and over again, in fact, all but one comment
on our public comment on criteria, was the need for
independent nonpolitical districts.

Did you make any effort to draw more
politically balanced districts?

SEN. HISE: I'm trying -- that question
is very different from the comments leading up to
it. What we did -- the independent districting
issue that has continually come up is inconsistent,
one, with the court order that we have received as
well as the duties and obligations of the General
Assembly. The court order was directed to the General Assembly to redraw districts. I don't think there's much doubt about that.

I would also say that the US Constitution as well as the North Carolina Constitution assigns to the General Assembly to draw districts, and so much so that the North Carolina Constitution establishes that even for the veto of the Governor -- nothing regarding redistricting is subject to the veto of the Governor. It's solely within the purview of the legislature.

I believe strongly that it is our role to draw these districts and our job and responsibility to draw these districts. I don't -- I have told many people I don't believe in unicorns, fairies, or the mythical nonpartisan commission. There are several studies that are out there that also show -- and we have one of those that the results I can show -- that show you have no changes in partisan makeup for districts drawn by nonpartisan redistricting committees versus those drawn by general assemblies.

SEN. BROWN: Follow-up?

SEN. VAN DUYN: One more. So -- but part of the criteria was that you were able to look at
political information?

SEN. HISE: We selected ten election results, and you have all that information.

SEN. VAN DUYN: That's correct. So did you use -- how did you use that data? Did you use it to balance districts or to unbalance districts?

SEN. HISE: We have used it to report on all the districts and how they fall in the political makeup. We did make partisan considerations when drawing particular districts. We did not, however, as has also been suggested from members and others in the comments -- we did not try to go with some parliamentary version that we see in Europe and other places in which a certain percentage of the votes should equate to a certain percentage of the seats or assign them in that manner. The results of each election in a district should result in one representative for that district.

SEN. BROWN: Okay. Other questions for Senator Hise? Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman. I think the recent comment just made by Mr. Hise there -- excuse me -- Senator Hise referred to the use of the efficiency gap because during our
previous committee hearing, I did mention that it would be preferable, I thought, for the Committee to adopt a standard, in other words, how high of an efficiency gap would be acceptable.

And the comment was made during that time that it was some kind measure for parliamentary systems and that it could not be used prospectively for determining the extent of partisan advantage or lack thereof within a single member district program.

So with that said, if you don't mind, I have a statement that I would like to read that sort of clarifies that or clears that up.

SEN. BROWN: That would be fine, Senator Clark. Also, I think the statement, if I remember right, was that that was the two criteria that was used by the Courts or mentioned in the court proceedings. But go ahead.

SEN. CLARK: So let's see. And this is about an e-mail that I sent to Dr. Stephanopoulos, who happens to be the individual who developed efficiency gap analysis process, and it says, "Dr. Stephanopoulos: I argued in a committee hearing today that the efficiency gap method could be used prospectively to determine the efficiency
gap of a plan being considered for adoption by using recent election results of statewide candidates. My counterpart across the aisle argued that it could not. Do you have a position on the prospective use of the efficiency gap?" Excuse me.

"I have created a tool using Microsoft Excel for that purpose. I am not asking you to make a political judgment in this matter, just the suitability of your method for voluntary adoption by a legislative body for the use of establishing district plans that exhibit partisan symmetry, in other words, does not exhibit partisan advantage, on a prospective basis."

And in response, Dr. Stephanopoulos, the author of the efficiency gap method, "The efficiency gap absolutely can be used prospectively to evaluate a district plan as can any other measure of partisan gerrymandering. Since seats and votes can be forecast, it follows that metrics that are based on seats and votes can be forecast as well. In fact, in our original complaint in the North Carolina congressional litigation which was filed before the November 2016 election, we did use the efficiency gap prospectively. See paragraph 66 through 69 of the attached."
"That being said, election predictions are never perfect. That's why the best prospective approach is to calculate efficiency gap using other methods for a range of plausible election outcomes. That gives you a sense of how the map could perform over the spectrum of reasonable possibilities."

And that's exactly what you-all did when you decided to use political data and you decided to use past election results of -- I think you indicated about eight or nine different elections. You just, for whatever reason, do not want to acknowledge the efficacy of the efficiency gap. And, also, Mr. Chairman, I would like to submit this document for the record that was provided with that e-mail.

SEN. BROWN: That will be fine, Senator Clark.

SEN. HISE: To comment briefly, first, I would state that the request to use efficiency gap as a criteria was considered by the Committee and rejected. I will say that. Secondly, I will say that there seems to be a little bit -- and I know this will get into the technical nature, but whether or not something can be used prospective is a different question than whether something can be
taken from separate districts concurring in a
different election in districts that did not exist
prior to an election can be combined in such a
manner that would then be used prospectively.

If the districts were consistent in the
past elections and future elections, then there is
the potential that it could be used prospectively.
That is not the case in redistricting. These
districts are significantly different, and there is
no account for the variance between races that
exists in the model provided.

SEN. CLARK: Mr. Chairman?

SEN. BROWN: Senator Clark.

SEN. CLARK: It's hard for me to
understand for what purpose are you going to use
political data if you're not using it prospectively
for your own uses?

SEN. HISE: You have -- you have received
in your stat-pack the summation of political data
for which it has been used.

SEN. CLARK: Mr. Chairman?

SEN. BROWN: Senator Clark.

SEN. CLARK: I have indeed received that
stat-pack with the political data, but I'm
wondering for what purpose did you-all use that
data.

SEN. HISE: For the purpose of consideration of this Committee.

SEN. BROWN: Senator Clark?

SEN. CLARK: And for the purposes of consideration for this Committee, does that mean prospectively?

SEN. HISE: We have provided the results of ten elections that will be used in the drawing of maps. We have made no attempts to combine those in such a manner that would forecast future elections or provided any data as to the variance that would exist in those forecasts.

SEN. BROWN: Other questions for Senator Hise? Senator Blue?

SEN. BLUE: So that I fully understood, I thought I heard Senator Van Duyn's question about the public hearings. Are you changing the original map that was sent out Sunday night in any manner at all based on the comments from the 200 plus people, or however many signed up, for the public hearing that commented on Tuesday?

SEN. HISE: There is no change to the PCS that was proposed between now and then. Members of this Committee are free to make proposed amendments
to the maps. I have had conversations on at least one of those amendments that may be considered going forward that would change the maps, but between the committee hearing and what is the proposed PCS, you'll find, as normal in legislation, at least for this session, we've made no changes.

SEN. BROWN: Senator Blue, I will tell you in both our Washington and Beaufort Community College, there was a lot of concern about Beaufort County. I tried to figure out a new configuration based on those comments, but it would affect the groupings and the order of the groupings. So it just made it impossible to address the issues that were brought up that night.

SEN. HISE: I think it's also fair to point out that almost none of the comments in public comment were in any manner directly related to the shape of a district, to the pairings of districts, or to the communities covered within a particular district, and no alternatives were submitted in any public comment.

SEN. BROWN: Senator Blue?

SEN. BLUE: Just one follow-up. On several occasions, Mr. Chairman, I suggested that
40 plus years of litigation has taught me that when parties of different opinions and different ideas sit down and work through things, you can usually fix a lot of problems that people identify, even the problem-- I heard the problems in Beaufort County and tend to know that there are ways to fix it, but you can't fix something if the parties who are interested don't talk it through and figure out how to fix it.

SEN. HISE: I will comment specifically on the Beaufort County issue. I have met with several groups from Beaufort County, in addition, have received multiple options that they have presented for how the counties could be podded together. I do not believe a solution exists that does not break a smaller county podding that existed.

I can assure you that if we found that, we are ready to move and make the adjustments necessary for doing so. But one had broken a three-county pod to make a four-county pod. Several of them had broken the six-county pod to create seven- and nine-county pods. We have considered each of those, but they fail to meet the criteria of establishing the smallest number of
counties in a grouping that Stephenson requires.

SEN. BROWN: Senator Blue?

SEN. BLUE: If you wanted to, I can still help you fix it.

SEN. BROWN: Senator Blue, if you'd like to set that up, we surely would take a look.

Senator Lowe?

SEN. LOWE: Going back to the public comments because I heard just as much as all of the rest of you, and one of my things that I've been interested in knowing is, there are criteria by which you will actually consider the public comments, number one, and to follow up to that, because it seems like when you say anybody can consider or look at anything, that's kind of a serendipity way of looking at these issues, and I'm think that what we heard in public comment are some very, very serious issues about this whole process.

So how do you look at the public comments in a real way?

SEN. HISE: I will also say that Common Cause submitted and that Representative Lewis put into the record of the Committee their two-page talking points which summarized almost all the speakers that were there that night, and in fact,
many read different parts of it or reread the same parts of it when giving their comments.

But we are taking the committee evaluation as a whole, and we're looking at that process of public comment for anyone that was submitting information of county poddings, of communities of interest, what were determined by those of the particular districts and what they are and what they should be.

I will tell you that I am saddened by the fact that we did not receive much of that information within the public comment section. There were a lot of comments about process or how long this map was had before this was there or how long those and types of things, but not necessarily things---

We are under a timeline. The Court gave us until September 1st and some potential of maybe a two-week extension if we danced a certain way, coming in, but for all practical purposes, we have a deadline of Friday of next week.

We have a legislative process that requires five voting days in that. We are under that gun. We received the order at the first of August. We had one month to comply with the order.
that was received, and it has been a compressed
time line, and we made clear to the Courts that we
felt like we could extend a full time line into
November 15th -- would be the deadline necessary.
We gave the compressed time line, and it has
compressed some considerations of public comment
and others, but particularly in what we were
looking for in those public comments, specifics
about districts, or when we did the criteria,
specifics about the criteria and others considered.

Those were both used to develop how
members chose to vote on that criteria and are
available for all the committee members to review
and will be part of the court record.

SEN. BROWN: Senator Lowe?

SEN. LOWE: Follow-up. There was also
some concern about the shape of District 28 that
came up on more than one occasion.

SEN. HISE: That is the district designed
for the city limits, predominantly following the
city limits of the town of Greensboro, but it was a
criteria of the Committee, I would say, to keep the
municipality boundaries within the districts, and
we feel that's what we've done with that district.

SEN. BROWN: Any other follow-up?
Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman. You talked about VTDs earlier, and I must commend you-all for splitting very few this time around compared to the last time around. But a couple of those that were split -- at least one in particular happened to be in my district, Senate District 21, between I and Senator Meredith.

Could you provide some explanation as to why Dr. Hofeller decided to split that particular VTD. I believe it was G11.

SEN. HISE: I'm assuming that's the number in which I'll reference. The one that is in that district is a zero population split. There is no residential population on one side of that split. So it improved compactness, but no -- all voting individuals are within the same precinct that they would have been otherwise. But it does -- by dividing the district in such a way that there is no population living on the other side, it does improve the compactness scores of the districts.

SEN. BROWN: Senator Clark?

SEN. CLARK: Thank you. That's what I assumed was done, but I was somewhat surprised by
that because I know generally speaking, people associate compactness with lack of gerrymandering, if you will, but in this particular case, that was a substantial landmass that was essentially added to my district for the sake of improving a compactness score.

And I just think we need to understand that essentially you can manipulate VTDs for what I call an audit form, although they have no impact on the performance of the district whatsoever.

SEN. HISE: Yes, compactness is generally in some manner a ratio of the perimeter to the area or of the area inside a district to a circle that encompass the entire district.

SEN. CLARK: Comment?

SEN. BROWN: Senator Clark.

SEN. CLARK: That is incorrect for Reock and Polsby-Popper, which you-all chose to use, but if you used the perimeter, that would not be correct. As a matter of fact, as I indicated earlier, the perimeter method for measuring compactness is one that's used across plans to determine the compactness of one plan versus another.

SEN. BROWN: Other questions for Senator
Hise? If not, I'm looking for a motion.

SEN. BISHOP: Mr. Chairman, I---

SEN. BROWN: Senator Bishop?

SEN. BISHOP: I do have one comment, although not a question, for Senator Hise, and maybe a comment and then a question for someone else.

Thank you, Mr. Chairman. I did say I don't have a question for Senator Hise, but I have a comment and then perhaps a question for Blue.

Senator Blue, I was struck by the comment about working together and how sometimes if you don't do that, you don't get to the best solution, with which I wholeheartedly agree. I also have had some experiences, and I suspect you have too over the course of time, that when you're in an environment where somebody might be devoted to using every word as an excuse to commence -- pursue litigation, sometimes that freezes up that process.

And so I would ask whether Senator Blue would yield to a question?

SEN. BROWN: Senator Blue?

SEN. BLUE: I would invoke Rule 408, but I would yield.

SEN. BISHOP: You'll yield provisionally,
is that it, Senator? So, Senator, what I heard you say at the end of the exchange with Senator Hise is that you have a fix for the podding situation involving Beaufort County, and I would urge you, if you do, to say what it is, what the solution is.

SEN. BLUE: I suggested, Senator Bishop, several weeks ago--- How long has it been since we were in regular session? ---anyhow, at the end of regular session---

SEN. BISHOP: Not long enough.

SEN. BLUE: Not long enough, you're right there. ---at the end of regular session that I thought that this is the kind of issue that would offer itself---

SEN. BROWN: Hold on, Senator Blue.

SEN. BLUE: ---that would offer itself--- (Interruption by technical malfunction.)

SEN. BLUE: Is that it?

SEN. BROWN: There you go.

SEN. BLUE: ---that this was the kind of issue that would offer itself for resolution if, in fact, those who were directly impacted -- in this case in the Senate, the nine districts that the Court ruled were racial gerrymanders. If the people who represented those districts, which means
they represent the people who brought the lawsuit against the State from those districts, were to sit down with the leaders in the redistricting process in this body, that there could probably be a resolution of this issue without just throwing the balls up in the air and seeing what might happen.

If you're working in that environment -- if you're working in that environment, a careful reading of Stephenson allows you to do things. I mean you mechanically and methodically go one pod, two pods with two counties, three pods, and all of that. But there are other alternatives even through Stephenson, and if you look at the 2003 redistricting plan, there were exceptions from the kind of grouping that you're talking about primarily because there was an agreement to do it under the gun of the lawsuit that was pending at the time.

SEN. BISHOP: Follow-up?

SEN. BROWN: Follow-up.

SEN. BISHOP: Senator Blue, then, do I understand that what you're saying is that there would have to be some consensual process involving some use of race so that you wouldn't be using the strict podding, and therefore, you would resolve
that issue in Beaufort County?

SEN. BLUE: That among other issues.

SEN. BISHOP: And I don't know if there
are other issues--- Follow-up?

SEN. BROWN: Follow-up.

SEN. BISHOP: If that would be so, then,
assume that you had sort of a consensual workout.
You came to an agreement among whatever parties are
participating. How could you assure, then, that
some other person wouldn't commence and pursue
litigation saying that whatever consideration was
given to race was not too much? Consequently, we'd
have another unexhausting, unending string of
litigation about how much consideration of race is
permissible without being then accused of engaging
in a racial gerrymander?

SEN. BLUE: Because if the Plaintiffs
agreed to the resolution that you had, then that
case is resolved and it's over with, and quite
frankly, Senator Bishop, by the time this thing
goes through the process again, you're in another
round of redistricting anyhow.

SEN. BISHOP: That's not very comforting.

SEN. BLUE: But the point is -- the point
is, I think that you can just eyeball the map, and
Stephenson isn't so rigid that it would say you'd go from the coast to the middle of North Carolina the way that pod does. I can understand the frustration of the people in Beaufort County.

SEN. BISHOP: If I could follow up one more time, Mr. Chairman?

SEN. BROWN: Senator Bishop.

SEN. BISHOP: So you made reference just then to the Plaintiffs, that maybe the Plaintiffs would agree. But the state has ten million people in it, and as soon as one group of Plaintiffs agrees -- I mean the example that we have here where there was a completed set of litigation in one court system and then people who were even acquainted perhaps with the Plaintiffs in the first set of lawsuits but different brought other litigation.

Can you imagine a situation in which you could be assured that whatever group was involved in a consensual arrangement like you've described could exhaust the possibility of yet another plaintiff and yet more litigation?

SEN. BLUE: What you said basically makes the point. Even with the resolution of this by Court action, which is how the other would be
resolved, one of the ten million people in North Carolina could still start a new lawsuit. So you settle cases one at a time, and you might anticipate others coming, but until they're brought, you don't have them.

Even -- even when you go back to court sometime in September to determine whether this is a satisfactory resolution of this, there is a possibility that somebody else could still bring another lawsuit. They could bring other lawsuits because of new violations in this redistricting plan, different from the ones that the Court said constituted the racial gerrymander.

So you always have the possibility of litigation, and this doesn't preclude it any more than having a resolution among the parties would conclude it.

SEN. BISHOP: Thank you, Mr. Chairman.

SEN. BROWN: Senator Hise, do you want to respond to that?

SEN. HISE: I just want to comment on it briefly, and I will tell you -- probably am saddened -- I had a lot of hope that someone had found a new podding for that area that was coming in, although that doesn't seem to be the case.
Having whole county provisions is our state constitution. That was reestablished -- you can see the history of the chaos that happened before the Courts reestablished and reminded the General Assembly we have a provision of whole counties and how it's interpreted under Stephenson.

I would fail to agree that a group of individuals, even individuals that were party to a lawsuit, could come together and establish constitutional matters for the State of North Carolina, coming in. Again, I would say I am disheartened that we have not found a county pod that would do better in that process without creating larger county pods.

SEN. BROWN: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman. I guess this discussion we're having now goes back to the notion of the BVAP. Under the [inaudible] my district has, I believe, a black voting age population of about 52 percent, and the Court ordered to us -- the reason we're here today -- it said that we'd have to justify any district with a BVAP in excess of 50 percent. Under the proposed map, is my BVAP now under 50 percent?

SEN. BROWN: Senator Hise?
SEN. HISE: Senator Clark, I will reiterate. I have not seen any racial data for these districts and none was used in the development or drawing or assignment of voters within these districts. Perhaps you have made a request to staff to receive that information and are asking for that.

If there is something you would like to submit to the Committee, you are full within your rights to do, and we would take the time to consider that, coming in, but I obviously cannot -- can't answer a question about something that I do not have and have not received.

SEN. BROWN: Senator Clark?

SEN. CLARK: Thank you, Mr. Chair. Then, given that you have not looked at it and have not received it, you don't know whether or not these maps or proposals would actually comply with the court order; is that what I'm understanding you to say?

SEN. HISE: I think that is -- no, I would not say that -- I would not equate the two. I think the Courts were actually quite clear that a target was not allowed under any circumstances so asking whether or not I have information about
whether something met a particular target, I could not comply to what the Court has ordered us to do. I have simply asked the question as if you have received that information about what the voting percentages are in the district and if you're asking to submit that to this Committee.

SEN. BROWN: Senator Clark?

SEN. CLARK: Actually, what I wanted to know is whether or not you have made a determination as to whether or not the maps you're proposing comply with the court order in that the BVAPs for any district be 50 percent or less, and apparently not.

SEN. HISE: The Courts clearly did not give us any targets and clearly laid out that we cannot use targets, and I do believe strongly that these maps comply with the order of the Court.

SEN. BROWN: Any other questions?

Senator Blue?

SEN. BLUE: Yeah. And I'm going to be honest with Senator Bishop. I gave him a candid answer, but I think he suspects that there is a more specific answer. And that answer, Senator Bishop, is that if you discussed with some of the members, there may be some reasons and the Court
anticipated -- I heard the argument, I read their opinions -- that there may be reasons that you could still determine that some districts needed a special push and you had to consider race.

That's what the court order said. It did not say you can't use it. The Voting Rights Act and the Fourteenth Amendment are the ones that circumscribe how we use it. But I'm just saying, as talking points and in a full analysis, when parties who are fully informed about the issues sit down and talk about it, there are ways that you can fix most of the problems, and you wouldn't have been violating the North Carolina Constitution, Senator Hise.

SEN. BROWN: Here's what I'm going to do, if it's okay. I'm going -- let's take about a five-minute recess. If anybody's got any amendments -- five or ten minutes -- we'll take however long it takes -- please get them up here. I'm going to give you about five minutes, maybe ten minutes to get them up here so we can look at them. So let's do that. Let's come back in order at about quarter after. That will give us ten minutes.

(Recess, 3:03 - 3:46 p.m.)
SEN. BROWN: Members of the Committee, I hate to do this to you, but I'm going to have to. We've got session at four o'clock, and we've got a new member that's going to be sworn in at four o'clock. So we're going to recess and go to session, do that, and then try to get back here right after session, if that works for everyone.

SEN. RABON: The session may have been moved to four-thirty. We better check.

SEN. BROWN: Senator Rabon, can you check on that real quick? Senator Rabon, I bet you can move it back to four.

(Recess, 3:48 - 4:35 p.m.)

SEN. BROWN: We'll call the meeting back to order. I have five amendments that have been sent forth. I want to be sure. Are there any other amendments that someone would like to send forth? If not, I'll recognize Senator Clark for an amendment.

SEN. CLARK: Thank you, Mr. Chair. The amendment that I've sent forth as to 691 essentially what it does is move the Vander community into Senate District 21. Currently, it's in Senate District 19, and I believe it does more appropriately -- a more appropriate fit to be with
Senator District 21.

SEN. BROWN: Senator Hise?

SEN. HISE: I had to modify it a little bit to make sure we did not split another precinct for the community and do believe that this takes in Senator Clark's home as is now on the map versus previous iterations. So given those two considerations of doing this for incumbency protection, I would ask that members would support the amendment.

SEN. BLUE: Okay. Any questions on the amendment? Senator Bishop?

SEN. BISHOP: Thank you, Mr. Chairman. This is a question for Senator Clark. Do you believe that the district as amended is legal under all legal theories?

SEN. CLARK: Actually, I believe a more appropriate view of what the district should look like is represented here. You see the orange bar which would be an addition to Senate District 21 and a subtraction from District 19, and the hash marks there would be subtractions from District 21, and I believe it would provide a better compactness for Senate District 21 as well as provide more competitiveness between the two districts. That's
SEN. BISHOP: Follow-up, Mr. Chairman?

SEN. BROWN: Senator Bishop.

SEN. BISHOP: I'm not sure if I followed that. You were showing some detail, and really, I was asking maybe a more general question, which is you've proposed an amendment to that particular district, and so -- and I'm glad to get whatever detailed explanation you want to give, but maybe before you gave a detailed explanation, if you'd just say, do you believe that the district as you're amending it is legal under all applicable legal theories?

SEN. BROWN: Senator Clark?

SEN. CLARK: I believe the amendment I'm providing is legal under all legal theories. It just changes the distribution of the population by approximately 300.

SEN. BISHOP: So it's roughly 300 people? Is that what it is?

SEN. BROWN: Senator Hise, any comments on the amendment?

SEN. HISE: No. We're glad that it meets Senator Clark's legal standards for the districts as well, coming in, so we appreciate that and would
ask that you support the amendment.

SEN. BROWN: All right. Any more questions on the amendment? If not, I'm going to ask you to raise your hand so that we can get a count on the vote. So all those in favor of the amendment, please raise their hand.

(Show of hands vote.)

SEN. BROWN: All right. I have 13 in favor and none against, so the amendment passes.

Next, Senator Blue, I think you have one for Wake County -- an amendment?

SEN. BLUE: I do.

SEN. BROWN: Okay. You're recognized, Senator Blue. Let's get it passed out first, Senator Blue.

(Pause.)

SEN. BROWN: Okay. I think everybody's got a copy. Senator Blue, you're recognized.

SEN. BLUE: Thank you, Mr. Chairman.

What this amendment does -- I was trying to find -- yeah, AMT30 does, it switches precincts, and all of these, by the way, are whole precincts. That's one of the reasons -- or entire VTDs -- that's one of the reasons you get some of the jagged edges. There are no split precincts in it.
But what it does, it simply switches precincts between the proposed District 15 for Senator Chaudhuri and 14, which is my current district, and it basically restores most of my current district to its current form. And since Senator Chaudhuri's district is new -- his old district would have gone south and west, but now that's occupied by 16. It does not affect any of the other three districts in Wake County. It is just those two.

And part of the reason is it's aimed at fixing the gerrymander, I think, as it was defined in Wake County, but it keeps the historic areas of the African-American community together in the same district. It unites the communities of interest. It does not substantially change the performance, as you have calculated it, in either of these districts and has no effect on the remaining districts.

SEN. BROWN: All right. Questions for Senator Blue? Senator Bishop?

SEN. BISHOP: Thank you, Mr. Chairman. Senator Blue, in the course of -- you know, all this is new to me, but in the course of hearing the majority's proposals, I've heard a lot about
Dr. Hofeller being the consultant. Who helped you draw this?

SEN. BLUE: Staff.

SEN. BISHOP: Staff and you?

SEN. BLUE: Staff and me. I happen to know the precincts and the nature of them, which is usually a pretty helpful exercise. What the version of Senate Bill 691 does, it uses the artificial separator of the Raleigh beltline, and consequently, it caused everything inside the beltline out of the district, and there's no real reason to do that.

It doesn't change any -- significantly the percentages or what have you. I think it -- you're not considering it, but still the African-American percentage in this district, because it's exchanging with 15, is still below 40 percent, and the performance, I think, if you run it through the performance metrics that you've used to determine the party favorites, since it's between two heavily Democratic districts, it does not change that, either.

But what it does do, it unites the inside the beltline communities with the outside the beltline communities up to the Neuse River.
SEN. HISE: A follow-up or two, Mr. Chairman?

SEN. BROWN: Follow-up, Senator Bishop.

SEN. BISHOP: So I take it from a couple of comments you made that you used race in drawing the map?

SEN. BLUE: Not really. Not really. I just know the precincts. Some of them—the inside of the beltline precincts in Wake County in southeast Raleigh are heavily black precincts, but as I've explained to you several times before, the rapid growth in Raleigh has probably integrated this town much more so than some of those big cities in the state that haven't grown as rapidly. So you're going to still get comparable race percentages even when you go outside the beltline.

But what this map does, it reunites the Raleigh communities, incorporates Knightdale as your original map did in its entirety, but it has more Raleigh downtown in it rather than Raleigh north of the beltline.

SEN. BISHOP: Follow-up?

SEN. BROWN: Follow-up.

SEN. BISHOP: If I could explore that just a little bit more.
SEN. BLUE: Sure.

SEN. BISHOP: So you made reference to historically black areas, and -- but you said you're not really using race. It's hard for me -- and as you know, some of that is current discussion we've had in here so far and what the criteria have been. Could you reconcile those for me?

SEN. BLUE: In what regard?

SEN. BISHOP: I got the last comment, but the fact that you've made comments about in looking at this, you were interested in historically black areas, but you haven't -- when I said "Did you use race," you said, "Not really," and I just wanted to see if I can get clarity on that.

SEN. BLUE: I used it to the extent that I know the characteristics of the precincts. I can pretty call them up, but I know the characteristics of the ones in the proposed 16 as well because I've worked extensively in these areas. And inside the beltline in southeast Raleigh historically is an African-American area. It's going through tremendous justification now, not just justification, but the housing patterns in it are changing and it's becoming much more integrated.

But historically these communities are
related to those that I've added it back to just outside the beltline. For example, probably one of the biggest churches in the county is outside the beltline but most of their parishioners come from inside the beltline. And so it's things like that. But, yeah, I'm very familiar with the racial makeup of this district. I'm familiar with the racial makeup of all of the districts in this map.

And I think that when we go to the reason that we're here is to correct the racial gerrymander, and when we draw that district like this, it basically brings the percentage down, but it still unites communities of interest and it abides by pretty much, as best I can tell, all the other criteria that we were using.

Yeah, I mean I know what the racial component is, and I know that it does not exceed 40 percent and it does not exceed 50 percent, and that's how I put it together.

SEN. BISHOP: Follow-up?

SEN. BROWN: Follow-up.

SEN. BISHOP: So are you able to say that you don't consider this -- the districts in this map to be a racial gerrymander?

SEN. BLUE: Oh, absolutely, this is not a
racial gerrymander, and I don't -- I don't see any Court that would rule this to be a racial gerrymander because the way they define gerrymanders is without any good reason. You can look at race and you're supposed to look at it when you're districting, but you can't allow it to become the predominant factor in the way -- in your decision-making process when assign people to districts. But you're supposed to look at it. I mean that's one of the requirements if you're going to redistrict and comply with the Voting Rights Act and the Fourteenth Amendment.

And so being cognizant of the racial composition and desiring to preserve the communities of interest, those kinds of things -- and what this district -- what this district does -- in 2003 when they settled on it -- and I was not in the legislature that year -- when they settled on it, it had a low African-American percentage. I say low. It was about 40 percent, and the map that was passed back in 2011, the percentage in that district was taken north of 50 percent. And the Court basically decided that there was no reason, no justification using race to increase that district from 40 percent African-
American primarily to 50 percent, and that was an impermissible use of race, and so race became the predominating factor in drawing the district.

And so where I take it is back close to where its historical origins were when it was first created. I'm not using race as the predominant reason to design it this way. I'm just fixing the gerrymander. This fixes the gerrymander that was in Wake County. I mean, this is not necessarily the only way to fix it, but it fixes it.

SEN. BISHOP: Follow-up?

SEN. BROWN: Follow-up.

SEN. BISHOP: So you're confident that none of the districts in this map amendment are racial gerrymanders?

SEN. BLUE: 14 is not a racial gerrymander. The only way the others would become racial gerrymanders -- quite frankly, the only way they would become racial gerrymanders is if, in fact, you were using race to gain an intentional partisan advantage. That is a racial gerrymander, the same as if you're taking districts far north of where that have got to be to perform as the Voting Rights Act contemplated.

Senator Hise mentioned Section 5 of the
Voting Rights Act. Actually, it was Section 4 of the Voting Rights Act that was struck down so you don't have to have Section 5 clearance. But the Section 2 of the Voting Rights Act is still very alive, and so you still have, in looking at the history, a Gingles analysis that you've got to do since the major Supreme Court case in this area came from North Carolina. And so if you did a Gingles analysis, you couldn't justify taking this district north of 30 percent -- I mean north of 50 percent, probably not north of the 40 percent if race was the primary reason that you were drawing it.

So this is not a racial gerrymander. I don't see any direct racial gerrymanders in this cluster, that is, Wake County. But if it is determined that race was used, people were put in these districts in order to create a political gerrymander, then the racial gerrymander would apply, and it would be violative of the Constitution and of the Voting Rights Act.

SEN. BISHOP: Follow-up?
SEN. BROWN: Follow-up.
SEN. BISHOP: And I want to make sure I've got the full feel for your sense about the
amendment. Are you confident, then, that all the districts in Wake County, as you propose to amend them are legal under, you know, whatever applicable legal theories are?

SEN. BLUE: I have not put the race test on all of these districts. I simply haven't had time. I know that this one would not be illegal. I don't know whether -- an argument would be made that 15 is a political gerrymander, so you'd have to determine whether you were assigning people to it based on race in order to effectuate the political gerrymander. I have not done that analysis on 15. It is not a racial gerrymander when I amend it the way I did because you don't have -- I think the percentage goes down south of 30 percent.

Indeed, the way that we've drawn these districts, as you've draw them here, District 15 has a higher percentage of African-American voters than District 14, but if someone were to make the argument -- and I don't know that it will be me -- that that's a political gerrymander, you would have to analyze it from that angle. What this would do, from a racial standpoint, is make it less of one because it's not packing an incredible number of
African-Americans in another district.

But, again, the analysis of whether there are political gerrymanders in Wake County is a separate analysis. I think -- I think that -- from what I gleaned initially from this, that there is -- 16 probably has the makings of a Democratic district in Wake County, and I guess if I were analyzing it, I would look at all five districts and figure out whether this is where your racial gerrymander occurred in Wake County as opposed to, say, the other urban counties.

But this does not extinguish the claim of racial gerrymanders based on political gerrymanders, but it does with respect to these districts.

SEN. BROWN: Follow-up?

SEN. BISHOP: Thank you. One more, I think. So that also applies to 15; that's not -- as you've drawn it, not a racial gerrymander?

SEN. BLUE: No, 15 is not a racial gerrymander, and again, in trying to put this together, I said that 15, based on your criteria, is a very high-performing Democratic district, somewhere in -- even after reconfigured, it's still a high-performing Democratic district in the
northern part of the sixties, and 14 is as well.  
So I don't say that that extinguishes all 
claims of racial -- gerrymanders based on them 
being political gerrymanders. I'm pretty sure it 
does with the configuration of 14. I just don't 
know about 15 because I haven't done the deep drive 
in it, and it takes about five percent of the 
African-American votes out of 15 and returns them 
to 14, but it doesn't take 14 unreasonably high and 
it doesn't leave 15 unreasonably high. 

So in a traditional analysis, you can't 
say that it's a racial gerrymander based on where 
you put people because of race if that were the 
reason you were doing it, but you've still got to 
go through with this entire map, and an analysis of 
whether the way it's designed, you've used race in 
yany way at all to gain political advantage. And if 
you've done that in various sections of the map, 
then a political gerrymander becomes a racial 
gerrymander, and it will be struck down. 

SEN. BISHOP: Mr. Chairman, I promised 
that was my last question, but I've got one more if 
you'll let me. 

SEN. BROWN: One more. One more. 

SEN. BISHOP: Because something you just
said sort of troubled me a little more so. What I heard you say -- and I think you said it a couple of times -- is that it doesn't -- your amendment doesn't extinguish the claim of a potential political gerrymander, and to make it a little more complex, that a political gerrymander might be a hidden racial gerrymander.

And when we were talking actually before we recessed, you and I over here, we were talking about how the specter of ever present litigation hanging over your shoulder sort of make it hard if you had people try to settle a controversy or something and they had -- and you said well, we're going to reach this settlement, but I'm going to keep these claims over here. I might want to litigate.

So when you say your -- your amendment would leave a potential political gerrymander claim in this -- if we adopted it, it would still be present, is that correct?

SEN. BLUE: Not totally so. I'm going to move away from being a lawyer and just give you a straight answer. It is my opinion -- since that's what you're seeking -- it is my opinion that this eliminates the gerrymander in Wake County. There
are districts that remain excessively high because you've got two districts that do these very high Democratic performances. If race were the reason that people were placed in these districts so that you could affect political gerrymanders in other places, this would be a political gerrymander.

But let me assure you this is not the angle from which a political gerrymander on the entire state map would be leveled. I'm convinced that, given the configuration -- and, again, I haven't fully analyzed it. I don't know the subnumbers look like -- the subsets, but if 15 -- if 16 is a Democratic leaning or Democratic district, within Wake County, you don't have the use of race to create political gerrymanders.

But, again, you've got, what, six or eight more counties where that might be the case, but it wouldn't be predicated on what's happening in Wake County.

SEN. BROWN: Senator Hise?

SEN. HISE: Thank you, Mr. Chairman. Let me see if I can kind of clear this up. As you might understand, math departments don't give out law degrees. So I struggle to -- I can get a binary better than I can come up with those
answers. This amendment deals with Districts 14 and 15 exclusively, and as so let me try to simplify this as much as I can.

In changing these two districts that exist here, you do not believe that a racial gerrymander exists in those two districts as you have changed them?

SEN. BLUE: That's right.

SEN. HISE: So I appreciate--- For comment?

SEN. BROWN: Comment, Senator Hise.

SEN. HISE: I would reiterate to the Committee that we have not had and do not have racial data on any of these districts and, therefore, have not sorted any individuals into districts on the basis of race that is coming in. I would reiterate that. I would take it under advisement from our colleague Senator Blue that it is his claim that Wake County is not a racial gerrymander, that it is -- Districts 14 and 15, as they're amended and changed, eliminate whatever concern there was and that these are not based on race but on historical communities. As he claims, it doesn't change the racial data.

I think I would be kind of inclined at
this point to accept that, that the cases coming out. Other members may have discussion, but I think, as I clearly got an answer, there is not a gerrymander in Wake County as a result of the changes that exist here in these districts.

SEN. BROWN: Any other questions for Senator Blue? Senator Hise, anything else to add?

SEN. HISE: No. I think that -- I think that covers it. I think it would be the concept that these do not change the political considerations nor would they violate any of the rules of the Committee to make these changes.

SEN. BROWN: All right. Hearing no more discussion, again, I'm going to ask that you raise your hands. All in favor of Senator Blue's amendment, please raise your hand.

(Show of hands vote.)

SEN. BROWN: I have 13 in favor and zero against. So the amendment passes.

Senator Blue, the next one?

SEN. BLUE: Thank you, Mr. Chairman. The next one is the -- it should be denominated -- it's the statewide map.

SEN. BROWN: This is the Mecklenburg one. I'm sorry. Mecklenburg first.
SEN. BLUE: Oh, Mecklenburg is the next one. Okay.

Thank you, Mr. Chairman. This is just a rendering of Mecklenburg County using the criteria that we've adopted and just looking to see how you could comply with all of the criteria, have compactness, contiguity, and all of those things, and so this map ended up being a district that does that. They've got much smoother precinct lines in Mecklenburg County than they do in Wake County. I guess we follow more streams and creeks for the edges of precincts, but neither does this map break any precinct lines.

And it -- historically, Precincts 38 and 40, I believe, are the ones that have been earlier dominated African-American precincts -- are the two that got us in trouble. This fixes the problem with District 38 and 40 on being racial gerrymanders because it does not take either one of them over 50. They are compact. They basically stick strictly with the compliance in every other regards of the Stephenson decision. It's got partisan balance, as I understand it, in just looking at the numbers that way, and it complies with all the state and federal law that I'm aware
of in this area, and it has all of the traditional redistricting criteria observed.

That's what it does, and so it gives us a look at other maps that don't do some of the things that Senator Clark was addressing earlier in getting them out of -- out of shape because I think in the committee plan there's a district that goes from east to north to western Mecklenburg County that -- that seems to violate some of the redistricting rules.

SEN. BROWN: Questions for Senator Blue?

Senator Bishop?

SEN. BISHOP: Mr. Chairman, I may be wearing out my welcome. I apologize, but I happen to be from Mecklenburg County. So I wanted to ask Senator Blue a couple questions about this one because I think I see five Democratic districts here.

Senator Blue, did you draw this map also -- you personally?

SEN. BLUE: I did not -- I did not use the cursor to pick out every place in it, and I have staff who worked with us once we got the basic makings of it. But like Dr. Hofeller, the Speaker and the President of the Senate gave us leeway to
get somebody who knew more about this than I did. And this one I didn't draw, as I did the Wake County maps, because I defer to you. I don't know Mecklenburg County as well as I do Wake County.

SEN. BISHOP: Could you---

SEN. BROWN: Senator Bishop, follow-up?

SEN. BISHOP: Thank you, Mr. Chairman. I beg your pardon. Who was your hired hand, then?

SEN. BLUE: Hired hand is not a complimentary term I don't think.

SEN. BISHOP: Forgive me. Consultant.

SEN. BLUE: The consultant is a fellow named Dr. Kareem Crayton. He has a distinguished career. He was a professor at UNC Chapel Hill Law School. He's got a PhD in political science. He has spent time doing this stuff, and at the late moment that we were able to get somebody, he happened to be available, so we asked him to come help us with some ideas.

SEN. BROWN: Follow-up, Senator Bishop?

SEN. BISHOP: Thank you, Mr. Chairman. Did you and Dr. Crayton, did you say, consider political -- take political considerations into account in drawing this map?

SEN. BLUE: No. No. And that's one of
the criteria that wasn't the most compelling criteria. What we did -- we did look at race to make sure that we weren't violating the Court's order, we were breaking up the racial gerrymander, because these districts too -- one of them, Senator Bishop, I think Number 40, had been a district in Mecklenburg County where an African-American beat one of the most powerful senators in the General Assembly, Senator Odom, back the middle of the last decade, I think, and Malcolm Graham.

And it was less than 30 percent African-American, and it remained that through the end of the cycle. In 2011 when you redistricted it, you took it from about 29 to 30 percent to north of 50 percent. That's why the Supreme Court said it was a racial gerrymander because it's already proven, using all the Gingles criteria, that it could elect the candidate of choice of the minority community without you taking it up to this extreme level. And so this does not take it back down to the 29 or 30 percent, but it fixes the racial gerrymander consistent with what the Court said.

The other district in there was 38. When you took that one in 2011 from probably a 45, 46 percent majority African-American district to north
of 50, again, you couldn't justify it using the Gingles criteria, and the Court said that was a racial gerrymander. So when you took these two districts back down so that they wouldn't be gerrymanders, you then freed up all of the rest of it, and so it's just getting small compact districts in the rest of Mecklenburg County.

There may be some specific attributes of Mecklenburg County communities of interest and all of those that you're more familiar with, and perhaps the public hearings would have told us more about those kinds of things, but this is just our effort using the racial stuff that the Court said was not permissible and getting it down below those level and fixing the gerrymander, and then taking the rest of it and adjusting it.

SEN. BROWN: Follow-up?

SEN. BISHOP: Thank you, Mr. Chairman. So taking Malcolm Graham's old district, for example, you said that it had been taken up over 50 percent and that was an impermissible racial gerrymander. So you said you took it back down and not to the number that it had been before you, I think you said, but to some other number?

SEN. BLUE: I think it's probably
somewhere in the high thirties.

SEN. BISHOP:  How did you -- how did you pick that numerical target?

SEN. BLUE:  There's nothing magical about it.  It's just that when you wanted to get a concise, compact district and you know that you can't leave it in the high forties or fifties and be in compliance with the Court's ruling, not only the three-judge panel but the Supreme Court's ruling, then you try to get it back down -- because they're going to look at race.  They've got to look at race to determine that you're no longer in violation of the constitutional provision.  They're going to look at it whether we decide to play an ostrich and say we're not -- we say we're not looking at it.  We can't use it as a predominant factor.

So you look at it to get it back where you're satisfying the requirements of the Court and eliminating the racial gerrymander.  And so when you do that, I think you could take it down to 38, to 39 percent, and it will be totally acceptable because it meets all of the other criteria for redistricting, that that you have adopted as well as the traditional criteria.
SEN. BROWN: Follow-up?

SEN. BISHOP: How do you know that you can target any particular number?

SEN. BLUE: If, in fact -- and this is akin to the first question that you asked me. If, in fact, you get the Plaintiffs and the residents in that district and they're satisfied with it, you're not going to get a lawsuit. You can't speak for a hundred percent of the people a hundred percent of the time, but what creates conflicts, at least in the Courts, is when somebody brings a lawsuit.

I'm convinced that based on the performance of this district prior to 2012 that somebody who brought a suit saying that you're in violation of Gingles principles on this district would be wasting their money and their time. And so if I bring it down there and have pretty good confidence that it could withstand any kind of assault or any kind of attack that anybody brought against it, that's what I'm going to rely on, and that's why I say that if we bring it -- you could take it lower if you wanted to, but then you don't make it as compact and you don't make it as compliant with the other principles that you've
adopted on compactness using either of the tests that we talked about that you determine compactness by.

SEN. BROWN: Follow-up?

SEN. BISHOP: Are you saying that it might be unconstitutional because it targets a specific number without having additional evidence of racially polarized voting, but you believe nobody would sue about it?

SEN. BLUE: No. There's no doubt in my mind this district is not unconstitutional.

SEN. BISHOP: So you think as long as you set it down at 38, or whatever the number is you pick, that you can set a numerical target for racial balance without having any more evidence of racially polarized voting than we had?

SEN. BLUE: Frankly -- and this is my opinion. I don't write opinions for the Courts, but I share my opinions. Frankly, I think, Senator Bishop, that you could take the districts back to their pre-2011 levels based on the racial composition of them at that time, and all of them would have been racially compliant. I don't think you would have had any racial gerrymanders at all in this map if you had left these districts at the
same percentages that the Courts had approved earlier.

Now what you run the risk of -- what you run the risk of when you're not in this litigation stance -- what you run the risk of that a lot of people worry about is whether or not you're retrogressing with district; that is, where you can satisfy some of these Gingles principles, the law is you can't take it below certain levels that would perform as predicted when you do a Voting Rights Act analysis.

Since you've chosen not to do that analysis on this map, that was part of the reason that the Court kicked out the maps last year and -- well, as it went up through the court system-- because you had not done the analysis on these districts to see how they performed and see whether you could justify increasing the minority voting age population in these districts. Had you had the kinds of studies that would justify it, then you would have had to prescribe a remedy that took it up to a given level but didn't necessarily load additional African-Americans in that district.

That's what the law is. It fits a typical Fourteenth Amendment analysis compelling
state interest, and then if you find that that compelling state interest has been met, you then have to use the race in the analysis but only in a strictly limited way. You just can't use race to fix it all. You have to narrowly prescribe the remedy anytime you use race.

That's what the Fourteenth Amendment is about, and the narrowly prescribed remedy would be to put as few additional African-Americans in that district as you have to in order to still make it so that minorities can elect the candidate of their choice. It doesn't have to be a black candidate. It could be anybody, but you have to show those -- the Gingles factors, polarized voting, compactness, sufficient group within the area that you're looking at to draw a district, and you'll have to show that minorities can elect the candidate of choice. And that's because of the history that led to the enactment of the Voting Rights Act.

SEN. BROWN: Follow-up?

SEN. BISHOP: But isn't it true that the reason the Court told us that we had engaged in -- well, we -- I wasn't here, but that the General Assembly had engaged in an unconstitutional racial gerrymander is that one of the Gingles factors
wasn't met. You didn't have district by district
evidence of racially polarized data of the quality
and quantity sufficient to justify doing that.
That's what it was, right? It wasn't that you
can't put 50 percent plus one in a district; it was
that you didn't have the predicate to do it.

SEN. BLUE: That's correct.

SEN. BISHOP: And do you have new
evidence district by district that you haven't
shared with us about racially polarized voting in
the districts that you're proposing here?

SEN. BLUE: No, but what I do have is the
performance over a decade at those low percentages.
That is direct evidence that the districts are
working the way that Voting Rights Act
contemplated. You have got this that you're
dealing with here, Senator Bishop. If you were
creating districts that are going to stay that way
in perpetuity, then America wouldn't have an
opportunity to grow, and we wouldn't have an
opportunity to migrate to the point that race does
not matter.

And so -- so what the Court has done --
and I think you'll find this in most of the
opinions -- whether it's a conservative Court or a
liberal Court -- what the Court has done is basically say if you can still meet the Gingles criteria, you will draw districts that have certain percentages.

If you will notice, once you leave North Carolina, not only in this last round of redistricting but historically, you've had districts that were represented with African-Americans that were much higher in their African-American black -- their black voting age population than the North Carolina districts because they could clearly demonstrate that race had been the motivating in voting in those states. North Carolina was substantially different, and so you didn't have these high percentages.

You read the cases and you follow this too. In Alabama, it was 67 percent. There were very few instances, one or two, in all of North Carolina where the numbers had to go that far in order to create an opportunity for minorities to elect a candidate of choice.

And so what the 31 percent says, if you can draw a district down there and you can show that minorities can elect the candidate of their choice with only a 29, 30 percent black voting age
population in that district -- or Hispanic or whatever the group is you're focusing on -- then if you use race as a predominant factor to go beyond that level, then you've violated the Voting Rights Act and probably violated the Fourteenth Amendment to the United States Constitution and several amendments to the North Carolina Constitution or several articles.

SEN. BROWN: Follow-up?

SEN. BISHOP: Let me ask another angle, then. Was that the main thing driving how these districts are formed, is setting the targets that you described, that they're lower but, nonetheless, looking at race and setting the numbers -- keeping the numbers where you think they should be?

SEN. BLUE: I put the numbers at a level that I feel pretty confident, and most of the lawyers who would work in this area, whether they're plaintiffs' lawyers or defendants' lawyers, would feel confident that you could not sustain a race discrimination claim based on the racial percentages in these districts.

SEN. BISHOP: What I'm trying to get at is, was that the predominant factor driving the design of these districts is setting the racial
SEN. BLUE: The first consideration was to fix the racial gerrymander, and in order to fix the racial gerrymander, I knew that you had to take these districts far lower than they were with black population because these districts had already demonstrated that they could elect minorities without -- first, you don't want to use race. I mean, frankly, that's what we're all trying to get away from.

You don't want to use race, and so what you're trying to do is use it the least amount possible, and that's why I say it's got to be in narrowly tailored remedy, and in election laws, the narrowly tailored remedy is to use the smallest percentage based on race that you can use so that you keep coming down and you don't have to have racial discussions when you do redistricting.

So you can say that you're not considering race, but you haven't done the analysis that you've got to do, you haven't addressed the issue that the Court told us we've got to deal with in redrawing these districts because you can't say that you have fixed the racial gerrymander if you
can't say that you looked at what the racial makeup of these districts are.

    SEN. BROWN: Senator Bishop?

    SEN. BISHOP: So are the statistics here that reflect your analysis of what those racial targets are for the districts so that we can -- the Committee can have whatever information it needs in order to pass this amendment?

    SEN. BLUE: All of the backup is available. I don't know if it's been passed out. But there are no targets, Senator Bishop, in the sense that, yeah, you go to X percent and Y percent. My target was to draw districts and our consultant was instructed to draw districts that would be compliant with the Court's ruling, one that does not have a racial gerrymander and you can't argue that the percentages of the black vote in these districts are put there solely because -- that's not the predominant reason that they're in these districts.

    It went back, for the most part, to districts the way they existed in 2009 and took away from them because all of these districts have increased in population. The reason that my district in Wake County was so big in 2011, it was
the second most overpopulated district in the state because of all the new growth that's happening in these two urban areas, Wake County and in Mecklenburg County.

And so what this does, it sort of trims off the edges of those districts with all of the extra population. If you look at these districts now, you can rest assured that they have a much higher population now than they had in 2010, but to sort of peel off some of the extra growth that had occurred in them and get them back down to the levels that they looked like in 2010 just before the census.

SEN. BISHOP: Mr. Chairman?

SEN. BROWN: Follow-up.

SEN. BISHOP: I want to just shift out of this discussion of race. If you would, forgive me. It looks like this map sort of shatters Mecklenburg County like a mirror. Take, for example, your proposed 37, you've got -- I think Matthews is in there.

Actually, let me ask you this question: How many municipalities does this map split?

SEN. BLUE: Of course, it splits Charlotte, and I don't -- again, I don't think it
should split any other. It did observe the criteria. You know it better than I do. But, as you see, Charlotte is split because it's right in the middle of the map, and so you get at least -- I think at least three, maybe four big districts might border on Charlotte -- in fact, I'm sure that at least three of them do. I think four of them border on Charlotte.

SEN. BROWN: Follow-up?

SEN. BISHOP: We've got -- down on the eastern side, you've got Mint Hill and you've got Matthews. It looks to me like 40 and 37 would split Matthews. You've got 39 down here. I don't know if 39 and 38 split Pineville or not, but it looks like you do. You don't know whether you took that into consideration -- any of that?

SEN. BLUE: No, no. They're whole precincts, and it's my understanding that they comply with the other redistricting criteria and don't split -- I don't think they split towns down there any more than they're currently split, probably less. I know that was the case in Wake County where we -- we've got many more towns. We've got 12 towns in this county, and so we were basically trying to put them back together.
I don't think they're split, but again, you know the geography down there far better than I do. If they're split, they ought not be, but they're whole precincts and sometimes you'll split a town because you take the whole precinct, and some of it will be in town and some of it will not be in town. So that's going on, especially in these towns that don't have but 30- or 40,000 people population.

SEN. BROWN: One more follow-up?

SEN. BISHOP: It might be more than one. Have you measured--- Senator Clark has talked a lot about this efficiency gap. The professor named---

SEN. CLARK: Stephanopoulos.

SEN. BISHOP: Yes. ---Nick Stephanopoulos. I think he's George Stephanopoulos's brother, but I'm not positive about that. In 2008, I think he was with Obama for America before he came up with this. But have you measured his efficiency gap on this map?

SEN. BLUE: All the stats related to it should have been passed out. I gave the whole stat-pack on it. I understand a little bit. Believe it or not, I have a degree in mathematics,
and I understand some about this efficiency gap analysis, but I have not consumed myself with it the way our Chairman has and the way Senator Clark has.

But we performed the same analysis -- the staff did -- whatever we've got here -- they should have performed the same analysis as they did the other -- the other maps that they looked at.

SEN. BROWN: Follow up?

SEN. BISHOP: Well, I'm just looking at the collection of materials, and it does look like what we've done in the other maps that have been provided by the majority. It does not include an efficiency gap analysis. I just wondered whether -- whether Dr. -- what's his name? No, no, no, no. The gentleman who drew these for you -- Kareem -- whether he computed an efficiency gap?

SEN. BLUE: I don't have an efficiency gap. That's not one they requested of me because the Committee didn't adopt it as a criteria. But if you were to do an efficiency gap on this thing, it would probably be as close to neutral as you would get.

SEN. BROWN: Senator Hise, do you want to
pick up and give Senator Bishop a break?

SEN. HISE: Well, I would just comment on that briefly in consideration, regardless of my issues with how you would calculate an efficiency gap, but when you can run -- I would simply state in very simple less mathematically complex terms that in Mecklenburg County, if you look at the races, roughly 30 to 42 percent of the vote goes for Republican candidates in Mecklenburg County. The end result of this would be no representatives in the Senate who were of the Republican Party. Some might call that an infinite efficiency gap, coming in -- coming in, but I'm sure that would -- whether or not I like the calculations, I'm sure, if you looked at the county, that would score quite horribly.

SEN. BROWN: Senator Clark?

SEN. CLARK: I'm just wondering how you used political data to determine that a certain party would obtain a certain number of seats. I thought you-all didn't do that. That's what I was told earlier.

SEN. HISE: I used the calculations you had used previously.

SEN. BROWN: Senator Clark, do you want...
to follow up on that?

SEN. CLARK: Yes. So I was correct that means you do use political data prospectively to determine the outcomes of elections based upon these districts that we have drawn?

SEN. HISE: I do not.

SEN. BROWN: Senator Bishop?

SEN. BISHOP: I think just two more, I promise, Mr. Chairman. You know, to that point, as I said, I don't have great confidence in the efficiency gap. I think it sort of tends to give some sort of certain sense to something that's very certain, but that doesn't mean you can't use common sense. And so Senator Blue has spoken to that a good bit.

Senator Blue, I was just looking at the back -- if you flip over to the next-to-the-last of the long pages, it's got the President 2016 stats, and if I look at all those districts, 37, 38, 39, 40, and 41 in Mecklenburg County that have been drawn, the closest the Republican candidate for President would have gotten would have been 43 percent of the vote. You've got -- all five districts would have beat the Republican candidate.

And so, Senator Blue, you didn't
gerrymander this district?

SEN. BLUE: No. But it is a map drawn
strictly to the criteria that you adopted that
ought to govern mapmaking. That's what this map
does.

SEN. BISHOP: It doesn't have any
political consideration?

SEN. BLUE: No. No. It has political
implications, but what it did, if you can configure
these two minority districts -- not majority
minority -- substantial plurality minority
districts in other forms but come down to those
percentages, you will probably fix the racial
gerrymander in Mecklenburg County, but if you don't
do that, you will neither fix the racial
gerrymander---

And I'm not saying this is the only way
to do it. What I said when I started out is, I
wanted to look at alternative ways that you could
draw maps based on your criteria that would fix the
gerrymander, but you can approach it in a different
way. I think that you still leave the gerrymander
in the plans in Mecklenburg County in the map
that's before us.

There are other ways to fix it, but this
is one observing all of the criteria that you adopted. They are more compact. They satisfy all the other tests that you set. There was just a little dialogue between Senator Clark and Senator Hise on whatever the guy's name was that you do these studies by.

This surpasses all the stuff that we've done in every other county when you draw it specifically like this because they're more compact, you're protecting incumbents. You'll see in some instances, they're just hanging on in the corners, but each one of them has a separate incumbent in it, so you haven't double-bunked any of them and you observe all the criteria that you set forth.

SEN. BISHOP: If I could ask one more question and then maybe one quick comment, and I'll get out of the way. Sorry. So, you know, this thing about what constitutes fairness in drawing these maps, if I look at 37 again, Senator Blue, I'm sure that at least part of Matthews down at the southeastern end of the county in that district and the urban core of Charlotte.

And you talk about -- whether you call it communities of interest or what makes sense, do you
think that the people in Matthews have some interests that they need attended to that are in the nature of ring city, ring town interests that they don't have in common with the people who live in the core of Charlotte, and what would be fair about cramming them together in one district?

SEN. BLUE: Senator Bishop, have you looked at the Republican map for Mecklenburg County?

SEN. BISHOP: I have, sir.

SEN. BLUE: You remember one of the things that those who attended these public hearings is from Charlotte -- the biggest issue that folks raised is why would I want to go all the way around the county. There's nothing in common with the way these districts connect us -- one of the districts that you've drawn, and I suggest that I don't know where the similarity is at the bottom at the extreme left-hand corner in this map in Mecklenburg County and right in middle of where this district ends, but it's certainly compact. It's as compact as you probably could make that district, and it's a district that now complies with the Voting Rights Act and Fourteenth Amendment. It is a district that the Court said
you've got to redraw and you've got to change your percentage.

The same thing on 40. It is compact. It gets the percentages below where they have to be, and it meets all of the other criteria that you set forth, but it meets it in a better way than the map that's before us. When I say "before us," I mean the Committee's map.

And just in closing, let me simply say this. Is there a district in Mecklenburg County under the current mapping system that Trump won?

SEN. BISHOP: Mr. Chairman, my just closing comment. And Senator Blue is very skillful, but didn't answer the question whether Matthews would have interests -- they're concerned about being adequately represented with a district they elect -- with a representative they elect in common with somebody from Charlotte's core. I assure you that the Matthews people say that they wouldn't want it done that way, and it does -- for me it has sort of a galvanizing effect.

You know, I know people who are -- who are not in control, you know, can get very upset about the way things are done, but the notion that there's not politics in this, the notion that
there's not targeted of racial information in this, whatever number you're trying to set, you haven't cured evidentiary shortfalls that the Court said existed. I cannot conceive of that being the map for Mecklenburg County, and I hope the Committee won't support it.

SEN. BROWN: Senator Hise?

SEN. HISE: Thank you, Mr. Chairman.

Despite -- I guess this is where we start breaking apart in this agreement. Despite claims that this meets all the criteria of the Committee, I think that it is clear that this map used race as a manner in which to divide individuals into districts. In fact, here you've set targets at 39 or 40 percent as to what those numbers should be and then placed individuals to meet those criteria that are coming in.

Also, it clearly fails on the concept of incumbency protection. My summary of this map is it is drawn solely for the purpose of making sure that no Republican incumbents in Mecklenburg County could ever be elected. Quite frankly, it's designed to make sure that no Republicans would ever be elected to the Senate from Mecklenburg County.
That's what's coming in despite those percentages within those counties. I think there is also a significant question about the municipalities that are divided. I would tell you that I feel this is inconsistent with the Committee's criteria and ask that you reject this amendment.

SEN. BROWN: Senator Clark?

SEN. CLARK: I would like to speak a moment on the criteria regarding compactness. Despite what was said earlier, our written criteria indicates that we should meet reasonable efforts to develop plans that improve the compactness of the current districts. With regard to District 39, it is worse with respect to the Reock and it's worse with respect to the Polsby-Popper, which we specifically identified as measures that we wanted improvement in.

In addition to that, we know that there are nine measures of compactness provided by the Maptitude software. It is also deficient in terms of the perimeter compactness measure, deficient in terms of polygon measure -- population polygon measure, it is worse off in the population circle method it's worse off in the Ehrenberg method, and
it is worse off in the minimum convex polygon method. So of the nine methods of measuring compactness, District 39, as proposed in the Senate plan, is worse in seven categories.

And with regard to efficiency gap, we don't use the efficiency gap to measure performance of an individual district within the state plan. The efficiency gap is used to measure the performance of the plan in its entirety.

SEN. BROWN: Senator Hise, any response?

SEN. HISE: I think the efficiency gap is apparently used how you want to use it. They're coming in to make a point. But I would say that I do say that, again, I would the Committee to reject the amendment.

SEN. BROWN: Any more questions on this amendment? If not, again, I'm going to ask by raising your hand, all those in favor of the amendment raise your hand, please.

(Show of hands vote.)

SEN. BROWN: Those opposed?

(Show of hands vote.)

SEN. BROWN: Nine to four. The amendment fails.

All right. Next, I have Senator Van
SEN. VAN DUYN: Thank you, Mr. Chair.
This amendment deals with District 28 in Guilford County. Has it been distributed?

SEN. BROWN: Has everybody got this amendment for Guilford County? Let's get that. Let's make sure everybody's got it.

(Pause in proceedings.)

SEN. BROWN: All right. It looks like we're good. Senator Van Duyn?

SEN. VAN DUYN: Thank you, Mr. Chair.
The objective of this amendment is to -- primarily to correct the defects that were previously caused by racial gerrymandering in District 28. It affects the surrounding districts as well, of course, but it also complies with state and federal laws. It respects the whole county -- excuse me -- the whole county provision as well as the need for compactness.

And with all due respect to Senator Bishop, I think we just fundamentally disagree about the need to review race in the process of correcting the previous maps. I mean, if you look at the 2011 District 28, one might suggest that if you start with that general outline, you don't have
to use race to create a racially gerrymandered
district if you start out with an outline of a
racially gerrymandered district. So for that
reason, you have to consider race to make sure, in
fact, that you have corrected the problems with the
previous maps.

And this scheme does, in fact, do that by
returning us -- not quite but to -- to the
percentage of African-Americans that we had in
2003.

SEN. BROWN: Questions for Senator Van
Duyn? Senator Bishop?

SEN. BISHOP: Thank you, Mr. Chair. What
numerical target of African-Americans do you say is
constitutional, Senator Van Duyn?

SEN. VAN DUYN: I'm sorry. Could you
please repeat your question?

SEN. BISHOP: What numerical target for
African-Americans do you say is constitutional?

SEN. VAN DUYN: I am saying that closer
to the 2003 numbers is constitutional because those
were constitutional maps.

SEN. BISHOP: What do you mean closer to;
the same number or some number within what range?

SEN. VAN DUYN: No. Closer to than the
maps that were deemed unconstitutional.

SEN. BROWN: Follow-up?

SEN. BISHOP: Thank you, Mr. Chair.

Could you say what number that is?

SEN. VAN DUYN: Well, the number I believe in the 2017 maps was 50.52 and that was significantly higher than where it was in 2003. Ours is at 45.3.

SEN. BISHOP: So you targeted 45.3?

SEN. VAN DUYN: No. No. We just targeted less than 50.5.

SEN. BROWN: Senator Hise, do you want to respond?

SEN. HISE: Senator Van Duyn, you specifically said what the percentage was of the minority in the district we had drawn, the 2017 maps. Could you repeat that?

SEN. VAN DUYN: I believe it was 50.52 which makes it a majority minority district.

SEN. HISE: And your intent was to get it below 50.3?

SEN. VAN DUYN: No. 50.52. In other words, to get it closer to where it was in 2003.

SEN. BROWN: Follow-up, Senator Hise?
SEN. HISE: But no qualifications on "closer," just as long as it went under 50.5, you felt like it was a good number?

SEN. BROWN: Is that what Senator McKissick thinks?

SEN. VAN DUYN: I did work with Senator McKissick on these maps. So thank you for allowing me to discuss this with him. I was in Asheville and didn't have access to computers.

But -- so, as we said before, our real intent was not any particular number. Our real intent was to honor the wishes of the Court in that we demonstrate that these were no longer racially gerrymandered districts and majority minority districts. And so we needed to get them below 50 percent, but we didn't have a target so much as we wanted to demonstrate that these were not racially gerrymandered districts.

SEN. BROWN: Senator Hise, follow-up on that?

SEN. HISE: So, as I would state this, for your and McKissick's work on this, the concept here was that we will assign voters based on race, but we will not be using race excessively if we get below the 50 percent threshold?
SEN. VAN DUYN: Here's what I would say, okay? So we have -- we have a district that is shaped very similarly to what it was in the unconstitutional maps, and that clearly we cannot demonstrate, then, that we are in compliance with the Courts if we do not at least verify that those are no longer racially gerrymandered districts. So we used the criteria that included reducing the percentage of African-American voters in the district.

SEN. BROWN: Senator Blue?

SEN. BLUE: I'd like to ask Senator Hise a question, and he probably has anticipated what it is. But specifically in the court order, they say you've got to explain to them why you went over 50 percent in this district. What do you plan to tell them?

SEN. HISE: I would think as we go through this entire process -- I would even say that the Plaintiffs' attorneys clearly stated even to the Courts that when districts are created by other criteria that there may be naturally occurring districts that exceed 50 percent, but that the predominant criteria in drawing that map was not racing and could not have been race. There
were no criteria in drawing the map or assigning voters in which we used race in order to place individuals.

As a result of using the criteria we have, there may be -- and I still don't know what the numbers -- this is the first I've been told on this district -- there may be naturally occurring areas that have that -- a percentage of 50 percent, a percentage of 40 percent or 42 percent. Individuals group themselves into communities, particularly in urban areas that are compact in those, and naturally occurring districts may come out.

And I think any numbers that you find, which I'm willing to look at, are a result of naturally occurring districts that we did not assign any voters on the basis of race or move any voters to districts on the basis of race.

SEN. BROWN: Senator Blue?

SEN. BLUE: So, as I understand it, with a straight face, you're going to ask the legislative lawyers to stand in front of these three federal judges and say the same guy who drew the district in 2011 knew all of these statistics, he knew what the map looked like, he redrew the
districts in 2017, and he does not remember what the map looked like, he does not remember why he put 50 percent or greater in that district, and it just coincidentally happens that it looks like the same district, it's got over 50 percent, which is what he sought out to achieve in 2011, but we didn't know that was going to happen. That just naturally occurred. Is that going to be the answer?

SEN. HISE: I think no different than you would say that when you drew the maps, you used Maptitude and somehow guessing it has some long-term memory because it was the same software used or may happen to have been the same chair individuals were sitting in. Dr. Hofeller was given the criteria of this Committee, which was significantly different from the criteria of the previous committee as a result the court rulings, and from the criteria, drew maps that did not include race. Race was not part of the database. It could not be calculated on the system that is done.

I wasn't drawing. It was Rucho there that was drawing then versus me there now, but I can tell you that there is no consideration of race
in the drawing of these maps, hidden or otherwise, nor is there sorting of individuals on the basis of race in the districts in the maps as they exist, quite counter to the amendments that you have been proposing.

SEN. BROWN: Senator Bishop?

SEN. BISHOP: Thank you, Mr. Chairman. I have a couple of other questions for Senator Van Duyn. Senator Van Duyn, I didn't get the -- or didn't retain the last name of the consultant that Senator Blue identified, but did the same gentleman -- his first name was Kareem -- did he draw your proposed amendment to Guilford?

SEN. VAN DUYN: Senator Bishop, with the Chair's permission, I worked with Senator McKissick on this. I can't answer that honestly because I don't know who he consulted with. Can I ask Senator McKissick that question?

SEN. BLUE: I'll allow that. You may need to identify yourself for the---

SEN. McKISSICK: Sure. This is Senator Floyd McKissick, Senator District 20. There is a gentleman who was used by the name of Mr. Kareem Crayton, C-r-a-y-t-o-n, who worked closely with this in looking at potential alternative plans for

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the Guilford County as well as for Mecklenburg County, with the goal of trying to see what alternative configurations might be put forth for those particular clusters that would present an alternative for this Committee and for this body to consider as you move forward.

SEN. BROWN: Senator Bishop?
SEN. BISHOP: Senator Van Duyn, what does Dr. Crayton have against Senator Wade?
SEN. VAN DUYN: I don't believe he has anything against Senator Wade.
SEN. BISHOP: If you see on the map in your amendment, the little red dot there underneath the green District 28 and it's just in 27. I think that's Senator Wade's home, and that's in Senator Dr. Robinson's district, as I understand it. Is that correct?
SEN. VAN DUYN: No one's been double-bunked in this.
SEN. BISHOP: Do you know whether that district is favorable to Senator Wade's prospects for reelection or not?
SEN. VAN DUYN: I'm sorry. I honestly do not know.
SEN. BISHOP: And did not give that
any -- do you know whether Dr. Crayton gave any consideration to that in drawing the map?

SEN. VAN DUYN: We believe it would be favorable to Senator Wade. I think, if you look at the statistics that are attached, you can see that that, in fact, is the case.

SEN. BROWN: Senator Clark, I'm going to let you take off, and I'm going to let Senator Bishop think about that for just a second. I think he's got another question, but go ahead.

SEN. CLARK: Thank you, Mr. Chairman. I think, Mr. Hise, when you were addressing Senator Blue regarding what you would tell the Courts, you would tell them that maybe we had exceeded the 50 percent mark as the result of a naturally occurring district. I find that sort of puzzling because one of our members Senator Erica Smith-Ingram did submit criteria to this particular Committee which said that we would recognize naturally occurring districts. However, that was voted down. So are we saying that is now an acceptable criteria?

SEN. HISE: That is the statement of your Plaintiffs -- I'm sorry -- of the Plaintiffs in the case.

SEN. CLARK: Follow-up.
SEN. BROWN: Follow up.

SEN. CLARK: Since you did mention the idea of a naturally occurring district, I even admitted at the time when one the members -- fellow members set it forth, I really didn't what the heck that meant anyway. So since you've considered that as appropriate, what is a naturally occurring district anyhow?

SEN. HISE: I simply stated with what you have with the reference. You can refer to their counsel as to what they meant when they referenced that, but districts come in at various percentages based on the way individuals group together and the way those are followed in without an intent or without a specific purpose of the General Assembly in drawing those maps.

SEN. BROWN: Senator Bishop, are you ready now?

SEN. BISHOP: I think so. Thank you, Mr. Chairman. Senator Van Duyn, do you know how many municipalities you split in your proposed amendment?

SEN. VAN DUYN: I believe we have minimized the splitting of municipalities with this map.
SEN. BISHOP: My understanding is that the amendment splits eight municipalities, whereas the leadership's plan only splits four. Do you know that not to be correct?

SEN. VAN DUYN: I'm sorry. I am not sure of the exact number.

SEN. BROWN: Follow-up, Senator Bishop?

SEN. BISHOP: Kareem Crayton who helped you, I've been given some information that he's a widely cited expert on the intersection of law, politics, and race, and that his work -- formal training in law and political science whose primary work explores the relationship between race and politics and representative institutions. Is that Dr. Crayton that helped you?

SEN. VAN DUYN: Yes.

SEN. BLUE: I'll say -- if I---

SEN. BROWN: Senator Blue, go ahead.

SEN. BLUE: I'll add something to that since I know Dr. Crayton and I knew him well when he was a professor at Chapel Hill. He is nationally acclaimed, has written in this area, and all of the traditional, I think maybe Yale and Stanford or some different combination, and has spent his career in studying race and its
intersection with politics and critical race theory.

And, consequently, he would have some opinions that would be respected as to what a gerrymandered district would look like because he's written about them and studied them. And so that was one of the reasons that he was attractive to us because the Court said these are gerrymandered districts. So rather than just eyeball on a computer terminal in trying to put stuff together, we figured we ought to talk to somebody who understood what gerrymandered districts look like. So you get the benefit of his couple of decades in writing and researching and teaching in this field.

SEN. BROWN: I'm just curious how he would know that.

SEN. BLUE: By studying them, doing extensive research. As I said, he is a lawyer and a political scientist, and his whole career has been in that field. It's like a neurosurgeon knowing that there are certain things that you touch in the brain and it causes a certain reaction. Inasmuch as a political science theory can be agreed to or confirmed upon folks with
different opinions, but that's his area of expertise.

SEN. BROWN: So that's his opinion, I guess. Senator Bishop?

SEN. BISHOP: If I can just offer a comment, Mr. Chairman. You know, first of all, I'll say put in mind when you described Dr. Crayton. So he's a political science and lawyer. Nick Stephanopoulos -- he's not a statistician. He's a political -- poli sci undergrad. Then he went to Obama for America and then he went -- and he's a lawyer. We've got a lot of political scientists and lawyers in this thing trying to tell us how statistics and things can get worked out with great certainty, and they just don't make common sense to me.

In this instance, you have Senator Van Duyn not even aware of how many municipalities are being split. It's a classic example of subordinating traditional districting principles to an absolute fixation on race, and I would hope the Committee doesn't accept this amendment.

SEN. BROWN: Senator Hise?

SEN. HISE: Thank you, Mr. Chairman.

Just to summarize again, it is clear counter to the
criteria established by this Committee that members are assigned to districts on the basis of race, race was used for drawing maps, it increases the number of municipalities that have been divided, also counter to the criteria of the Committee, and I would ask that members reject the amendment.

SEN. BROWN: Any other questions?

Senator Van Duyn?

SEN. VAN DUYN: I'd like to make a couple of clarifying remarks. One is that both the 2017 maps that were presented by Senator Hise and this map do split municipalities, and I apologize for not having the comparison in terms of numbers, but this map was also drawn to accommodate incumbents, and I just wanted to point that out.

And then, finally, I just think it's important to say that one does not have to use race if you're drawing racially gerrymandered districts if you start out with district that was racially gerrymandered, and when we look at the 2017 maps that were presented by Senator Hise, we see a map that looks like it was based on the map that the Courts found to be racially gerrymandered. So with all due respect, the only way to make sure that it is not, in fact, the case is to consider race.
SEN. BROWN: Any other questions?

Senator Hise?

SEN. HISE: Just a real quick comment.

You know, I'm sorry that you look at a map that tends to outline the city limits of Greensboro and tend to think that that is now a racially motivated line that's coming in. Race was not considered. These maps are significantly different in size, shape, and population from what the previous maps that existed and the population, and any sort of eyeball comparison that "we think that kind of looks like the last one so you're in violation again" really misses the entire spirit of what is required for identifying racially polarized voting and making sure that it is occurring or not occurring and how you address that under the Voting Rights Act.

SEN. BROWN: Any other questions or comments on this amendment? If not, again, I'm going to ask you to raise your hands. All those in favor of the amendment, please raise your hand.

(Show of hands vote.)

SEN. BROWN: Those opposed?

(Show of hands vote.)

SEN. BROWN: I have nine against and four
for the amendment. So the amendment fails.

Next, I have Senator Blue. I think this
is a statewide map.

SEN. BLUE: It is. Yes, it's got---

SEN. BROWN: Senator Blue, I don't know
if they've passed it out. Let me make sure.

(Pause in proceedings.)

SEN. BROWN: Okay. Senator Blue?

SEN. BLUE: Thank you, Mr. Chair. This
map is denominated Covington Senate 27P remedy map,
and it pretty much affects the same counties that
we've talked about, the four urban counties
primarily, of Mecklenburg, Guilford, Wake, and
Cumberland. It's somewhat different than the two
maps -- the three maps that we talked about
earlier, especially the two with Guilford and
Mecklenburg.

Yesterday the attorneys for the
 Plaintiffs in this case sent a letter to -- I think
to the Committee Chairs saying that they had some
ideas as to how to fix this since they represented
the Plaintiffs, and they wanted to talk about some
of their suggestions. I then authorized staff to
draw legislation and let's see what the remedy map
by the Plaintiffs would look like. This is it.
So to relieve any of Senator Bishop's angst, Dr. Crayton didn't help draw this map.

SEN. BISHOP: He did not?

SEN. BLUE: No. This is the map that the Plaintiffs -- this is the remedy that the Plaintiffs have offered and suggests that would basically resolve this case. And all the statistics relating to it are attached. We had staff run it through the same statistical analysis that the earlier maps were run through, and you'll see those are in the back of the map.

So it only affects the areas that were ruled unconstitutional and the areas around the nine districts where we had the controversy that's brought us back here. And so I'll answer any questions about it, but it -- just briefly, it strictly complies with the whole county provision. It just deals within clusters. It avoids pairing incumbents. It's kept all the incumbents separated. It cures the defects in all of the racial gerrymanders in these -- primarily in these four counties.

It does not -- it is not designed to give any particular party a particular advantage, and you'll look at the statistics and you will see. I
mean, to be perfectly frank with you, folks, it's hard for you to preserve 35 seats as an advantage without doing strange stuff. But this map does not set out to give any particular advantage to Democrats or Republicans, and I think if you analyze it, it still shows substantial advantages for Republicans if you analyze on the map based on the presidential election data and the other elections that you've used. But it does -- it makes it a fairer contest. It doesn't guarantee anybody's specific election, but at least it gives people a shot -- citizens a shot to choose their representative.

Again, it complies with all state and federal law including the law that was raised in the letter, I think, to Chairman Hise about redistricting districts that were not affected by the Court's decision. They pointed out in that letter -- and I take it you got the letter -- they pointed out in the letter that there were some additional issues raised by these maps in violation of the state constitution. It's a pretty thoughtful letter, a two-page letter.

And so once I saw that and saw that maps that they had finalized on, I thought it was
appropriate to put the third map before you so that you can debate it, analyze it, and figure out whether -- if you wanted to incorporate it into your maps or at least certain aspects of it. Because, again, it adopts all the traditional criteria, and it uses most of the criteria that we adopted as a committee, and here it is before you.

SEN. BROWN: Senator Blue, one real quick question before I let Senator Hise speak. You ran the amendment on Wake County. It looks to me like this is different than that amendment for Wake County. I'm just curious of that particular piece.

SEN. BLUE: It is. It's different from the amendment in Wake County.

SEN. BROWN: Senator Hise?

SEN. HISE: Thank you, Mr. Chair. You know, I think that perhaps the ridiculous nature of this probably -- of this map speaks for itself, but that somehow the remedy is to try to draw Guilford, Wake, and Mecklenburg County in such a manner that no Republican would be represented in any of those areas that would be coming through. So some sort of rectification for the fact that urban areas tend to -- what, 15 counties vote Democrat in this state and 85 vote Republican -- is that we should take
those areas and make sure that they're all Democratic representatives that were coming in.

It, for no good reason whatsoever, goes after Senator Barringer and Senator Chaudhuri to place them double-bunked together. It takes Senator Robinson and Senator Wade, once again, for no good reason. Also, Senator Bishop and Senator Jeff Jackson in Mecklenburg, that it just wants to throw those in and see what it could change out.

I think that speaks much more to the motive of the Plaintiffs than anything that has to do with racial issues or others that have occurred in the state. For what they have done, I think this is not even a serious proposal that's coming in, and I would ask the Committee to reject it.

SEN. BROWN: Senator Blue?

SEN. BLUE: Thank you, Mr. Chairman. And I apologize to the Committee. I mispoke. I have looked at it. It does double-bunk in several districts. I was under the impression that it didn't. I present it to you because it is the proposal that the Plaintiffs have offered as their potential remedy that solves the issues that they've raised.

So I present it to you in that light and
acknowledge that Senator Hise is right. There are some places -- at least two or three places where it double-bunks in addition to the double-bunking in the Republican map. I think that that's accurate.

SEN. BROWN: Any other questions on this map? Senator Bishop?

SEN. BISHOP: As one double-bunked, may I ask this question? There's a case I have in mind. It's called Cox versus Larios, and in that one party purposefully double-bunked a bunch of people of the other party. Now, in the maps that I understand are proposed by Senator Hise -- or the map -- the double-bunking is all -- I think basically all hurts Republicans and it's all driven by the pods.

And I'm just a freshman, but would you think maybe taking not only me but Senator Wade and Senator Barringer out by double-bunking would be for a partisan advantage?

SEN. BROWN: Senator Blue?

SEN. BLUE: I'll say this much. I think that when they drew the map, they're not as politically sensitive as those who serve, and so I look at the Wake portion of the map where they
double-bunked -- who is this? In 15, is that---

    SEN. HISE: Chaudhuri.

    SEN. BLUE: ---Chaudhuri and---

    SEN. HISE: Barringer.

    SEN. BLUE: ---Johnny Mac Alexander?

    SEN. HISE: Chaudhuri and Barringer, I think.

    SEN. BISHOP: It's Chaudhuri and Barringer, as I understand it.

    SEN. BLUE: It's not Barringer unless Chaudhuri is in the blue portion. I can't see. Somebody's on the line. Something that could be easily fixed if you wanted to follow the concept. I can't tell who it is because it's small, but it looks like it's Chaudhuri and Barefoot that have been -- I mean Chaudhuri and Alexander and Barefoot.

    SEN. BISHOP: Mr. Chairman?

    SEN. BLUE: Okay. But, anyhow, it might have some similarity to the Common Cause map, but this is what they submitted. And as a double-bunkee, I don't know how you kick your bed mate out, but -- in Mecklenburg because you're double-bunked, you're right.

    And I think lastly -- I can't tell
whether Senator Lee is double-bunked, but all of these districts are drawn so close to the line that if you are interested in pursuing this concept, you could easily fix it because it looks like the districts next to them are empty districts.

SEN. BROWN: Senator Bishop?

SEN. BISHOP: I would just observe that in double-bunking me with Jeff Jackson, they did it in Plaza, Midwood, and East Charlotte, not down in Ballantine and Matthews. I'm sure that's coincidental. But do you know who -- who was the "they" who prepared this?

SEN. BLUE: This is what the -- Plaintiffs' counsel asked could we take a look at what they proposed, and so, consequently, I had staff reduce to the form that we understand, that is, maps and legislation, that would accomplish what they proposed as their remedy.

SEN. BISHOP: Do you have any knowledge who helped them, who their consultant was, who the map drawer was?

SEN. BLUE: I don't know specifically who did it.

SEN. BROWN: Senator Bishop?

SEN. BLUE: I had no role in choosing who
they used. I don't know. I can't say specifically who they hired or paid for.

SEN. BROWN: Senator Bishop?

SEN. BISHOP: Who's the counsel you're referring to?

SEN. BLUE: Counsel for the Plaintiffs.

SEN. BISHOP: Is that Anita Earls?

SEN. BLUE: Yes. And so Anita then -- I had it sent it to staff. She sent it. There is communication with her.

SEN. BROWN: Follow-up, Senator Bishop?

SEN. BISHOP: If we were to adopt this amendment, it would undo -- I think you already said in response to the Chairman -- what you have already done by another amendment to Wake. It would also undo what we did for Senator Clark's district in Cumberland, right? Sir?

SEN. BLUE: Yes, that's correct.

SEN. BISHOP: I don't understand the purpose of this, then. Is it a litigation tactic to propose this?

SEN. BLUE: No. I offer you what the Plaintiffs have suggested their thoughts are about this remedy for the gerrymanders.

SEN. BISHOP: If I may, but you're
proposing---

SEN. BROWN: Senator Bishop.

SEN. BISHOP: You're proposing it as an amendment for this Committee to adopt, aren't you?

SEN. BLUE: For the Committee to adopt, yes, but I know that before committees adopt stuff, they look at it, and if you see something good in it that you like, the Committee could do a committee substitute and fix some of the obvious problems that you see in it.

SEN. BROWN: Senator Bishop?

SEN. BISHOP: Do you and Senator Clark support the adoption of this amendment?

SEN. BLUE: Yeah. But I probably would support a committee substitute if you want to fix some of the problems that you're suggesting because I'm a realist and a practical guy, and I know what the chances are that you'll adopt the amendment.

SEN. CLARK: And I'd like to add something also to that.

SEN. BROWN: Senator Clark?

SEN. CLARK: During the public hearings, many of our citizens indicated that they wanted us to pass maps that took into consideration their interests and their needs, not the needs of the
politicians. They want to be able to elect those
who represent them.

If adopting this map -- which I can see
the one that has partisan neutrality -- all this
has a slight Republican edge to it. It's far less
than what it is today, but if that means putting me
out of office, I would gladly accept this map if it
would provide for partisan stability or partisan
balance throughout the state of North Carolina so
that the individuals whom are elected to come here
and to serve them are elected based on fair and
nonpartisan maps.

SEN. BROWN: Senator Bishop?

SEN. BISHOP: My good friend, Senator
Clark, and I hope to be a much better friends, but
I will say that comes with poor grace given that
your amendment was designed, in part, to fix an
incumbency issue. And let me say this. Incumbency
can be a problem, but what the Supreme Court of the
United States recognized in Cox versus Larios is
that you also can use double-bunking as a means of
ripping down your partisan opponents.

The maps that are proposed by the
majority don't do anything of the kind. This map
has a pattern that is -- it cannot be imagined to
be a coincidence. It takes out two of the most senior members of the Republican majority and little old me. And I don't -- I mean to then profess that incumbency is all about protecting selfish officeholders is really a little bit too much. And I hope -- I trust that the Committee will not adopt this amendment.

SEN. BROWN: Senator Hise?

SEN. HISE: Thank you, Mr. Chairman. You know perhaps the veils start to come off at this late hour, and we start to see what the real motives behind all this is, an attempt to lessen the number of Republicans that represent in the Senate. That is the motive I think you see in these districts behind what they've proposed as a remedy. Senator Clark said even if it meant giving up his own seat, if he could just reduce the number and bring it to more balanced, he would do so.

I think we're seeing what the purpose is of why this is a court case in general, why we are here and others, and really the motives behind it. I think this map is their attempt to exemplify that and to see what manner in which they can hope to get additional seats regardless of how it affects minorities, incumbents, or others within this
state.

So I, again, would ask the Committee that we would reject this map, not even really from a committee member but submitted on their behalf and counter to previous amendments and to most of the criteria this Committee adopted.

SEN. BROWN: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.

Senator Hise, you did represent my intent very well. As a matter of fact, I did submit criteria for recommendation that said that one of the objectives of the Committee should be to obtain partisan balance and partisan neutrality, whichever term you want to indicate. And, yes, that might end up meaning a reduction in the number of Republicans in the North Carolina Senate. But, like I said, I believe that we should have fair maps that provide for representation with respect to the way the people need it. Thank you.

SEN. BROWN: Senator Clark, they wouldn't be gerrymandered maps, would they?

SEN. CLARK: Oh, absolutely not. As a matter of fact, the efficiency gaps on those maps, you'll see that pretty much they still -- even these as well as the Common Cause map has about a 4
percent positive lean towards Republicans. As a matter of fact, if we're talking about what's gerrymandered, you can clearly see what's going on in Senate District 21, my particular district, which remains gerrymandered.

I mean, like I said, it's going to set up a situation where essentially I don't have general election opponent, and I'll pretty much walk back into the office here because of the way it's gerrymandered. If it was a balanced cluster, the Cumberland/Hoke cluster, what we would have is we'd have a more competitive district where I would actually have to run hard in the general election as well as my opponent across the aisle, which I think would serve the people of Cumberland and Hoke Counties better to actually have more competitive races as opposed to cakewalks during the general election.

SEN. BROWN: Senator Clark, I've got to respond to that. Would you say, then, this map that was just introduced as an amendment doesn't gerrymander in any way?

SEN. CLARK: It certainly does not. As a matter of fact -- or at least -- let me clarify that. With regard to the Hoke/Cumberland cluster,
I can explain that, if you want, with a little bit of time.

SEN. BROWN: But you say it doesn't -- in your mind, it doesn't gerrymander, is what you're saying?

SEN. CLARK: Oh, absolutely not. If you look at the Cumberland/Hoke cluster, which is Senate District 21 and 19, which is this block up at the top there. And what it does is, it's like -- the intent of the Committee was to not split cities so it does not split Spring Lake, it does split Wade, does not split Falcon, does not split Eastover, does not split Hope Mills. In Senate District 19, no municipalities split except Fayetteville, which is split anyway, it's so large you're going to have to split it. And what it does is it keeps Fort Bragg -- Fort Bragg and Spring Lake with Senate District 21 and pretty much the southern border, it runs down slightly north of -- or should I say south of the Fort Bragg area.

Now, if this thing was -- like I said, it's not gerrymandered because it doesn't provide anyone any significant political advantage over where we're at right now. As a matter of fact, like I said, it would my task of becoming reelected
more difficult, and it might provide a little bit more of a challenge for Senator Meredith as well. But the people indicated time and time again during the public hearings that what they wanted is more fair and competitive elections.

This map is not something that would necessarily be in my best interest, as I say, if you're trying to win a general election. It is the furthest thing away from a gerrymander as you can get.

SEN. BROWN: I would disagree. When you look a few of these counties, I think it's pretty clear what this map is. Senator Hise, any other comments?

SEN. HISE: No.

SEN. BLUE: Just one clarifying -- if I could?

SEN. BROWN: Senator Blue?

SEN. BLUE: Because in listening to the discussion, I think that the point that needs to be made is that, again, we did some amendments, and I think appropriately so, but in looking at the statistics on this map -- and, again, I didn't draw it, but I'm just looking at it. I heard all the public comment. I've been following the Common
Cause's arguments over the last several years and as they've gotten more intense over the last year.

But when I look at this map and the Wake County districts, it's got two outright wins by Richard Burr and two that were at the 49 percent level, but two outright wins of over 50 percent, and I think it's got only one -- only one of the districts in Wake County voted Democratic in that election. There are also people who really want to move away from partisanship when it comes to making districts because that's how you get, I think, the debate going on so that the best ideas emerge, and we don't sort of resort to our tribal instincts within our respective caucuses and you get to discuss things in a much deeper and richer way in an election because you've got to debate and you've got to tell people what you stand for and that you'll be responsive to them and there are some people very interested in that.

And winning 52, 53 percent in an election is not that bad. It basically recreates a riddle and you start addressing issues that need to be addressed. That's what these maps seem to do at least in Wake County, and again, I can't speak for the others because in Wake County in that Marshall
race, she was a resident of Wake County and lost four districts -- or lost three districts -- lost one -- two of them by one percentage point. That's a competitive district.

And I haven't had a chance to analyze it by the other seven or eight races that you used, but I would venture, if you put those races on this map, you will find those to be pretty competitive. You know, are there other configurations that -- if I were doing it myself individually that I'd have probably tried to come up within Wake County, I probably would have. Would partisanship have gone into a greater degree? Probably would have, but I think that we just can't cast a stone at everybody who has a different idea as to what competition is in these races.

And I bet you, if you go through that map and you look at these districts, you will find many more 48-52 districts, and they roll with the tide, depending on what the issues are and what people are thinking, and I happen to think that districts like that are more helpful too because it makes all of us gravitate toward the middle a whole lot more.

SEN. BROWN: Senator Clark?

SEN. CLARK: Thank you, Mr. Chairman.
And one more note regarding partisan advantage. I would like to remind the Committee that I was the one that submitted criteria that said partisan advantage would not be a criteria of this particular Committee, and that criteria was voted down.

SEN. BROWN: Senator Hise?

SEN. HISE: And just to follow up, I would say regardless of what was proposed and rejected, that is not the criteria of this committee that's coming in. And so, finally, I would ask that members would reject the amendment as proposed.

SEN. BROWN: Senator McKissick, you're not on this Committee. I'm sorry.

Any other comments or discussion on this amendment?

SEN. BROWN: If not, again, I'm going to ask you to raise your hands. All those in favor of the amendment, raise your hand.

(Show of hands vote.)

SEN. BROWN: Those opposed?

(Show of hands vote.)

SEN. BROWN: The amendment fails nine to four.
All right. That should bring the bill before us. So any discussions on the bill?

SEN. BISHOP: Mr. Chair?

SEN. BROWN: Senator Bishop.

SEN. BISHOP: If it's the appropriate time, I make a motion for a favor report to the PCS as amended rolled into a new PCS and changing the short title to read 2017 Senate Redistricting Committee Plan.

SEN. BROWN: Any discussion? Any more discussion? If not, again, I will ask you to raise your hand. All those in favor of Senate Bill -- the PCS rolled into a PCS -- into a new PCS and changing the short title to 2017 Senate Redistricting Committee Plan. All those in favor, raise your hand.

(Show of hands vote.)

SEN. BROWN: Those opposed?

(Show of hands vote.)

SEN. BROWN: It passes nine to four. I think that's right. Nine to four, so the bill passes. Anything else before the Committee? If not, we're adjourned.

(The proceedings were concluded at 6:25 p.m.)
STATE OF NORTH CAROLINA
COUNTY OF ROCKINGHAM

CERTIFICATION

This is to certify that the foregoing transcript of proceedings held on August 24, 2017, is a true and accurate transcript of the proceedings as transcribed by me or under my supervision. I further certify that I am not related to any party or attorney, nor do I have any interest whatsoever in the outcome of this action.

Certified this 30th day of August, 2017.

[Signature]
Notary Public

Rebecca P. Scott
Notary Number
19940530133
GENERAL ASSEMBLY OF NORTH CAROLINA

2017 LEGISLATIVE SESSION, SENATE FLOOR

SENATE BILL 691 SECOND READING

FRIDAY, AUGUST 25, 2017

Reported by:

Denise Myers Byrd, CSR 8340, RPR

Discovery Court Reporters and

Legal Videographers, LLC

4208 Six Forks Road

Suite 1000

Raleigh, North Carolina 27609

(919) 424-8242

denise@discoverydepo.com
[Reporter's Note: Proceedings in this session began at 10:27 a.m.]

PRESIDENT PT BERGER: The Senate will come to order. Sergeant-at-Arms will close the doors. Members will go to their seats. Members and guests will please silence all electronic devices.

Leading the Senate in prayer is Senator Jerry Tillman of Randolph County. All members and guests will please stand.

SENATOR TILLMAN: Thank you, Mr. President.

Ladies and gentlemen of the Senate, let us enter into a moment of prayer, please. I like to begin prayers, especially in our caucus and in other places, with a good bible verse, and I picked this one out for my good friend Reverend Lowe back there. I'm hoping one day, when he preaches again in Randolph County, he will preach on maybe -- maybe he can use this verse as a sermon title.

It's a verse I like from the Old Testament: Unless the Lord buildeth the house, those who would build it laboreth in vain. Lord we pray that you will be our foundation through
the life we build and the homes we build; that we
will build it on you and the spiritual lessons
that you have taught us through the Good Book.
Guide and direct our thinking today, Lord, that
you will be here in our midst to help us to do
the work of the people and to do it with your
blessings and your foundation. Oh, God, we pray
in Christ's name. Amen.

PRESIDENT PT BERGER: Senator Pate is
recognized for a motion.

SENATOR PATE: Thank you,
Mr. President.

The journal of August 24, 2017, has
been examined and found to be correct. I move
that we dispense with the reading of the journal
and that it stand approved as written.

PRESIDENT PT BERGER: Without
objection, the journal for August 24, 2017,
stands approved as written.

Members' leaves of absence are
requested and, without objection, are granted for
Senators Cook, Jim Davis, Meredith, Tarte and
Woodard.

Members, courtesies of the Chamber are
extended to Denise Myers Byrd of Discovery Court
Reporters and Legal Videographers.

And also, Members, in the Chamber is former Senator Buck Newton. I saw him a little bit ago. Senator Newton, if you're still here -- in the back of the Chamber. Thank you for being with us today.

And with that, Members, unless there's something else, we'll go straight to the calendar.

SENATOR RABIN: Mr. President.

PRESIDENT PT BERGER: Senator Rabin, for what purpose do you rise?

SENATOR RABIN: A motion, please.

PRESIDENT PT BERGER: State your motion.

SENATOR RABIN: Thank you, Mr. President.

Mr. President, we move to reconsider House Bill 140, Dental Plans Provider Contracts and Transparency, and House Bill 770, Various Clarifying Changes to Tuesday's floor calendar. That's August 29th.

PRESIDENT PT BERGER: Without objection --

SENATOR RABIN: Mr. President, also
1 move to suspend the rules and staff be allowed to
2 sit with Senator Hise for today.

3    PRESIDENT PT BERGER:  Without
4 objection, so ordered.
5 Senate Bill 691. The clerk will read.

6    THE CLERK:  Senate Bill 691, 2017
7 Senate Redistricting Committee Plan.

8    PRESIDENT PT BERGER:  And Senator Hise
9 is recognized, but before he's recognized,
10 Members, we also have a single volunteer page
11 with us today. He was up here. Tanner Minton is
12 a volunteer page today. He is Senator
13 Randleman's grandson.

14    And Senator Hise is recognized to speak
15 on to explain Senate Bill 691.

16    SENATOR HISE:  Thank you,
17 Mr. President.

18 Members of the Committee, there are a
19 lot of individuals and staff and others and our
20 committee members on the redistricting put a lot
21 of hours in between in a definitely compressed
22 timeline given to us by the Courts in order to
23 get these maps to you today and be able to get
24 them through the process before the deadline
25 September 1st. I want to start by saying that I
I am very grateful to all of them for the work they put into this.

The maps that you have in front of you that were amended in committee yesterday, we began by establishing criteria on which those maps would be drawn, and the maps that you have presented meet those criteria. Just to go through them briefly, what you have, and everyone should have, a printout copy of this, actually. I know there may be some challenges for how this works on the dashboard, but the full map that would be entitled 2017 Senate Redistricting Committee Plan.

First is equal population. You will see in your stat pack that each one of these 50 districts fall within the plus or minus 5 percent of the ideal population that is established by the Courts.

The contiguity, you'll find that each of these maps have contiguous borders with districts around them.

County groupings and traversals, which is probably the most complex of this and may have caused consternation. The rules for county groupings and transversals were established in
Stephenson one and have been affirmed in many other cases. This is a requirement that we group counties into the smallest number of counties possible that would form a whole number of senators within that district. This map follows the county groupings formula that we've released several weeks ago. We have asked on multiple occasions for anyone who could submit a more optimal county grouping process, and I believe that none exist and we have received none in the committee.

Compactness. The committee adopted as a guide for compactness Reock and Polsby-Popper scores for drawing legislative districts that appear. The reason these two are selected, these methods and scores were adopted as a guide is because they're the only ones that have been cited by the Courts as being relevant to judging the compactness of districts. So when we look at previous court rulings, these are the two measures that determine compactness.

The scores themselves lead to a minimum for Reock of .15 and a minimum for Polsby-Popper of .05, and you will find that all of the districts that are there meet those scores as
well as the stated goal of this. This plan improves the compactness of the districts as a whole that is coming in, and the 2011 Senate Plan -- compared to the 2011 Senate Plan and also fares against any -- well against any maps that have been produced by the Senate over the last two decades.

The next one, fewer split precincts. In response to public comment and others, the committee adopted criteria to lower the number of split precincts, which is what you will find in this map. The 2011 Senate Plan split 257 precincts. The plan that you have before you now only splits 9 precincts. Two of those were retained from the New Hanover County, the districts that were not redrawn. Two were made to avoid double-bunking of senators. The other splits were made in place that has zero population divide which would improve the compactness score or to follow a new precinct line that has been established since 2011.

Municipal boundaries. The next criteria the committee was asked to consider municipal boundaries when drawing legislative districts. Across this state, this plan splits
just 25 municipalities in places where there is a population or the city does not naturally cross a county line. Municipal boundaries are by no means compact or limited under annexation to even county borders which makes that a little more complex, but by any measure, this plan splits fewer municipalities than the one adopted in 2011 and fares historically well against senate plans adopted by the General Assembly over the last two decades.

Next is incumbency protection criteria adopted by the committee. The map, in effect, does double-bunk eight members. Three pairs are Republicans and one cross-party pair. No pairs of the minority party were double-bunked in these maps.

Senator Randleman, Senator Ballard were double-bunked by the necessity of their county grouping. Senator Krawiec and newly elect Senator Barrett were double-bunked by necessity within their county grouping. Senator Alexander and Senator Barefoot were double-bunked in Wake County; however, it was made known to the committee that Senator Barefoot announced that he does not intend to run for reelection. And
Senator Smith-Ingram and Senator Cook were also double-bunked by necessity of the county groupings.

Election data. We did consider political considerations in election data results. In drawing these, you have the report of each of the ten races from 2010 senate, 2012 presidential, governor, lieutenant governor, 2014 senate, and 2016 senate, governor, lieutenant governor and attorney general. You will have the results of each of those races as part of your stat pack.

And importantly, the last consideration would be that there would be no consideration of racial data. Data identifying the race of individuals was not used in the drawing of these maps. It was not used to assign voters to a particular district on the basis of their race.

It complies with all of the committees' criteria and, most importantly, now complies with the court order. I would ask for y'all to support it and would be more than happy to answer any questions.

Sorry, Mr. President. I do have a technical amendment, if that would be possible.
PRESIDENT PT BERGER: Send forward your amendment. The clerk will read.

THE CLERK: Senator Hise moves to amend the bill.

PRESIDENT PT BERGER: Senator Hise is recognized to explain the amendment.

SENATOR HISE: Thank you, Mr. President.

Members of the Committee, apparently when transcribing this map for the new PCS, one of the line numbers was picked up in the copying and added in, so there's an extra 27 on Page 4. This would simply remove that.

PRESIDENT PT BERGER: Further discussion or debate on Amendment 1. Hearing none, the question before the Senate is the passage of Amendment 1 to Senate Bill 691. All in favor of the amendment will vote "aye," all opposed will vote "no." Five seconds will be allowed for the vote. The clerk will record the vote.

Senator Barrett "aye"; Senator Dunn "aye"; Senator Smith-Ingram "aye"; Senator Waddell "aye."

45 having voted in the affirmative and
none in the negative, Amendment 1 passes and the bill is back before you. Further discussion or debate on Senate Bill 691.

Senator Blue, for what purpose do you rise?

SENATOR BLUE: To send forth an amendment.

PRESIDENT PT BERGER: Send forward your amendment. And, Senator Blue, my understanding is you have two amendments on the deck already. If you can identify which one.

SENATOR BLUE: I will. Thank you very much, Mr. President. It is ATC-122, Version 1, looks like, the Wake County amendment.

PRESIDENT PT BERGER: The clerk will read.

THE CLERK: Senator Blue moves to amend the bill.

PRESIDENT PT BERGER: And Senator Blue is recognized to explain the amendment.

SENATOR BLUE: Thank you very much, Mr. President.

The committee yesterday, and I appreciated it, adopted an amendment that we had done involving just two districts in Wake County,
Senator Chaudhuri's district and the district that I represent.

And what the amendment failed to do was accurately reflect the precincts that we thought had been transferred. This corrects it. It only involves those two districts. It's been reviewed. I've talked to Senator Hise about it, and basically it's technical in nature, but pulls in the precincts that we thought were being pulled in in the Senate amendment yesterday afternoon. I move adoption of the amendment, Mr. President.

PRESIDENT PT BERGER: Further discussion or debate on Amendment 2.

Senator Bishop, for what purpose do you rise?

SENATOR BISHOP: To ask Senator Blue a question, if he'll yield.

PRESIDENT PT BERGER: Senator Blue, do you yield?

SENATOR BLUE: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Senator Blue, you and I had some interplay -- discussion yesterday in the committee meeting about your amendment that
was adopted then. I wanted to ask at this point do you remain convinced that the Wake County districts as further amended by your proposed amendment are not racial gerrymanders?

SENATOR BLUE: Not who gerrymandering?

Racial gerrymandering?

SENATOR BISHOP: Yes, not racial gerrymandering.

SENATOR BLUE: They are not racially gerrymandering. And as I explained in the committee, I think that the way that Wake County is cures the gerrymander that the Court found in Wake County, and the only other avenue for it to be a racial gerrymander is if you used -- if you used race in order to get a political gerrymander. That's the way you would analyze it. And I think given the makeup of the districts in Wake County that you cure the racial gerrymander problem, and I don't think you have a political gerrymander in Wake County.

SENATOR BISHOP: May I follow up?

PRESIDENT PT BERGER: Senator Blue, do you yield for a follow-up?

SENATOR BLUE: I yield.

SENATOR BISHOP: Do you believe that
the districts in Wake County, as you would further amend them by this amendment, are legal under all applicable legal theories?

SENATOR BLUE: Again, I think that with the interchange of precincts, and they're all whole precincts, between the two districts that the committee had drawn that were Democratic districts more adequately cures the racial gerrymander.

Again, I have not done a total analysis of whether or not you've got a political gerrymander, but as I told you in the committee yesterday, I think the creation of District 16 as a competitive district, and it looks like a Democratic-leaning district, cures the foundation on which one would probably bring a political gerrymander claim, but the map still has high numbers of Democrats in a district and Republicans in a district, separate districts, and the way that the map is drawn has two strong Democrat, two strong Republican and it looks like a competitive leaning Democratic district.

And so from the chatter that I've heard about this area, you probably couldn't sustain that there's a political gerrymander specifically
in Wake County, but it does -- it does not address the broader issue of whether the map as a whole is a political gerrymander. You can't do that without analyzing all of the districts statewide.

SENATOR BISHOP: Thank you, Mr. President.

PRESIDENT PT BERGER: Further discussion or debate.

Senator Hise, for what purpose do you rise?

SENATOR HISE: Speak to the amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR HISE: Thank you, Mr. President.

Members of the Committee, we discussed this quite a bit in committee yesterday and as well as had several conversations with Senator Blue. It is my determination that these maps were not drawn with the consideration of race, but, however, Senator Blue's knowledge of certain communities and where they fit and his claim that this would not -- would alleviate or would not create a racial gerrymander in Wake County.
Coming in, I would ask that the Members of the Senate would support this clarifying amendment to what was proposed yesterday.

PRESIDENT PT BERGER: Further discussion or debate on Amendment 2. Hearing none, the question before the Senate is the passage of Amendment 2, Senate Bill 691. All in favor will vote "aye," all opposed will vote "no." Five seconds will be allowed for the voting. The clerk will record the vote.

45 having voted in the affirmative and none in the negative, Amendment 2 passes and the bill is back before you.

Further discussion or debate on Senate Bill 691. Further discussion or debate on Senate Bill 691.

Senator Robinson, for what purpose do you rise?

SENATOR ROBINSON: To send forth an amendment.

PRESIDENT PT BERGER: Send forward your amendment. The clerk will read.

THE CLERK: Senator Robinson moves to amend the bill.

PRESIDENT PT BERGER: Senator Robinson
is recognized to explain the amendment.

SENATOR ROBINSON. Thank you,

Mr. President.

Ladies and gentlemen, you have before you on the dashboard an amendment for the way Guilford County, specifically Senate Districts 27, 28, and I believe 26 is in there somewhere, are drawn.

The approach to this was to develop districts that comply foremost with the state and federal law, particularly remedying the constitutional flaws that were found by the Court in the present districts we have. The Court specifically found that the violations included Senate District 28 which takes in part of Guilford County. And you can see that because every reference that you have heard about shape, different from what Senator Hise said yesterday in committee that there were no comments about shape, but in the comments in Guilford County, it was specifically about shape. And Senate District 28 is the one that was pointed out in terms of why the shape.

The proposal here remedies that violation and includes due consideration of the
This mapping proposal is more compact than the original map in 2011 that was invalidated by the Court as well as the proposal for the county that was just released by your Republican majority.

What seems to be the driving consideration, however, of your map in this county cluster is the maintenance of incumbents in their own districts. Your map also split more precincts, one of which was 3 which was a high voting precinct that's African American mostly.

The placement of incumbents in this county makes for a possible conflict of considerations like compactness. This amendment, however, maintains each incumbent in a single district, but it achieves a more normal shape.

Senate District 28, Guilford County, invalidated, in the Court's opinion, has a more compact shape under this amendment both in comparison to the 2011 map where we are currently serving and in the one you proposed. To accommodate the concern of keeping incumbents separated, however, sacrifices were made for compactness. Rather than wrap around almost the entirety of my district, Senate District 28,
which your map does, as this map has a more normal shape. This map addresses racial gerrymandering as required by the Courts.

While this committee -- your Redistricting Committee takes a surprising view that race should not be a consideration, we think it's noteworthy that this version of Senate 28 drawn here has a black voting age population that is lower than both the original 2011 unconstitutional plan and the Republican proposal.

According to the State's measures, the BVP is approximately 45 percent of this map as opposed to yours which was 50.52 percent. And in response to the overwhelming views expressed during public hearings, the districts were drawn with the goal of creating competitive districts. The voters have a chance to select their candidates and the outcome is not preordained.

There are many ways to have achieved a more compact plan in Guilford that is both fair to the voters and consistent with constitutional standards. Unfortunately, your map simply attempts to nuck and tuck your way to legality. That is not a good strategy to achieve court
compliance.

I recommend the amendment for your approval and your support.

PRESIDENT PT BERGER: Senator Bishop, for what purpose do you rise?

SENATOR BISHOP: To ask Senator Robinson a question, Mr. President.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: I do.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: Senator Robinson, I have little expertise in drawing maps. I was intrigued by your first point that the shape -- I believe you said the shape of 28 is more normal under your map. Could you explain what you mean?

Well, let me say -- let me preface the question with saying that if I look at 28 on the map proposed by the majority and I look at the 28 on your map, they look similar to me. If I were to describe what that Rorschach block looks like, I'd say it looks sort of like a bird, but in either event, the same structure of it just seems similar. It's got -- yours has squiggly lines with outcroppings. It has the two sort of wing
structures.

Can you explain to the body what you mean when you say it has a more normal shape.

SENATOR ROBINSON: Sure.

Mr. President --

PRESIDENT PT BERGER: You may answer.

SENATOR ROBINSON: Senator Bishop, I don't know where you get your context from. However, if you compare this map with the one of the redistricting, you will see that the far left end curves farther up than the map that we propose.

Now, what I indicated in my presentation, too, is that -- and if you want to look at the VTDs, you'll see which ones have been dropped off, have been eliminated if you look at the data, and so that makes it more compact. And if we are looking at compactness according to criteria, then it requires both for Senate District 27 and 28 when you don't want to double-bunk incumbents, according to your criteria as well, that this map would still have somewhat of a partial circular shape.

PRESIDENT PT BERGER: Senator Bishop, for what purpose do you rise?
SENATOR BISHOP: Ask a further question.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: So if I understand, the nature of the normal shape, though, is that it doesn't -- yours doesn't rise as much on the left; is that correct?

SENATOR ROBINSON: Do you see that?

SENATOR BISHOP: I see that it doesn't rise as much on the left. And you're saying that that means it's more normal.

SENATOR ROBINSON: I'm saying it's more compact.

SENATOR BISHOP: Further question, Mr. President.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: And does the map of Guilford County, as drawn in your amendment, split more municipalities?
SENATOR ROBINSON: The map splits -- your map splits High Point -- splits High Point and -- yeah, we split one other, Jamestown, in addition to High Point. And then you've split the far right end. As a matter of fact, your map splits a precinct that our map does not. Your map splits a major voting precinct.

SENATOR BISHOP: Further follow up.

PRESIDENT PT BERGER: Senator Bishop asks if you yield for another question, Senator Robinson.

SENATOR ROBINSON: Yes, Mr. President.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: Do you split Summerfield?

SENATOR ROBINSON: My map does not. I need to look at it, but I'm pretty sure it doesn't.

SENATOR BISHOP: How about Kernersville?

SENATOR ROBINSON: Summerfield -- wait a minute. Wait a minute. Let me look at a VTD. No, it doesn't.

SENATOR BISHOP: Further question, Mr. President.
PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: I think I just asked about Kernersville. Do you split Summerfield?

SENATOR ROBINSON: I said no.

SENATOR BISHOP: Further question.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: So you're telling this body that this map only splits one more municipality that the majority map; is that correct?

SENATOR ROBINSON: Based on the VTDs that are listed here, most are in Greensboro. And I do know my voting precincts in Guilford County. High Point and then Jamestown is split between 27 and 28.

PRESIDENT PT BERGER: Senator Bishop.

SENATOR BISHOP: A further question for Senator Robinson.

PRESIDENT PT BERGER: Senator Robinson,
do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: Were you involved in the preparation of this map, Senator Robinson?

SENATOR ROBINSON: Yes.

SENATOR BISHOP: Follow up, Mr. President.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: Did you work with Kareem Crayton also in the development of this map?

SENATOR ROBINSON: I worked with Senator McKissick. I believe he worked with Kareem Crayton.

PRESIDENT PT BERGER: Senator Bishop.

SENATOR BISHOP: I have a follow-up question, Mr. President.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.
SENATOR BISHOP: You said that the black voting population of the map as amended is 45 percent.

SENATOR ROBINSON: Yes. A little less maybe.

SENATOR BISHOP: A little less?

PRESIDENT PT BERGER: Further question?

SENATOR BISHOP: Yes, Mr. President.

PRESIDENT PT BERGER: Senator Robinson, do you yield?

SENATOR ROBINSON: Yes, I do.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: What evidence did you rely upon to target that particular level of black voting population?

SENATOR ROBINSON: Senator Bishop, I relied on my own experience. The Senate District 28, based on the current district and the way you did it, is packed with African Americans. And I know the precincts. So it doesn't take a whole lot of research for me to know. Plus, I can look at the data.

Now, the Court said -- and I was sitting in the court -- when the issue was about racial gerrymandering, and that's exactly what
you did. So if you talk about racial
gerrymandering, you are automatically talking
about how many black folk did you pack. So
you're a lawyer; you ought to know.

SENATOR BISHOP: Follow-up question,
Mr. President.

PRESIDENT PT BERGER: Senator Robinson,
do you yield?

SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: Other than your
personal experience, did you have any other
evidence concerning racially polarized voting
that you used in deciding to target that district
at 45 percent?

SENATOR ROBINSON: Senator Bishop, I
have the racial compositions of every precinct,
every district, et cetera, and you ought to have
it too. So it's very easy to look to see what
the percentage of voting age populations by race
is in this state.

SENATOR BISHOP: Further question,
Mr. President.

PRESIDENT PT BERGER: Senator Robinson,
do you yield?
SENATOR ROBINSON: Yes.

PRESIDENT PT BERGER: She yields.

SENATOR BISHOP: Yes, ma'am. I'm not suggesting that the data is unavailable to determine how many voters of what a particular race might be in a district if someone sought that information.

The question I asked is do you have evidence about racially polarized voting beyond what was available to this body when it last redistricted which you used in making the decision to target at 45 percent.

SENATOR ROBINSON: Let me say, I said to you earlier that I worked with Senator McKissick who worked with Dr. Crayton in developing the prospectus behind this, so that should have been sufficient.

SENATOR BISHOP: No more questions.

PRESIDENT PT BERGER: Further discussion or debate on Amendment 3.

Senator Hise, for what purpose do you rise?

SENATOR HISE: Speak to the amendment.

PRESIDENT PT BERGER: You have the floor.
SENATOR HISE: Thank you, Mr. President and Members of the Senate. A few things that I felt like I wanted to address.

I think it's clear to any analysis or anyone that says the district drawn in 28 here in the new map is different and then the one in the 2011 map, it is different than the one in this amendment that is coming forward.

The analysis being used to say that it racially gerrymanders is somebody looked at it and says, well, it kind of looks the same, and since it kind of looks the same, we say it must be a racial gerrymander, ignoring the fact that the Greensboro city limits also continued to look the same for all three maps and none of that area has been changed.

It's also being claimed that there is a split precinct. That is absolutely not accurate. There is a voter tabulation district that existed in 2011 that has been changed to reflect new precincts that now exist in Guilford County, and the borderline is now drawn along the new precinct line. As voter tabulation districts no longer exist in that process and new precincts are in place, we follow precinct boundaries.
Most importantly, it violates the criteria set by the committee that we would not sort voters on the basis of race. Not only does it violate that criteria, we heard in committee yesterday that it goes one step forward by selecting a very specific target on race based on one person's opinion and what they thought would be good and basically made the purpose of we're going to draw the race to that new target, something the Courts have clearly determined is not allowed in racial gerrymanders.

Had someone had done an actual study of racially polarized voting and the result of that had to come out to this number and presented that to the committee, we may be inclined to follow that number and draw the districts in that manner. That did not occur. This is based on a single individual's opinion that is there.

I will also say that the analysis of our staff of this from yesterday is that it splits seven municipalities that was coming up when you look at the municipal borders compared to the previous map that split four municipalities, so it would increase the number of split municipalities by three.
For those reasons that it fails to follow the criteria established by the committee, I would ask that you reject the amendment.

PRESIDENT PT BERGER: Further discussion or debate.

Senator Blue, for what purpose do you rise?

SENATOR BLUE: For a statement.

PRESIDENT PT BERGER: You have the floor.

SENATOR BLUE: Thank you, Mr. President.

I would just like to refocus our attention on two things relating to this particular district. In the Courts' decision, both at the -- after the United States Supreme Court ruled on these districts, the three-judge panel, consisting of two District Court judges and a Court of Appeals judge, said that this body, once redistricting was done, would inform the Court as to any district where the BVAP, meaning black voter age population, exceeded 50 percent.

Now, in order to answer the Court's question, you've got to look and see whether any
of these nine districts exceed 50 percent BVAP. And that's common sense. The Court says tell me on any of the districts that you do why it went beyond 50 percent.

This district goes beyond 50 percent black population, black BVAP, as I understand it. And so the Court is going to require in the submission that you explain why that is. And if you tell the Court, well, lady and gentlemen of the Court, I don't know that it went beyond 50 percent because I didn't look at race in determining how to cure what you told me had to cure. We're going to look sort of strange saying that. Now, maybe the Court will believe it, maybe there's some explanation, but the Court is also going to look at the fact that the fellow who drew this district drew the unconstitutional district in 2011.

And although, as we get older our memories aren't what they are when we were younger, and maybe his has changed tremendously over six years, but I'm sure that if I were redoing the job, I would go back and look at my notes and I'd go back and look at why I did things the way that I did them, especially since
the Court is going to want to know how.

If you look at the map of 2011 and you superimpose on it the map of 2017 that is before you now, this amendment, a third grader, or even a three-year-old, can tell you that they're very similar in outline. And so if the same person drew them, the Court is going to imply that it was the same intent in the way that you drew it, and so now you explain to me why it's like this, why isn't that a reasonable conclusion.

And I'm just being honest with you in the way that you would approach somebody who told you. The design of the map in 2011 in this district looks eerily close to the design of the map in 2017.

So what Senator Robinson was trying to do in changing the 1st, taking it below 50 percent, so that unless something called it to the Court's attention in another way, it didn't have to be explained further.

What we've tried to do is give you some indication as to how you cure these gerrymanders. Not trying to gain partisan advantage, not trying to gain racial advantage, but at the end of the day, it is a Court, the third branch of
government, which interprets what we do and what laws do across the country that tells us what they want to see in order to determine that this problem that they've identified has been fixed.

All Senator Robinson has tried to do is fix it, and so the BVAP goes from 50 point whatever it is in the Senate plan down to 45, I think you said, in this plan. And that's simply saying that this is how we propose that you fix the gerrymander.

Oddly enough, oddly enough, in the Alabama case which gave rise to all of this litigation that went to the Supreme Court, in the Court's opinion, when it went back to the three-judge court in Alabama -- one member of whom, by the way, was one of the top three contenders to be appointed to the U.S. Supreme Court by President Trump. When it went back to the Alabama three-judge panel, Federal Court, the reason that they determined that there weren't gerrymanders or that some of them had been fixed is because the members representing some of those districts had agreed that this is a reasonable percentage for this plurality black district.

I keep saying again that the magic of
this place is that when we all work together, you can fix these problems, but you need to listen to the opinions of the folk who got 190,000 people in their districts, just like you've got 190,000 in your districts. That's the whole beauty of this legislature, at least the concept behind it that you bring people together from different backgrounds and different places and they work through the things that vex the state.

And so that's how the 45 percent makes sense, Senator Bishop. Because in the Alabama case, some senators had districts that went in excess of 60 percent African American, but because they agreed with the redistricting folk, they were able to design those districts and have an impact in the districts around them.

And those who are really interested in the political angle so much, I really do believe that we ought not play politics so deeply in this, but those who really believe in a political angle -- in Alabama they still ended up with huge majorities of Republicans, but they worked through it, again, because the members decided that this is not a gerrymander based on my experience with this district, and that is what
Senator Robinson was trying to share with you. That's it in a nutshell.

And in Guilford County, a county with half a million people, in Guilford County with two complete senate districts and then part of two other counties pulled in, there are plenty of other ways that you can shape the remaining three districts to try to accomplish whatever your ends are other than having districts that are competitive. But at least you fix the gerrymander in Guilford County that the Court at the Supreme Court level has said exists, and you save millions and millions and millions of taxpayer dollars from defending the indefensible -- the indefensible. That's the only point that she's trying to make.

PRESIDENT PT BERGER: Senator Hise.

SENATOR HISE: See if Senator Blue will yield for a question.

PRESIDENT PT BERGER: Senator Blue, do you yield?

SENATOR BLUE: Yes, sir, I yield.

PRESIDENT PT BERGER: He yields.

SENATOR HISE: Thank you, Senator Blue.

On multiple occasions now you or other members
have stated what the percentage of the black voting age population is in a particular district. And as you're aware, the committee as a whole has not seen that information and others, and I would ask simply what is your source for that information and are you planning to submit that at some point?

SENATOR BLUE: Thank you for that question, Senator Hise. I thought that it was part of the stat pack that had been submitted with these plans. It should have been. Because in order for them to analyze the districts the way they analyzed them, you had to know what the racial data was. And it's an attempt on the part of these members to address the particular racial gerrymander.

So, yes, race was looked at in these -- the only way I could determine that there was -- that the racial gerrymander in Wake County has been fixed is in looking at what the Court said was a racial gerrymander. In Wake County, the Court said that it was a racial gerrymander when the African American percentage in the district that I represent exceeded 41 percent because that had never been necessary. When the 2003
redistricting occurred, the BVAP was somewhere in the 40, 41 percent area. And I did not draw the senate district that I represent.

And so one of the ways that you do the Gingles analysis, which is the case that's controlling in a Section 2 case, which Wake County would have been, it was not a Section 5 county, that is, anything in happening in Wake County didn't have to get pre-cleared under Section 4 of the Voting Rights Act which was declared unconstitutional by the U.S. Supreme Court. We are a Section 2 county, as every county in the United States is.

And so the standard by which racial gerrymanders are determined under Section 2 is a case called Gingles, a North Carolina case, that was decided in 1984 that basically made us divide North Carolina into single-member districts across the state, at least started the process. And Gingles says there are three factors that have to be satisfied before you can use race in the drawing of a legislative, congressional, municipality, any kind of district, water district or anything.

You have to show, number one, that
there's enough compactness to draw a district.

Number two, you have to show that
there's polarization among the non-minority
voters so that they won't vote for an African
American or a member of the minority.

And number three, you have to show a
cohesiveness within those groups so that the
minority can elect their candidate of choice. It
doesn't have to be a minority candidate, but it
has to be a candidate who's a choice of the
minorities who live in that district so they have
some influence on who's being elected.

And so in 2003, the Court looked at it,
the State Supreme Court, by the way, looked at it
and said that these Gingles factors exist in
these districts that you just looked at. So they
decided to set Wake County at the 40, 41 percent
level. It was not a majority district. Said in
some of the counties they went over 50 percent
because of voting history and voting records.
That's how these percentages were set.

In looking at it, the 2011
Redistricting Plan took Wake County from 41 to 50
plus percent African American in that district.
There was no justification for it. First, there
was no disparity voting study done, but secondly, there was no justification anyhow because the district had been electing a minority in it before you used race for ten years. And so the Court would have determined that that is a sufficient level. And if you exceed that, then you got to have some compelling reason for having done it because the remedy, once you find it, under Gingles is, yes, you can use race, you can use race to determine how this district ought to look, but it's got to be narrowly tailored, that is, you've got to use the least intrusive method considering race that is possible to solve this issue that you got because there is a compelling state interest involved.

And so in an analysis of using Gingles on these districts, which is what the Court did, they said that you haven't shown this overriding need, but the Court also said -- the trial court also said we're not saying that you can't look at some of these districts to determine whether you ought to do it.

Now, you can do it with studies or you can do it with the members who represent those districts. You didn't have to spend tens of
millions of dollars to do these disparity studies. It's all about consulting with the people who represent them who can tell you what they're about.

In the trial, I think the Court asked a congressman in at least the congressional -- no, in the state case, asked a congressman who represented one of the congressional districts what do you think at least in your area part of the reasonable minority participation ought to be. It was not in urban North Carolina. He said maybe, you know, what you can achieve with 46, 47 percent. And they wanted to know because they wanted the feeling of somebody who represented the district.

Remember that the goal ultimately is to get away from the use of race and to make this place race neutral sometime down the road. And so the Court is not going to freeze in place using race to develop these issues. These districts are not paying attention to race to let them exist in perpetuity because that wouldn't be the goal of trying to create a race neutral, colorblind society.

And I think that that's what most of us
want to aspire to, and so that's why they are so sensitive with the way you determine that you've got to use race in developing these districts, and that's what the case is, would at least teach me, and if you read the cases especially through the South that have developed over the last five or six years, I think that that's a fair statement of it.

PRESIDENT PT BERGER: Senator Hise, for what purpose do you rise?

SENATOR HISE: Follow up.

PRESIDENT PT BERGER: Senator Blue, do you yield for a follow-up question?

SENATOR BLUE: Yes, sir. And I apologize. I didn't mean to go as long as I did.

PRESIDENT PT BERGER: He yields.

SENATOR HISE: And that's why I was going to try to bring you back to the original question.

So you have requested the racial data from our staff and are planning to submit that?

SENATOR BLUE: Yes, sir. They have -- they have prepared it. I know that it was available yesterday. They have it and can make it available. They can submit it to the -- to
our clerk and she can put it on the dashboard so it's part of the discussion.

    PRESIDENT PT BERGER: Further discussion or debate on Amendment 3.

    Senator Bryant, for what purpose do you rise?

    SENATOR BRYANT: To ask Senator Hise a question.

    PRESIDENT PT BERGER: Senator Hise, do you yield for a question?

    SENATOR HISE: I yield.

    PRESIDENT PT BERGER: He yields.

    SENATOR BRYANT: Senator Hise, you referenced having some data that correlated the precincts, updated precincts to VTDs, and I was wondering is that available on the website or to members. I've been requesting precinct data for the longest, and all I've been given is VTDs which I've had to try to correlate to precincts as best I can. So is there some data that is available to all of us in that regard?

    SENATOR HISE: There is. We can get that put together, the staff can, provide you a precinct listing --

    SENATOR BRYANT: That would help me --
SENATOR HISE: -- for a layer, and I think it's a layer for Maptitude as well.

PRESIDENT PT BERGER: Follow up.

SENATOR BRYANT: I just want to make a comment to say thank you, and that will help the community members who have had trouble making that county correlation. Thank you.

PRESIDENT PT BERGER: Further discussion or debate on Amendment 3.

SENATOR McKISSICK: Mr. President.

PRESIDENT PT BERGER: Senator McKissick, for what purpose do you rise?

SENATOR McKISSICK: Speak on the amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR McKISSICK: First I would like to thank Senator Robinson for sending forth this amendment. I think it represents a fair, legal and competitive plan for Guilford County, and that's what it's all about, something where voters are provided options when it comes to choices.

And I think the committee, when it first established criteria, failed to include
race as a consideration. By failing to include
race as a consideration, it made it impossible
without doing detailed independent analysis,
which we have certainly done, to determine the
black voting age population in these various
districts.

When you are looking at a case that was
based upon an unconstitutional racial
gerrymandering, it is impossible to come up with
a cure without considering race or by doing it in
a vacuum.

In this particular case you've got a
district that was and still remains a
majority-minority district. That is something
that the Court will scrutinize very, very
closely. That could have been avoided had race
been one of the variables that was being
considered.

The other thing that you failed to do
was to write the various priorities in criteria
that you established. You know, it's hard for me
to know whether splitting municipalities is more
important than incumbency. It's hard for me to
know whether compactness is more important than
the other variables. If you would establish and
write the criteria, it would have been far easier
to evaluate plans.

Now the plan that is before you is a
very compact plan. Could it have been done
differently? Well, yes, it could have been done
in a number of ways, but certainly incumbency
protection being one of the things that was in
the criteria dictated the way this map was drawn,
and we respected that criteria in drawing this
particular map.

Now, in terms of looking at whether
these districts are competitive districts today,
I would go and say looking at the political data
that was part of the stat pack that they're
clearly competitive districts. Of the four
districts we're looking at, if you go back and
look at the Walter Dalton race when he was
running for governor, he would have won only one
of those four. If you look at Kay Hagan and Tom
Tillis, two of them would have gone for Tillis,
two of them would have gone for Hagan.

Those are competitive districts.
That's what people want in our state. They want
a choice. They want an opportunity they know
that when they go in and cast their vote there's
not already a predetermined outcome based upon
the way the district lines have been drawn, that
they've been gerrymandered perhaps in a partisan
way.

In this case there's no admission of
considering partisan advantage as part of the
criteria, but when you go out and establish
incumbency protection and those very incumbents
are serving as a result of racially gerrymandered
districts as found by the courts, then you have
an inevitable outcome where you're protecting the
illegal, improper games that occurred as a result
of the unconstitutionally racially gerrymandered
districts. That's a problem. Incumbency pretty
much did that.

If it had not been for incumbency, this
district could have been drawn differently and
many others. And the thing that of I don't know
when it counts and when it doesn't count in the
rankings is that we can go down and look at
Senator Smith-Ingram and Senator Horner, they are
double-bunked. Well, I guess in that situation
it was different. I don't know why we don't
have over in Guilford County perhaps a
double-bunking that could have created some
different districts there.

If the criteria were established in a way that made sense, are there perhaps a few district boundaries and municipalities that are split a little different, I'd be the first to admit a few of them are split a little different, but if we get more competitive districts that the voters want so that they can have a choice to choose their elected representatives rather than we choosing them, then it's the right direction for us to move in.

PRESIDENT PT BERGER: Senator Bishop, for what purpose do you rise?

SENATOR BISHOP: To speak to the amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR BISHOP: What I think we hear is that traditional redistricting criteria are being subordinated to a racial target. The target being 45 percent as opposed to 50 percent, I don't believe makes the difference.

Senator McKissick has said several times, well, we could have subordinated incumbency, but we didn't. Okay, that's one.
But another one is keeping municipal boundaries together. And you've decided to subordinate that, splitting more, giving leeway to the criteria that must predominate.

And with all due respect, the Court's opinion is crystal clear that there is a prerequisite for that. And you're right, Senator Blue, it's one of the Gingles criteria. You must have a strong basis in evidence that there is racially polarized voting on a district-by-district basis. And again, with all respect, I don't believe that is provided by the gut of a member who happens to be elected from that district. So this doesn't solve a problem. It does exactly what the three-judge panel and the United States Supreme Court said can't be done.

PRESIDENT PT BERGER: Further discussion or debate.

Senator Hise, for what purpose do you rise?

SENATOR HISE: Mr. President, if I could request if we could take a recess for about ten minutes to make sure that we can get the data into the system and up and that we can provide the precinct data that they have asked for before
we continue in the debate.

PRESIDENT PT BERGER: Without objection, the Senate will stand in recess ten minutes.

Will that be enough, Senator Hise?

SENATOR HISE: That will be enough.

PRESIDENT PT BERGER: Ten minutes.

(Recess.)

PRESIDENT PT BERGER: The Senate will come to order. Members will return to their seats.

Members, I am advised that the information that was to be loaded onto the computer is also going to be made available in print copy and that will take a little while longer. So without objection, the Senate will stand in recess until 12:00 noon. The Senate stands in recess.

(Recess.)

PRESIDENT PT BERGER: The Senate will come to order.

Members, I believe when we went into recess we were on Amendment 3 and no one at that time had the floor. So with that, is there further discussion or debate on Amendment 3?
Senator Robinson, for what purpose do you rise?

SENATOR ROBINSON: Thank you, Mr. President. To make a comment. I'd like to -- after some consultation with Senator Hise and Blue, I would like to withdraw the amendment.

PRESIDENT PT BERGER: The sponsor of the amendment requests withdrawal of the amendment, and the amendment is withdrawn.

So we are back on the bill, Senate Bill 691. Further discussion or debate.

Senator Hise, for what purpose do you rise?

SENATOR HISE: See if Senator McKissick will yield for a question.

PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR MCKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR HISE: Senator McKissick, I believe that you had -- in the interim there have been some data submitted regarding the districts at your request. I was wondering if you would explain what that data is.

SENATOR MCKISSICK: Sure. Data that's
been presented is certainly what I call a complete stat pack dealing with the Mecklenburg County amendment that was introduced yesterday in committee as well as the Guilford County amendment that was entered in committee yesterday. It's identical to the Guilford County amendment that was considered and entered into the record today and is withdrawn by Senator Robinson.

It should provide good comparative data and analysis, including black voting age population as well as the more traditional data that would be included in this type of stat pack, including performance with certain select races that were used as benchmarks, some of which I referred to earlier in my comments related to the discussion in Guilford County.

PRESIDENT PT BERGER: Further discussion or debate on Senate Bill 691.

Senator Bishop, for what purpose do you rise?

SENATOR BISHOP: To ask a question of Senator McKissick.

PRESIDENT PT BERGER: Senator McKissick, do you yield?
SENATOR McKISSICK: Sure.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Thank you, Senator McKissick, for yielding. The data that you furnished, is the source of this data central staff?

SENATOR McKISSICK: Central staff was -- we provided central staff with some of the data. It looks as if when central staff put it on their system everything correlates with what was initially projected.

SENATOR BISHOP: Further question to Senator McKissick.

PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR McKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: In my interchange with Senator Robinson, she made reference to a prospectus, I believe, that you developed together with Dr. Crayton. Is there such a prospectus? Does that documentation exist and have you submitted it as well?

SENATOR McKISSICK: I would not say there's been a prospectus. It was just
discussion and conversation which occurred. There wasn't a written prospectus in terms of a document, just ongoing dialogue and communication, looking at the shape and configuration of the districts, looking at the municipal boundaries, looking at incumbency issues, looking at compactness criteria, looking at what could be done to perhaps make the district somewhat more competitive in Guilford County, to take down the black voting age population below that 50 percent which the Court identified previously as being problematic.

SENATOR BISHOP: One further question for Senator McKissick.

PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR MCKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Would you be willing to submit that data that was furnished to central staff so that anyone who is interested in it could the comparisons that you've indicated you made.

SENATOR MCKISSICK: I believe they already have it.
SENATOR BISHOP: I beg your pardon.

SENATOR McKISSICK: I believe central staff already has all that data.

SENATOR BISHOP: One follow-up, then, Mr. President.

PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR McKISSICK: Sure.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Would you be willing for it to be shared with the membership.

SENATOR McKISSICK: Yes, absolutely.

That has been previously authorized, so it should be among the documents that either have been distributed to you or will be distributed to you shortly. And they were available at the time of the committee meeting yesterday.

SENATOR BISHOP: Thank you, Senator.

PRESIDENT PT BERGER: Further discussion or debate on Senate Bill 691.

Senator Horner, for what purpose do you rise?

SENATOR HORNER: Mr. President, I rise to speak to the bill.

PRESIDENT PT BERGER: You have the
SENATOR HORNER: I will address the county groupings using solely a mathematical formula. I think that clearly ignores a community of interest that exists throughout our state, and I submit it does a disservice to the people we serve.

Let me share specifically how this formula-driven groupings affect two counties and their communities of interest. My home county of Wilson, it's grouped with Edgecombe and Halifax, and it's split from Nash County.

Senate maps from 1868, a century and a half, 150 years, with the exception of two years. In 2000, the interim Senate plans had put these two counties together. That to me appears to be -- I don't want to be self-serving, but a pretty darn good historical precedent, but the same thing occurs in Beaufort County, Senator Cook's county.

Since 1868, Beaufort County has been connected to Hyde, Tyrell, Dare, or Pamlico, all coastal counties as Beaufort County is, of the inner coast, if you accept that definition of coastal.
The farthest north Beaufort County has ever been was in '84 when it joined Martin. What Beaufort County has in common with Vance, Warren or North Hampton as a current optimal mathematical groupings do is beyond my comprehension. I don't see how anyone can logically say this makes any sense.

As Senator Blue pointed out yesterday in committee, the Season case allows for flexibility in using optimal groupings of counties, but because of the acrimony, I guess, and the fear of rebuke, we can't come together to do our jobs and do these things and overlook these discrepancies that the computer won't take care of. That might be why I don't buy my insurance or my stocks online. I like to look at a man that I can work with and work things out.

But if we let these computers drive these groupings, we're going to have these communities disjointed, and I simply think that it just does a disservice. And it's no one's fault that these groupings are the same, whether it's the current groupings, I think the exact same groupings that Common Cause and Southern Coalition came up with, but they're just computer
groupings. They're blind to the realities of local communities, and that's not -- that just doesn't fit with historical context and the public's interest.

And I believe the people lose. These groupings, they hurt Wilson County and it hurts Beaufort County as well and where they are paired. And for that reason, I can't support this bill. Thank you.

PRESIDENT PT BERGER: Further discussion or debate.

Senator Bryant, for what purpose do you rise?

SENATOR BRYANT: I rise to debate the bill.

PRESIDENT PT BERGER: You have the floor.

SENATOR BRYANT: I want to discuss the continuing mantra that we've been engaging in about the consideration of race in the redistricting process and the rightness or wrongness of it. And there are three points I think are important to make or that I would like you to hear about that.

I'm assuming that there is some belief
underlying the choice of the criteria that by
choosing a criteria to not look at race, that
principle itself would somehow eliminate any
finding of discrimination or illegal
consideration of race or impact of race in these
maps. And I would, of course, challenge that
belief, that underlying belief.

I don't think just the adoption of a
posture of not looking at race or principle to
not use race eliminates the negative impact or
the potential impact for racism to infect the
process when there's so many other proxies for
race, as we have been discussing in here are
political results, geography, personal knowledge
of the area, drawing illegal districts in the
same places they existed before.

Many of you have mentioned proxies
for -- on considering race, even having a
principle that we will not consider race which
means we won't consider race data, I guess, by
precincts or otherwise in the drawing of the
districts and assign people according to that.
So I don't believe that principle itself means
you're not discriminating, that's number one, and
would challenge you to think about that.
Number two is there's a social science
dynamic called modern racism or symbolic racism,
and it's using a non-race-related posture to
continue your advantage from previously using
race for a discriminatory result. So having been
found to have used race in ways that are unlawful
and because they are harmful to the black
community in this instance pretty much, you are
symbolically turning the tables on us to suggest
that we are now being unlawful to use race to
correct the problem that harmed us. As you can
see, that's a double bind that we could never get
out of in order to get relief from the racism we
have found to have been experiencing.

And then thirdly, there is a legal
principle at stake. In a Texas appellate case
involving a voting rights, in that instance there
were Latino communities involved in that, the
Court was clear that a Section 2 analysis is
infected when the offending entity is using
traditional redistricting principles that they
have prioritized as a way to preclude a
meaningful review of the dilutive effect, if any,
of those same principles that they have enacted,
which is the same circular logic that I was
complaining of in the social science dynamic in number two, in other words, using a non-race-related posture to preclude us from reviewing whether or not there is still a discriminatory effect to the criteria you have enacted.

And I believe those factors -- I would want you to take those factors into consideration as you continue to recite this mantra of we have enacted this criteria to not consider race and therefore any concerns you have about race are irrelevant, unlawfully inappropriate because we have this criteria. I hope at least hearing these three principles can help you back off of that mantra, if you will. Thank you.

PRESIDENT PT BERGER: Senator Horner, your light is still on.

Senator Jeff Jackson, for what purpose do you rise?

SENATOR JACKSON: To send forth an amendment.

PRESIDENT PT BERGER: Send forward your amendment. The clerk will read.

THE CLERK: Senator Jackson moves to amend the bill.

PRESIDENT PT BERGER: Senator Jackson
is recognized to explain the amendment.

    SENATOR JACKSON: Thank you, Mr. President. This is the same amendment that Senator Blue offered in committee yesterday pertaining only to Mecklenburg. I think we can more fully satisfy the criteria that had been established. In particular, compactness. I think this amendment does that. It significantly increases the compactness particularly of Districts 41 and 39.

    PRESIDENT PT BERGER: Further discussion or debate on Amendment 4.

    Senator Bishop, for what purpose do you rise?

    SENATOR BISHOP: To ask a question of Senator Jackson.

    PRESIDENT PT BERGER: Senator Jackson, do you yield?

    SENATOR JACKSON: I do.

    PRESIDENT PT BERGER: He Yields.

    SENATOR BISHOP: Senator Jackson, did you also work through Senator McKissick on this map?

    SENATOR JACKSON: I did.

    PRESIDENT PT BERGER: Senator Bishop,
do you have a further question?

SENATOR BISHOP: I do.

PRESIDENT PT BERGER: Senator Jackson, do you yield?

SENATOR JACKSON: I do.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Senator McKissick, that is, worked with Dr. Kareem Crayton to develop this, but you did not work directly with Dr. Crayton?

SENATOR JACKSON: That's correct.

SENATOR BISHOP: Follow up.

PRESIDENT PT BERGER: Senator Bishop, you have a follow-up?

SENATOR BISHOP: Yes, Mr. President.

PRESIDENT PT BERGER: Senator Jackson, do you yield?

SENATOR JACKSON: I will yield for all subsequent questions, Mr. President.

PRESIDENT PT BERGER: He yields to a series of questions.

SENATOR BISHOP: Thank you, Mr. President.

Senator Jackson, does this amended map split Matthews?
SENIOR JACKSON: I believe it splits some precincts in Matthews, yes. I believe it may also split some precincts in Mint Hill.

My understanding, in anticipation of any further question along this line, is that those are the only two municipalities that are split.

And if I said it splits the precincts, what I meant to say is it takes a precinct that traverses the boundary of Charlotte and Matthews and Charlotte and Mint Hill, so we would have had to have split a precinct in order not to have split that municipality is my understanding. I was not involved in the preparation of the map.

SENIOR BISHOP: Mr. President, to debate the amendment.

PRESIDENT PT BERGER: Senator Bishop, you have the floor.

SENIOR BISHOP: Thank you, sir.

If you first consider the leadership of the proposed map of Mecklenburg County and you compare it to this proposed amendment, the proposed amendment, I submit, draws five Democrat Senate districts non-competitive.

The leadership map has three Charlotte
districts that are in-town districts, if you will, in the heart of Charlotte, and it has a district that unites the outer beltway suburban communities mainly along the Catawba River and the Lakes Norman and Wylie on the western border of Mecklenburg County. It has one district, District 39, that includes the remaining rural part of northeastern Mecklenburg County, the eastern Mecklenburg suburbs and some of Charlotte, most importantly Matthews and Mint Hill. The map does not double-bunk any sitting Mecklenburg County senator. Every member is placed into a district they have a chance to win.

And the politics indicate that if Republicans campaign really hard, they might have an opportunity to win two districts in Mecklenburg, while the Democrats, with the right candidates and the right message and the right campaigns, have an opportunity to win all five. So those districts in the map -- unamended map give all Mecklenburg County residents, whether they're Democrats or Republicans, residents of the suburbs or of the heart of Charlotte a chance to have their voice heard.
But this proposed amendment, I said yesterday, it's shattered Charlotte like a mirror. I think that's apt. You could also say it slices up Charlotte -- or Mecklenburg County like a pizza. So, for instance, Senator Jackson, who's from 37, would represent the very uptown area and now a fractured -- a more fractured Matthews. Senator Waddell would represent the university area as well as Mint Hill. There are different interests there, and they deserve to be taken into consideration.

In the discussion in committee yesterday that Senator Jackson has essentially adopted, the admission was that race was used as the predominant factor in drawing those districts. So the idea of having Matthews and Mint Hill be represented in accordance with their interests is subordinated again to a racial target. That is not what we should do.

So I would urge that you defeat this amendment.

PRESIDENT PT BERGER: Senator Jackson, for what purpose do you rise?

SENATOR JACKSON: To speak to the amendment.
PRESIDENT PT BERGER: You have the
floor.

SENATOR JACKSON: Just to correct the
record on a few points of Senator Bishop's
remarks by saying this draws five Democratic
districts, that is inaccurate. It draws a
district that is going to lean strongly
Republican, that being 39, it's got two that are
going to lean strongly Democrat, and it has two
that are going to be highly competitive,
including mine, by the way. It takes me from a
75 percent district to about a 55 percent
district.

So this is a more competitive map,
certainly more competitive than the one that is
being proposed in which there would only be one
competitive district of the five senate districts
in Mecklenburg.

Now, it's also -- will Senator Bishop
yield for a question, Mr. President?

PRESIDENT PT BERGER: Senator Bishop,
do you yield?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR JACKSON: Senator Bishop, my
original remarks pertained exclusively to compactness. And you made some visual metaphors regarding how these districts look now, the shattered mirror. What metaphor would you use for how District 41 looks under the proposed map? Not this amendment, but the proposed map. How does that district strike you as far as adhering to the criteria of compactness?

SENATOR BISHOP: Thank you for the question, Senator Jackson. I'd say District 41 looks like it combines communities of interest around the western boundary of the community just like I described it.

I think that -- you know, compactness -- I guess when you say they're more compact, if you look at 37 and it splinters all the way down from the core of the city -- or the core of the city of Charlotte all the way down to the eastern border of -- with Union County, that -- you know, I understand there's all these technical measures of compactness. I've also seen when courts are reviewing that say the eyeball can tell you as much as you need to know or it's very hard to make heads or tails of some of that statistical data, but common sense is
what ought to drive it.

And is 41 the most compact district?
No, at least according to my -- looking at it
with my eye, but I think the other districts
appear to me to be more compact in the
senate -- in the leadership map than in these
five here. And when you consider in conjunction
with another traditional criteria, I think you
see a perfect example of why it is so easy to
exploit -- if someone seeks to demagogue an
issue, exploit the redistricting process to cast
aspersions that are unjustified.

Because it's a balancing process, and
it involves common sense and it involves some
politics amid the other criterion, but that -- in
addition to looking like five Democrat districts
to me, it is -- the thing that pops out about the
map that you're proposing by amendment is that
you're seeking to subordinate, and that cannot be
seen in any other way than seeking to subordinate
the voice, to diminish the voice of the ring
count in Mecklenburg County, and I don't think
that's what we're called to do.

SENATOR JACKSON: Follow up.

PRESIDENT PT BERGER: Senator Bishop,
do you yield for a follow-up?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR JACKSON: So you admit 41 fails the eyeball test when it comes to compactness.

SENATOR BISHOP: I wouldn't say that. I think it looks -- it looks less compact to me, but others look more compact.

SENATOR JACKSON: Follow up.

PRESIDENT PT BERGER: Senator Bishop, do you yield?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR JACKSON: Senator Bishop, you alluded to some technical measures for compactness in addition to the eyeball test. So it's your understanding that there are several technical measures for compactness as well as just the eyeball test?

SENATOR BISHOP: I've heard them referred to in committee, a couple of them have been referred to and were adopted, and I understand the majority's map complies with them. I understand that there are others. I don't know anything in detail about the two that are part of
the committee criteria. I certainly don't know
anything in detail about the other numerous
statistical measures.

Senator Jackson: Follow up.

President PT Berger: Senator Bishop, do you yield?

Senator Bishop: I yield.

Senator Jackson: Related to those technical measures, would you be surprised to learn that of the two adopted technical measures for compactness, your district -- the proposed district for 39 is less compact than the current -- the enacted map? In both of those two different technicals, the Reock and the Polsby-Popper, your district -- your proposed district is less compact than it is currently. Are you aware of that?

Senator Bishop: I'm not surprised nor unsurprised or aware of it, no, I'm not. I have not compared nor studied the statistical numbers to see what those numbers would be. If I did create -- compare them to see which one was higher or lower, it wouldn't mean anything to me if I did.

The only thing I can do is look at the
face of the map, as I said, the eyeball test, and as a group, they're superior to the ones that you're proposing.

SENATOR JACKSON: Follow up.

PRESIDENT PT BERGER: Senator Bishop, do you yield?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR JACKSON: So it doesn't concern you, then, that -- by your language it sounds like 41 likely fails the eyeball test, and by the technical measures adopted by your party, your district fails the technical test. So we have two districts in our county that are failing the compactness test. That doesn't concern you?

SENATOR BISHOP: It concerns me less than the idea that you would make voiceless Matthews and Mint Hill.

SENATOR JACKSON: Follow up.

PRESIDENT PT BERGER: Do you yield, Senator Bishop?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR JACKSON: How do we do that?

SENATOR BISHOP: I think I've explained
that fully.

SENATOR JACKSON: Follow up.

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR JACKSON: Do you agree that we could do a better job with compactness for Mecklenburg County than this proposed map?

SENATOR BISHOP: I haven't seen all possibilities, but based on what I've seen, no.

SENATOR JACKSON: Thank you.

PRESIDENT PT BERGER: Further discussion or debate on Amendment 4.

Senator Hise, for what purpose do you rise?

SENATOR HISE: Speak to the amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR HISE: Thank you, Mr. President.

Members of the Senate, to address a few areas on this amendment to consider, there are only two measures that we have found that have been utilized and recognized by the Courts to measure compactness. As I said before, those are the Reock and the Polsby-Popper measures.
This is -- as interpreted by the committee and research, these are pass/fails, do they meet compactness, do they not meet compactness. And what you will find is in a Reock score, any score over .15 or in the Polsby-Popper, any score over .05 would meet that requirement. All the districts being discussed here meet the requirements of being compact districts.

So now we may get into all kinds of consideration about what's more compact or what could be a higher score than this one or even, quite frankly, we can get into a discussion about what's the significance of the difference between the two, but what I actually think you'll find is that both meet the standard of compactness that are set out in literature and was set forth in the results by this committee.

When you look at this district as a whole, what you're going to see is there are two purposes. Number one: Is this used as pinwheel technique to continue to divide the city of Charlotte in such a way that looks like a pizza pie or a pinwheel, or whatever you call it, to make sure that the surrounding communities
outside of Charlotte -- you've heard some of them mentioned: Mint Hill and Matthews -- have no voice in the legislature, we're going to divide Charlotte in such a way that no one else gets a voice. This is also designed to make sure that Republicans have no voice in Mecklenburg County. I picked those races. Look at the last governor's race. Look at the race between two state senators, Josh Stein and Buck Newton, who was here earlier. All five carried by the Democrats. They want it all. They have become uncompetitive in the rest of the state is actually what it comes down to.

Democrats are really only competitive in about 15 percent of the state, a small number of the counties. And so what they have to do to try to even their numbers up, they need to take them all in Mecklenburg or they want to try to take all of the seats in Wake. Because, quite frankly, if you look at the progressions in the state, they're becoming less competitive than the entire rest of the state. So they want you to reward them with the urban areas so that they can take full representation in the urban areas to show the areas that -- quite frankly, their
message just isn't competitive in this state, and so they want to take the small areas where it is and create a partisan advantage for them. That's exactly what this map does in Mecklenburg County.

I would also note that this is drawn using race as a consideration, divides more municipalities than needed to be drawn. So I would ask that you reject the amendment.

PRESIDENT PT BERGER: Senator Waddell, for what purpose do you rise?

SENATOR WADDELL: To speak to this amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR WADDELL: You know, on Tuesday we asked the counties to come and to give their comments, and I sat there about seven hours in Mecklenburg County, and speaker after speaker came up and talked about the unfairness of what they saw in these maps, the maps that were presented by this committee.

So what are we going to do as a result of what we heard? I heard maybe two positive things and all the other 48 speakers had concerns. If we ask people to come together, and
I think it's important that we consider the things that they have presented to us.

Secondly, I've heard a lot here about the eyeball test. And here I'm looking at two maps and thinking about what you just said about the eyeball test and what it tells us. It tells us that this county's maps are more significant of the problems found unconstitutional by the Court and that you would think that this General Assembly would work hard to ensure that this part of the map would strictly comply with the Court's order. So I urge you to support this amendment. Thank you.

PRESIDENT PT BERGER: Further discussion or debate on the amendment.

Senator Clark, for what purpose do you rise?

SENATOR CLARK: Thank you, Mr. President. To ask Senator Bishop to yield for a question.

PRESIDENT PT BERGER: Senator Bishop, do you yield?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR CLARK: Senator Bishop, I
believe in part you said that the current -- or
that the District 41 was represented in the
Senate Plan here should be preserved as a result
of protecting communities of interest.

SENATOR BISHOP: That's correct.

SENATOR CLARK: Are you aware that --

PRESIDENT PT BERGER: Follow-up

question.

SENATOR CLARK: Will you yield for a

follow-up?

PRESIDENT PT BERGER: He yields.

SENATOR CLARK: Are you aware that
Redistricting Committee rejected our
recommendation that communities of interest be
preserved as one of the criteria for the
Redistricting Committee?

SENATOR BISHOP: Well, you know, I

think the problem with the communities of
interest, as I recall the discussion -- and
perhaps my terminology was the wrong one to use
because I specified the common interest I was
talking about.

Communities of interest, unfortunately,
can be a very vague term, and so if the committee
were to adopt that as a criterion, it would be
opening Pandora's box in terms of what that could mean. It could mean -- in some member's view, it could end up contradicting the criterion of not considering race. And in fact, what's been done here, if you look at this as a whole, is that's what the committee questioning yesterday revealed is that race was the predominant consideration and subordinated traditional considerations.

The consideration, as I've articulated it with respect to 41 and those communities that are represented that have common interest, that's a narrowing of the communities of interest idea and it explains why it would be appropriate to consider it in my view in describing 41, albeit not as a vague, general term appropriate for the committee to have adopted.

SENATOR CLARK: Follow up.

PRESIDENT PT BERGER: Senator Bishop, do you yield for a follow-up?

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR CLARK: Senator Bishop, I'm having a little bit of difficulty here distinguishing between a community of interest and common interest. I figure a community of
interest have interests in common. So could you
explain a little bit more about how those differ.

SENATOR BISHOP: Well, I'm not
suggesting that there's a distinction between
common interest and community of interest.

What I was saying was that the notion
of a community of interest in itself is not very
descriptive. It can mean a wide variety of
things. When I was describing the interest in
connection with 41, it is -- I was rather
specific about the things that it does reflect,
that it unites the outer beltway, suburban
communities mainly along the Catawba River, Lakes
Norman and Wylie on the western border of
Mecklenburg County. There are similarities that
have to do with the geography of that area in
interest that I can specifically point to.

That's -- I see nothing wrong with that
consideration. In fact, I don't even know, there
may have been some reference to this in the
criteria. I don't have them before me, but it
would also account for the fact that I can't -- I
don't believe anyone -- we had a long discussion
about it in the committee meeting about what
communities of interest mean and don't mean, and
I think people were disinclined to be pinned down about what they meant, but some still wanted to make it a criteria and that's what the committee rejected. That's a different ball game than what I'm talking about.

SENATOR CLARK: Follow up.

SENATOR BISHOP: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR CLARK: Senator Bishop, did the committee adopt criteria saying that we would respect a common interest?

SENATOR BISHOP: Senator Clark, you may have them before you. I don't have the list of criteria in front of me.

SENATOR CLARK: We do not.

PRESIDENT PT BERGER: Senator Clark, for what purpose do you rise?

SENATOR CLARK: Ask Senator Hise to yield for a question.

PRESIDENT PT BERGER: Senator Hise, do you yield?

SENATOR HISE: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR CLARK: Senator Hise, you've referred to a specific standard numerical values

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for the criteria of compactness. The first time we heard of those values were in the committee meeting yesterday, so I take -- I do not agree with your assertion that those values were approved by the committee. As a matter of fact, even after yesterday's committee meeting I asked that those values be provided to me since I had not seen them before, and I'm still waiting to receive them. Hopefully we could obtain those values.

PRESIDENT PT BERGER: Senator Clark, is there a question there?

SENATOR CLARK: Okay. I'll state it in the form of a question. At what point did the criteria approve those values?

SENATOR HISE: The criteria of the particular test are innate in the performance of the test themselves. So coming in we have the research documentation on those, and that's been available to the committee and we can resubmit that to you if necessary.

SENATOR CLARK: At what point were those innate values provided to the committee?

SENATOR HISE: In the criteria it is specifically referred to as the Voting Rights
evaluating election district appearances after Shaw versus Reno '93. The reference to it is specifically listed at the bottom of Number 4 in the criteria of the committee.

PRESIDENT PT BERGER: Follow up.

SENATOR CLARK: Follow up.

Where do those values exist for the committee to make themselves -- for the committee members to find them?

SENATOR HISE: The literature reference to those values are specifically listed on the committee -- the new procedure adopted by the committee and presented to the --

SENATOR CLARK: Follow up.

PRESIDENT PT BERGER: Senator Hise, do you yield?

He yields.

SENATOR CLARK: So you're saying you expect us to go out externally to find the literature to determine what the values are instead of the committee being -- having the values provided to us and place them to our folders on the website?

SENATOR HISE: I would marginalize this to say it would be significant to say if you were
performing any other statistical test and you were using a .05 value for statistical significance or others, those are innate within the measures themselves.

PRESIDENT PT BERGER: Senator Clark, for what purpose do you rise?

SENATOR CLARK: Follow up.

PRESIDENT PT BERGER: Senator Hise, do you yield for a follow-up?

SENATOR HISE: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR CLARK: Well, you talked about innateness of values, but I haven't seen any values, period.

SENATOR HISE: The reference to what are utilized for those values -- I can repeat again -- were in the references given to the committee, and that is the appropriate use of the test in a pass/fail manner of compactness or non-compactness.

PRESIDENT PT BERGER: Senator Clark, for what purpose do you rise?

SENATOR CLARK: No more questions, sir.

PRESIDENT PT BERGER: Further discussion or debate.
Senator Jackson, your light is still on.

Senator McKissick, yes or no?

SENATOR McKISSICK: Yes.

PRESIDENT PT BERGER: For what purpose do you rise?

SENATOR McKISSICK: Speak on the amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR McKISSICK: I want to thank Senator Jackson for bringing this amendment forward. It's a very good amendment in terms of the configuration for Beaufort counties.

Like all measures of compactness, all traditional measures, these districts which are crafted and shown on this particular plan would be considered far more compact, far more compact than 2011.

Furthermore, in terms of competitiveness, it gives voters options. These are not drawn to be Democratic districts.

Senator Bishop, I'd have to take issue with you. And in fact, if you were to look back when McCrory was running for governor and Dalton was
his opponent, out of these five districts, Dalton was defeated in three of them.

Okay. So if we have a Democrat running for governor and is defeated in three, I would not consider these to be the types of districts that necessarily are going to end up being some type of performance district for Democrats.

So I think what you have to do is look --

SENATOR BISHOP: Mr. President.

PRESIDENT PT BERGER: Senator Bishop, for what purpose do you rise?

SENATOR BISHOP: To ask Senator McKissick a question.

PRESIDENT PT BERGER: Senator McKissick, will you yield?

SENATOR McKISSICK: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Do you know where Pat McCrory is from, Senator McKissick?

SENATOR McKISSICK: There are several answers that I could reply to that, but I'll be politically correct. He originated from Mecklenburg County.

SENATOR BISHOP: One follow up,
Mr. President.

PRESIDENT PT BERGER: Senator McKissick, do you yield for a follow-up?

SENATOR McKISSICK: Yes.

SENATOR BISHOP: Are you aware that the presidential candidate in the most recent time, Donald Trump, would have lost every one of these districts, in fact, come no higher than 43 percent?

SENATOR McKISSICK: I think what it would show is that you have an enlightened populous in Mecklenburg County, and I respect their intelligence.

I mean, what I would like to see is districts which are competitive districts. That's what voters want to see, districts that are competitive districts, and that's what this particular map provides, districts are competitive districts.

We tried to respect voter tabulation districts in drawing these maps. We tried to minimize any breaks of municipal boundaries. There are only two little breaks of municipal boundaries reflected in the map.

And when it comes to race, the only
thing we did was to look at what you had in your proposed plan in terms of black voting age population. Now, we did not find on this particular map that you had any district drawn with black voting age populations that exceeded 50 percent that were majority-minority districts which the Court ruled against. So if you look at that and I think you satisfy that criteria by making that examination, then you don't have to go back and start making any kind of changes with race in mind, so that was not done when you look at this map.

What you do see is a map that reflects compact districts, you see competitive districts, you see districts where people in the city of Charlotte will be able to elect candidates of choice. And that's what it's all about. That's what they want. These are not partisan drawn.

Now, what you presented to us were partisan drawn and they produce a majority of Republican districts, and you took advantage of partisan advantage, but you called it incumbency.

There wasn't a single person double-bunked here. Everybody has a district to run from. They just have to get out there and
compete. They have to get out there and prove they're the better candidate. If it happens to be a Republican is the better candidate, a Republican will win that district. If a Democrat is a more competitive candidate, perhaps that Democrat is going to win that district.

But we haven't drawn these in a way that are going to necessarily provide anybody a safe district. I think there's one there that's probably more Democratic than the others. I don't even know if that member is coming back. He is an incumbent. I don't think those questions were ever asked. Perhaps that should have been asked of all the people serving in this chamber if we were going to use incumbency as a criteria.

None other criteria were ranked, so you could randomly pick and choose what you wanted to do when you got to a cluster. That's problematic.

I would encourage you to support this map, support fair, legal and competitive districts.

SENATOR BISHOP: Mr. President.

PRESIDENT PT BERGER: Senator Bishop,
for what purpose do you rise?

SENATOR BISHOP: Would Senator McKissick yield for a question?

PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR McKISSICK: Yes, I will.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: So, Senator, are you saying that political considerations were the basis of the way this map looks?

SENATOR McKISSICK: I'm saying that what we wanted to do when we came and drew districts, we were trying to make certain that districts are drawn so that they would be competitive districts.

SENATOR BISHOP: Politically.

SENATOR McKISSICK: Competitive districts.

SENATOR BISHOP: Follow-up question.

PRESIDENT PT BERGER: Senator McKissick, do you yield for a question?

SENATOR McKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Politically competitive.
SENATOR McKISSICK: Politically competitive and offer voters choices and options, but that's ultimately up to the candidates who run any particular year to know exactly who will run. I don't know if you're running for reelection. If Senator Rucho had run, he might have different characteristics and attributes to voters in terms of appeal than you might and whoever might run in that district in the future might have different attributes than you.

In Senator Clark's district, he's certainly been in a district over the years that's been somewhat a competitive district, more so than your own.

SENATOR BISHOP: Follow up, Mr. President.

PRESIDENT PT BERGER: Senator McKissick, do you yield for a follow-up question?

SENATOR McKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: I think you said a moment ago, you conceded that political considerations were taken into account, but I think you said that it was unnecessary to take racial considerations into account, you believed,
in these districts, but it appears to me, if I
look at the data, the racial data that you have
just submitted, that Districts 38 and 40 appear
to have been targeted 45 percent. Is that not
ture?

SENATOR McKISSICK: They were not
targets.

SENATOR BISHOP: Follow up.

PRESIDENT PT BERGER: Senator

McKissick, do you yield for a follow-up?

SENATOR McKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Is it coincidence,
then, that 38 has a black voting age population,
according to your data, of 45.18 percent and
District 40 has a black voting age population,
according to your data, of 45.48 percent?

SENATOR McKISSICK: The numbers which I
see here which were a part of the original
submission. And one thing you have to
understand, Senator Bishop, when you draw those
maps and you import them into a different
database, the results might be slightly
different.

Originally, what I'm seeing for Senate
District 38 was 46.17 percent. I think yours originally had 48.46 percent for that very same district according to the database that was used.

SENATOR BISHOP: No further questions.

PRESIDENT PT BERGER: Senator Brown, for what purpose do you rise?

SENATOR BROWN: To ask Senator McKissick a question.

PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR McKISSICK: Yes.

PRESIDENT PT BERGER: He yields.

SENATOR BROWN: Senator McKissick, I know you had some help in drawing these maps, and listening to the debate with Senator Bishop, are you trying to tell, I guess, the Senate that you and the individual that helped you draw these maps didn't draw these maps to favor the Democrats? Are you saying that?

SENATOR McKISSICK: The maps were drawn in a way to provide competitive districts, competitive districts meaning districts where a Democrat might win or a Republican might win. There are certain concentrations of voters in certain areas. So, I mean, and that's just by
the lay of the land. But having said that, they were not drawn to be districts that would perform one way or another except provide a more competitive opportunity to voters to select a candidate of preference.

When we saw districts that were drawn disproportionately to provide partisan advantage in the maps that were proposed, so since they were drawn to provide partisan advantage in terms of what we saw based upon the comparative data that we received, we wanted to go back and see what alternative configurations there were. And I might say we received that data very late. I think the map came out on Sunday afternoon or evening. We didn't get the data until sometime on Monday. I think public hearings were Tuesday, and, you know, we had to get somebody involved quickly to analyze the details, analyze the facts and come up with some potential viable considerations that would be available to this body for consideration.

SENATOR BROWN: Follow up,

Mr. President.

PRESIDENT PT BERGER: Senator McKissick, do you yield?
SENATOR McKISSICK: Sure.

PRESIDENT PT BERGER: He yields.

SENATOR BROWN: Senator McKissick, I think Senator Bishop said President Trump got -- 43 percent I think is the most he said that he got in any of these districts.

So you're saying that you and the individual who helped you draw these maps felt like that 43 percent for Republican made these districts competitive, and if that's the case, then any district across the state where the loser of that particular district, if they could get 43 percent, then that's a competitive district and I guess that it's just up to a good candidate to make a difference in that particular district.

Is that what you're saying?

SENATOR McKISSICK: No, I've never made that statement. That would be a mischaracterization of any words which I spoken. I never suggested that at all.

There's a benchmark of races here. You go back and you look at the Tillis race. You go back and look at the Dalton race. You go back and look at the Obama race. You can look at a
variety of races. I mean benchmark races. You
go back and look at Elaine Marshall's race.
Elaine Marshall's race would give you a good
indication the way performance is sometimes. And
then you kind of look at a composite and you kind
of base it upon all of that data that might be
available to you to say, you know, hey, how might
these districts be drawn.

We certainly felt that the districts
that we saw, particularly with the Tarte
district, District 41, going all the way around
the outer borders of Mecklenburg County, it
appeared to be certainly an effort to maintain
that district as a Republican district. It
seemed as if the goal based upon the maps we saw
were to give all Republican incumbents a chance
of returning, notwithstanding the fact that many
of them perhaps are in those seats today because
of the racial gerrymandering that occurred. If
it had not been for that racial gerrymandering
when the maps were adopted back in 2011 then
District 41 probably wouldn't look like it looked
and Tarte might not have been there.

SENATOR BROWN: One more, if I could,
Mr. President.
PRESIDENT PT BERGER: Senator McKissick, do you yield?

SENATOR McKISSICK: Sure.

PRESIDENT PT BERGER: He yields.

SENATOR BROWN: Senator McKissick, I think the way that the maps that are proposed are drawn, those districts create three what I would say are Democratic districts and two other districts that are very competitive. Your map draws five districts that are pretty much going to be Democratic districts.

So are you saying that a map that has five Democratic districts is a better map than three Democratic districts and two competitive districts?

SENATOR McKISSICK: What I'm saying is based that upon the parameters that this body adopted in terms of looking at compactness, in terms of looking at incumbency, in terms of looking at respecting municipal borders, in terms of trying to come up, not splitting the voter tabulation districts, that this is a better plan and a more viable plan and the type of plan that voters would prefer to see to elect candidates of choice.
PRESIDENT PT BERGER: Senator Brown,
for what purpose --

SENATOR BROWN: I've got one more after
that response.

PRESIDENT PT BERGER: Senator
McKissick, can you do one more?

SENATOR MCKISSICK: This will be the
last one.

PRESIDENT PT BERGER: He yields.

SENATOR BROWN: Are those voters the
Democratic voters?

SENATOR MCKISSICK: No. No. They
allow Republicans to vote in Mecklenburg County.

SENATOR BROWN: Just checking.

SENATOR MCKISSICK: We want them to
vote. They just need to be enlightened.

PRESIDENT PT BERGER: Further
discussion or debate on Amendment 4.

Senator Clark, your light is on.

Okay. Further discussion or debate on
Amendment 4. Hearing none, the question before
the body -- before we get to that, the clerk
reminds me Senator Curtis is allowed an excused
absence for the remainder of the session.

With that, further discussion or
debate. Hearing none, the question before the
Senate is the passage of Amendment 4 to Senate
Bill 691. All in favor of the amendment will
vote "aye"; all opposed will vote "no." The
clerk will record the vote. Five seconds will be
allowed for the vote.

14 having voted in the affirmative and
30 in the negative, Amendment 4 fails and the
bill is back before you.

Further discussion or debate on Senate
Bill 691?

Senator Blue, for what purpose do you
rise?

SENATOR BLUE: To send forth an
amendment.

PRESIDENT PT BERGER: Send forward your
amendment. The clerk will read.

THE CLERK: Senator Blue moves to amend
the bill.

PRESIDENT PT BERGER: Senator Blue has
the floor.

SENATOR BLUE: Thank you,
Mr. President.

In case I get the question, the
sergeant-at-arms staff will be handing out these
stat packs. I asked them to delay it because you've got a lot of them building up on your desk, and I wanted you to see the one relating to this, but I begin my comments.

This amendment is a statewide plan for North Carolina, and the reason that I submit it to you is that I've read a letter that was sent to Senator Hise and Representative Lewis by the lawyers for the plaintiffs in this case. And that letter had -- it must have been dated on Wednesday, I guess -- had looked at the plans that the statistics were made available for on Monday, that is, the proposed Senate Plan, and had listened to the public comments, and the lawyers had analyzed those things and, more than likely, talked with their clients.

And the letter suggested to Senator Hise and Senator Lewis that they still found flaws in the proposed Senate Plan and they made certain suggestions, at least broad observations about the Senate Plan and ways that it could be addressed. And so I then called staff and asked them to allow the lawyer to send -- oh, and in the letter she also said they had drawn some proposed districts. So I called staff and asked
them to receive this packet from the lawyers so that we could analyze it under the system that we have devised in the General Assembly that analyze these plans as well as to analyze it for the criteria in the stat packs, stat packs that you are being handed now.

And upon receipt of it, I looked at it, and I think that it made me realize that the reason we're here on this Friday afternoon is because the Supreme Court unanimously determined that the plan that we operating under had 28 racially gerrymandered districts, and so it made sense to me that the people who had convinced the Court that the districts were racially gerrymandered could have some useful information on how you address the gerrymander since that's what we are here to do. We can talk about all of the other things, but we're here to address the gerrymanders because the Court told us to address it.

So these are the districts that they proposed that would address the racial gerrymander in the nine areas where senate districts were determined to be racially gerrymandered. It observed the same cluster
arrangement. It did not challenge any of the clusters or does not challenge any of the clusters. And it addresses these gerrymanders primarily in the four urban counties -- major urban counties, biggest urban counties in the state: Wake, Mecklenburg, Cumberland and Guilford.

This is what it does. And you'll notice that in many ways that it doesn't really overlap the districts that we've talked about, even some of those that we've offered. The ones that have been offered on Guilford, that was withdrawn, as well as Mecklenburg show that there are different alternatives for looking at these districts based on the criteria that the committee adopted as its criteria.

These maps also look at that criteria, but they also look at it from the prism of what they consider to be required to bring these districts into compliance.

So let me share two quick things because I know that this is where the questions will be.

If you've had a chance to review briefly the stat pack, you will find that these
1 districts aren't drawn for partisan advantage. I
2 analyzed it. I think when you count the
3 districts based on the performance in past
4 elections, in these proposed districts, the
5 Democratic presidential candidate won 18 and the
6 U.S. Senate race, the Democratic senatorial
7 candidate won 17, and then the governor's race,
8 the gubernatorial candidate won 21.

So you can't argue that they have been
10 designed for partisan purposes. You can't argue
11 realistically that it's a partisan gerrymander.

The only Democrat who won a majority of districts
13 in this iteration was the secretary of state
14 who's been running for that office for 20 plus
15 years, and she managed to eke out a victory in 26
16 of the 50 sitting candidates under this proposal.

And so I learned a long time ago -- I
18 grew up on a farm, but I learned a valuable
19 lesson, and that is that pigs get fat and hogs
20 get slaughtered, and the amazing thing is that
21 sometimes you reach too far. And these folk have
22 offered a plan that solves the racial
23 gerrymandered, which is why we're here, and at
24 least it's a plan that should be considered as a
25 way to get through this judicial crisis.
It does not stack the deck unfairly against the majority party in here, but it addresses this issue of a racial gerrymander. It only double-bunked sitting senators, I think, in two or three districts other than the ones that were required to be double-bunked because of the way the clusters were drawn. It even has in it districts that have high percentages of Democratic votes, some of them as high as 70 or 80 percent vote in the district.

So partisan politics was the last thing that would enter into this map. I think it is something that ought to be reviewed. I mean, I know that redistricting is a very private thing for those who serve, but it seems to me that they're trying to achieve some kind of broader goal in it, and I think it's the kind of plan that would lead to legal districts, the kind of plans that show that race was not unnecessarily relied on. I think that you'll find throughout this map that it addressed the racial gerrymander in each district, and in all but one I believe it took the racial percentage down, which is what created the problem of the racial gerrymander in the first place.
And so if you haven't addressed the issue specifically set forth in the way that the plaintiffs have addressed it, I think in the way they deal with some of these districts, I think we're setting ourselves up. And maybe in order to grab 35 or 34 or whatever the advantage might be, partisan advantage in the map that you submitted, that you're setting yourself up to maybe having a federal judge or a federal panel or a special master draw these districts in the affected area with implications and ramifications far beyond what you've considered in trying to perhaps get a bigger piece of the cake that is justified under the circumstances.

I recommend this to you and hope that you'll consider it.

PRESIDENT PT BERGER: Senator Bishop, for what purpose do you rise?

SENATOR BISHOP: To ask a question of Senator Blue.

PRESIDENT PT BERGER: Senator Blue, do you yield?

SENATOR BLUE: Yes, sir.

SENATOR BISHOP: Is this map devised for the purpose of double-bunking incumbent
Republican senators in order to -- in circumstances that would be unfavorable to them in order to defeat them?

SENATOR BLUE: I don't see how it is. It's double-bunked -- I'm trying to see the places. There may be a double-bunk down in your territory, Senator Bishop. There's a double-bunk in your territory. I see a double-bunk -- there was one in Wake and one in Guilford. I think those are the three double-bunks.

SENATOR BISHOP: Further question.

PRESIDENT PT BERGER: Senator Blue, do you yield for a follow-up?

SENATOR BLUE: I yield.

SENATOR BISHOP: So if you look, Senator Blue, at 37, there in the heart of Mecklenburg, 37 is currently occupied by Senator Jeff Jackson over there, and the little red dot that's now in 37 happens to be me.

And so Senator Jackson and I are double-bunked, but we're not double-bunked down in southern Mecklenburg County or over towards Matthews. We're double-bunked in Plaza-Midwood, east Charlotte. Is that not devised to take out a Republican incumbent?
SENATOR BLUE: No, I wouldn't say that that's what it's devised to do. Because if you look at the plaintiffs' senate map, again, they have three of the same pairings of double-bunking that the committee map does, and that was not devised to take out incumbents. It was devised to meet the criteria that you had set forth, and that was unavoidable.

And again, in Wake, Mecklenburg and Guilford counties, there were racial gerrymanders, and the plaintiffs are suggesting that the way that you go about fixing it first is to devise or at least develop these basic districts. You can then move people out of -- out of -- I think in most of them, I seem to remember that the members were close to the line. And so just as with the plaintiffs' map, and I think that -- the map that's before you, just like with that map people got creative and moved Senator Alexander into another district to prevent his being double-bunked, and you notice that in my revise in Wake County, I allowed for that. If you look at the basis of the map, then there are places that you can adjust it to address those specific problems.
SENATOR BISHOP: Follow-up question.

PRESIDENT PT BERGER: Senator Blue, do you yield?

SENATOR BLUE: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Just to sort of extend the picture here beyond what I described about Senator Jackson and me, if you look in Guilford County, I think I described it as the bird district, it looks a little similar to me. It's Greensboro, as I understand it. Senator Robinson's District 28, there's a red dot there. That happens to be Senator Wade, as I understand. So Senator Wade is double-bunked with Senator Robinson not out in an area that Senator Wade is represented but in -- on territory that would be unfavorable to her.

And if you look over at Wake County, the double-bunking up in 15, 15 being Senator Chaudhuri's district, is, as I understand it, Senator Barringer, it might be Senator Alexander, but in either event, in all three cases it's true, isn't it, that the Republican incumbent is at a disadvantage in that double-bunking.

SENATOR BLUE: In this map I think
Senator Alexander is in the district with Senator Chaudhuri, but in the map that we amended, they're not in the same. So I'm saying that once you take the basic form that you want to fix the gerrymandering, you can deal with those issues because if you want incumbency to be one of the criteria, it is a criteria after you've dealt with the gerrymander.

Senator Bishop, I can't tell who's in this district in Guilford County. I see a blue dot and a red dot. I don't know whether -- I guess Senator Robinson is on the edge of her district. And we can deal with Guilford County in such a way that you can try to deal with the incumbency question, but you got to deal with the gerrymandering aspect of it first.

And you in Mecklenburg, I don't know where you live and where Senator Jackson lives, but since you're moving whole precincts, you can deal with those things and still observe the other criteria, the compactness -- you admit that the plan that's before us by the committee had deviated from the compactness standards because it goes all the way around the county.

So if you are then trying to
accommodate the question of incumbency, then that
justifies you moving this incumbent out into
another area that might be friendlier.

The map in and of itself is our first
go at it without being concerned about incumbency
and those things. Our first concern was to
address the gerrymanders, and it's those four
counties that you talked about that you find the
double-bunking. It's been solved in Wake County,
we're working on it in Guilford County, and
that's the only way I know how to answer you.

SENATOR BISHOP: Further question,
Mr. President.

PRESIDENT PT BERGER: Senator Blue, do
you yield?

SENATOR BLUE: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: So the committee
accepted your amendment yesterday to Wake County
and then today you came in with a further
perfecting amendment to that to fix it. This, as
I understand it, this statewide map hasn't been
changed from the -- among other things the
double-bunkings that I pointed out yesterday in
committee as you're proposing it today, and if
the amendment were to be accepted, it would
supersede the amendment that you've worked on
twice for Wake County, correct?

SENATOR BLUE: That's correct. And if
I had had time, if I had had time, I would have
incorporated the Wake County amendment into this
map.

SENATOR BISHOP: A further question.

PRESIDENT PT BERGER: Senator Blue, do
you yield?

SENATOR BLUE: I yield.

PRESIDENT PT BERGER: He yields.

SENATOR BISHOP: Would it be fair to
say that you don't really expect this amendment
to be adopted. It's offered as a function of the
litigation.

SENATOR BLUE: I do expect it to be
adopted because it fixes the gerrymander, and if
it's adopted, then I will then amend it to fix
Wake County the way that we fixed it because
there has to be more than one configuration that
can address these issues.

This is one possibility, and I would
reconcile it with what we've done in Wake County
and attempt to reconcile it with fixing the
issues that you address of double-bunking in
Mecklenburg County, in Guilford County, and I
forget where the other one was. Maybe that's it.
Those are the three outside of the ones that were
mandated by the clustering.

PRESIDENT PT BERGER: Further
discussion or debate on Amendment 5.

Senator Hise, for what purpose do you
rise?

SENATOR HISE: Speak to the amendment.

PRESIDENT PT BERGER: You have the
floor.

SENATOR HISE: Thank you, Mr. President
and Members of the Senate.

I think you have before you an
amendment litigation strategy for the court
cases. I think that Senator Blue even inasmuch
admitted yesterday that his choice would not have
been to do the double-bunks and told us if we
were working together to develop these that we
could have come up with different solutions. And
it's been clear that this is not a map developed
by a member of the General Assembly but a map
developed by a litigation group, a group that
sued us.
But I think it offers a lot of insight into what this is all about. And I don't believe it's a racial gerrymander or other. It's about a group who represents the Democrats who have become uncompetitive in most of the State of North Carolina. I think they're down to winning 20 or so counties in a presidential race on some other ballot initiatives we've had. I think they were down to about seven counties that their policies could carry, and they want to draw the map so they don't have to change those policies or what they're promoting, but we'll take the areas where they are and they should have total domination.

Look at Guilford on this map. Look at Wake County on this map. Look at Mecklenburg County on this map. Any district drawn completely in that county the Democrats carry. Look at the presidential race and others. They might find some 60/40 race where they didn't win them all but -- that occurred several years ago, but if you want to look at the presidential races, the governor's races, this is the clean sweep of the urban counties for the Democrats so that they can continue their far left message and
try to be competitive statewide. That's literally what this entire map is about.

There's an actual report that's in your stat pack that tells us what members are double-bunked together. So when Barringer and Chaudhuri are bunked together for, as we've shown, no good reason, when Senator Wade and Robinson are bunked together, no good reason, for Bishop and Jeff Jackson all in ways to benefit the Democrat incumbents, as well as you'll see the blank areas in which they're creating open Democrat seats in this state. It's what it's all about for this group.

Now, they found an argument about how race is used, and we've addressed that argument by not using race. They said we used it excessively; we've addressed if by not using it at all. But they're still upset because they didn't get everything they wanted in the urban areas which requires total domination in those results.

So they also ignored what municipalities. They clearly would divide municipalities as they saw fit in addition to those challenges.
It's the responsibility of the General Assembly to draw districts. Now, I don't deny that it's not the right of a member to pick someone else's map and bring it forward, but this obviously in no way, even in these areas, represents the values of the Senate or the General Assembly as a whole. Pick each one of those urban counties. When the members offered a solution, it was very different from what this solution was that you had here, particularly even for the same issues.

So I ask that you reject this amendment. The outside groups are not the ones drawing their districts in the State of North Carolina. The General Assembly is. That is our obligation under the state constitution. That is our obligation under the federal constitution, and we don't hand that to outside groups for that purpose.

And for that, among many other reasons, including the use of race, once again, I would ask that you reject this amendment.

PRESIDENT PT BERGER: Senator Bryant, for what purpose do you rise?

SENATOR BRYANT: To speak on the
amendment.

PRESIDENT PT BERGER: You have the floor.

SENATOR BRYANT: I was wanting to respond to one comment that Senator Hise mentioned about the purpose of this proposal and this proposed amendment being to have domination in urban areas for the Democratic Party or for far-left ideas.

And I wanted to emphasize that what I care about in this proposal and in the case against racial gerrymandering is racial discrimination against my racial group in order to maintain political power for far-right ideas.

And I'm from a rural area. I don't benefit under any of these plans, personally speaking, in terms of my political options. However, I have a great concern about racial discrimination and unconstitutional legislative and political actions being taken that harm my racial group and our communities across the state. And this is not just an urban issue. It's also a rural issue.

And for that reason I would want to ask us to strongly consider this amendment. I agree
with Senator Blue there are some changes that
have been raised, some issues that have been
raised can be addressed. And I took this same
position when Democrats were in power. I
similarly fought. I was a part of helping with
the Gingles cases and the other discriminate --
redistricting discrimination cases that have been
brought in the state, because I also didn't like
being discriminated against for the purposes of
the domination of Democrats as well.

And so I just want to be clear on the
record that my purpose is not that for -- as
described by Senator Hise, and I sort of don't
like a broad attribution to all our purposes in
the manner that he did. And I know that the
plaintiffs in this case who are from my area,
their goal is not -- surely not power in urban
areas and is not perpetuation of a left-wing
agenda. It is fighting against the racial
discrimination that we feel in our communities.

So I don't like him casting
aspersions -- negative aspersions against the
plaintiffs in the case who are 30 or 40 some
citizens around the state, as well as the lawyers
and professionals involved in helping to move
this litigation forward that has been affirmed
unanimously by the Court of Appeals and the
Supreme Court. So I guess they want a left-wing
agenda in North Carolina as well. Thank you.

PRESIDENT PT BERGER: Further
discussion or debate.

Senator Van Duyn, for what purpose do
you rise?

SENATOR VAN DUYN: To speak on the
amendment.

PRESIDENT PT BERGER: You have the
floor.

SENATOR VAN DUYN: I would have to
agree with Senator Hise that it is our
responsibility to draw these maps, and I think we
made a very responsible step when we decided to
take public comment before we drew the maps. And
what we heard almost unanimously from that public
comment was that what the people of
North Carolina want is exactly what these maps
represent and that is fair, legal, competitive
Senate districts.

These maps did double-bunk people
because that was not a criteria. That was one of
our criterias, never one that we heard through
public comment. I think we have done a
tremendous disservice to the people of
North Carolina by consistently and over and over
and over again refusing to listen to the people
of North Carolina who made their voices heard
very clearly, very clearly that what they wanted
was fair, competitive districts, and that's what
the plaintiffs are asking for and that's why I
urge you to support this amendment.

PRESIDENT PT BERGER: Further
discussion or debate on Amendment 5. Hearing
none, the question before the Senate is the
passage of Amendment 5 to Senate Bill 691. All
in favor of the amendment will vote "aye"; all
opposed will vote "no." Five seconds will be
allowed for the voting. The clerk will record
the vote.

14 having voted in the affirmative and
30 in the negative, Amendment 5 fails and the
bill is back before us.

Further discussion or debate on Senate
Bill 691.

Senator Hise, for what purpose do you
rise?

SENATOR HISE: Send forth an amendment.
PRESIDENT PT BERGER: Send forward your amendment.

SENATOR HISE: Sorry. Maybe I need to physically send it forward. Senator Tillman's got the page duties today.

PRESIDENT PT BERGER: The clerk will read.

THE CLERK: Senator Hise moves to amend the bill.

PRESIDENT PT BERGER: Senator Hise has the floor to explain Amendment 6.

SENATOR HISE: Senators, what this amendment simply does is that as we're getting a lot of submissions in and others so that we can -- this will all go to the courts and so we can clarify when something was submitted and others. This was an amendment, because we accepted other amendments today, to change the title of the bill that will denote that this was the second reading. We will need a similar amendment if we amend it on Monday so it shows that the change occurred in the third reading of the bill, but this will show that those changes occurred. It merely changes the short title of the bill.
PRESIDENT PT BERGER: Further discussion or debate on Amendment 6. Hearing none, the question before the Senate is the passage of Amendment 6 to Senate Bill 691. All in favor of the amendment will vote "aye"; all opposed will vote "no." Five seconds will be allowed for the voting. The clerk will record the vote.

Tillman "aye"; Bryant "aye"; McKissick "aye"; Ford "aye."

44 having voted in the affirmative and none in the negative, Amendment 6 passes and the bill is back before you.

Further discussion or debate on Senate Bill 691.

Senator Blue, for what purpose do you rise?

SENATOR BLUE: To debate the bill.

PRESIDENT PT BERGER: You have the floor.

SENATOR BLUE: Thank you, Mr. President.

And I just want to make a very few observations because I think that we ought to seize upon teaching moments. We've been through
this process. The Court says that we have discriminatory districts, nine of them in the Senate, and they're discriminatory because of the racial makeup and what was done to create the racial makeup in those districts.

I'm hoping that having passed out these stat packs that show what the racial makeup is of the districts that you've now created will enable you to tell the Court how you've addressed the discrimination that they found in the original maps that you passed here.

I don't see how it can when you haven't considered race in solving the racial problems in the map. I mean, it just is anti-intuitive that you can fix a problem without addressing the problem. And that's what we've done here.

And it might be that you're sending a message to this three-judge panel that you don't take judicial orders very seriously, and that -- that is not a message that I want to be a part of it, not because I'm a member of the legislature but because I highly respect this third and co-equal branch of government because it's what's made this country, the whole concept of judicial review what it is, and so I hope that that's not
the message that you're trying to send.

But more importantly, I hope that we don't do a disservice to the citizens of this state by telling them that we've remedied this problem when we really haven't. There are some places in this map where that issue has been resolved. And, you know, the amazing thing is it was resolved not by what we did but to some degree because the clusters dictated that it be done that way.

And that sort of machine like, as was said earlier, we got free will, we're sentient, we can do things and think about them and change them, and again, that's the magic about this place. And I say that not because it's going to change anybody's mind but simply because it needs to be said.

And I say that I hope that it's been a teaching moment and this provides a teaching opportunity because half of you will be here the next time redistricting comes around, if you don't have -- well, you won't have to come back and solve these because if you haven't solved it, the three-judge panel will solve it for you, but, you know, the next regularly scheduled
redistricting round is two elections away, four years, and if history is any lesson, half of you will be here, the other half won't because of retirement, some voluntary, some involuntary. There are various other reasons.

We've already started preparing for the 2020 census all over the country, the way the Census Bureau is trying to get people to prepare VTDs in place of precincts and all of those things, the way the computers are beginning to be configured. I mean, it's a national discussion going on, and it's a discussion going on that pays no attention to party divide. There are just things that we need to do to make this redistricting work.

So it's right around the corner, and a good number of you will be here to do it in four years. And so I hope that the takeaway and the real lesson that we get from this teachable moment is it needs to be a cooperative process, it needs to be an inclusive process, and it needs not be focused solely on political advantage and using anything that might give us that political advantage.

In this case, unfortunately, the Courts
determined that race is what gave you the political advantage. Who knows what the issue will be next year, the year after next, but certainly in 2020. Who knows whether there will be some decision from the Supreme Court trying to add clarity into what goes into redistricting. Who knows whether it will be some decision, some modification on the Stephenson standards by the State Supreme Court. I don't know.

I said we're sentient. I'm not prescient and omniscient. I can't see into the future that far, but there will be things that we're not factoring in that will affect the 2021 redistricting, and I'm just asking you to take what you've learned from those who are here to inform us as to how we ought to go about the 2021 redistricting.

It can be far less painful, it can be much more cooperative, and it can satisfy the citizens of this state who are telling us in every way that they can that they're tired of all the partisan way in which we go about doing this, that they want to participate in the process and they just assume that the legislature not have anything else to do with it, whether it's an
independent commission or some other kind of way, that they would prefer something else. So I hope that we can register that.

Again, I don't believe that these maps directly address the specific issues in several places that the Court told us to address, and for that reason I think that this whole exercise has to be looked at, but what we learn from it as opposed to what it does to address that broader problem.

I invite you to share with certainly the members on the back row as you go in to preparing this process. You never can tell, the members on the back row might be the members on the front row regardless of what you say is happening across the state. This state is still a very fluid state, it's a rapidly changing state.

And the lesson that I again take away from most of the things that I do is one that I learned in the sandboxes, but it was underscored to me my first year in law school by my real property professor. He said, you know, the only way that you can guarantee that something will be fair, if it's to be split between people, you let
the one who draws out different people's portions -- he was talking about basically dividing up black acre or white acre, however you described the farm at the time -- is you let the one who's going to choose first not draw them, but you let the one who chooses last draw the maps, draw the division.

That's been wise advice over the years for me, and I suggest to you that sometimes you might want those that you think that you're punishing to participate in how you mete out that punishment because at the end of the day you might be the one receiving it.

We need to think about that with respect to these maps, and I hope that somewhere or other those lessons won't be lost on us.

PRESIDENT PT BERGER: Further discussion or debate.

Senator Hise, for what purpose do you rise?

SENATOR HISE: To speak a second time.

PRESIDENT PT BERGER: You have the floor.

SENATOR HISE: Thank you, Mr. President.
Members of the Senate, I want to start by rebuffing what I think is an argument that somehow we don't care about what the Courts have said or what they did. We're all here today at a time that's not necessarily of our choosing, on a timeline not of our choosing to address a court order on a set of maps that Eric Holder and the Obama Justice Department pre-cleared before we ever passed them. Now they've run across the country and complain about these things, but they cleared them. We met all those standards. Some of the rules changed, parts of the Voting Rights Act are gone, and we're back here today once again.

But I will tell you in the drawing of these maps we have placed a lot of respect into what the Court says, beginning with the most recent ruling that we overutilized race in creating districts. So we have a solution for that. We will not use race in the creation of districts. Now, somebody's going to try to make some claim that by not using race we still used it and by the some standard we still overused race.

But we followed also the State Court
ruling and Stephenson and how they're written. I don't know that anyone believes that it was my intent to move Senator Cook's district or to put Senator Randleman or Ballard in the same district or to move Senator Horner in a district. Those were required under the Court rulings and we've accepted those and that's part of this map.

We've done those to respect the rulings of the Courts and how they've interpreted our constitutions. We put that process together. We've taken areas like Wake County where, in general, Republicans receive 40 percent of the votes in those counties, and you'll see that the proportions now fall out to, all likely, 40 percent of the seats in those counties. You'd see the same in Mecklenburg. We now have one competitive district with probably three Democratic districts and one Republican district, and how that compares -- that was what you would see in historic vote totals. We've taken those in the state. No, that's not enough for our opposition.

But we've taken in respect to what the Court says and what the law says and our responsibility to draw these maps given to us by
the people of this nation by our constitution to
this body to draw these maps. We have answered
the Court's questions with these maps, and we are
prepared to move forward now with elections under
these maps.

It's been a long process. I don't
think anybody thinks the legal fight is over, but
we have answered the legal questions that have
been presented on those with these maps, and we
continue to stand by that decision and we'll
continue to fight anyone who tries to claim that
it is not our authority under the constitution to
draw the maps of the State of North Carolina.

I thank you all and I ask for your
support for this and for the -- thanks for this
long process that we continue to go through.

PRESIDENT PT BERGER: Further
discussion or debate.

Senator Tillman has an excused absence
for the remainder of the session.

Further discussion or debate on Senate
Bill 691. Hearing none, the question before the
Senate is the passage on the second reading of
Senate Bill 691. All in favor will vote "aye";
all opposed will vote "no." Five seconds will be
allowed for the voting. The clerk will record the vote.

27 having voted in the affirmative and 16 in the negative, Senate Bill 691 has passed its second reading.

And, Senator Hise, for what purpose do you rise?

SENATOR HISE: To object to third reading

PRESIDENT PT BERGER: Third reading having been objected to, the bill will remain on the calendar.

Senator Hise, do you have a further motion?

SENATOR HISE: And to also ask that the amendments be engrossed before the presentation of the third reading.

PRESIDENT PT BERGER: Without objection, so ordered, the amendments will be engrossed between second and third reading.

Members, that's all we have on our calendar. And are there any notices or announcements? Is there further business to come before the Senate? If not, Senator Pate is recognized for a motion.
SENATOR PATE: Thank you, Mr. President.

I move that the Senate do now adjourn subject to Senate Rule 24.1 and the receipt of House messages, to reconvene on Monday, August 28, 2017, at 5:00 p.m.

PRESIDENT PT BERGER: Motion is that the Senate do now adjourn subject to the stipulations stated by Senator Pate to reconvene on Monday, August 28, 2017, at 5:00 p.m. Seconded by Senator Hise. All in favor say "aye."

"Aye."

PRESIDENT PT BERGER: All opposed "no."

The "ayes" have it and the Senate stands adjourned.

[Reporter's Note: Proceedings in this session ended at 1:51 p.m.]
STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, DENISE MYERS BYRD, Court Reporter and Notary Public, do hereby certify that the transcription of the foregoing proceeding was taken down by me stenographically to the best of my ability and thereafter transcribed under my supervision; and that the foregoing pages, inclusive, constitute a true and accurate transcription of said proceeding.

Signed this the 1st day of September 2017.

/s/ Denise Myers Byrd /s/
Denise Myers Byrd
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NORTH CAROLINA GENERAL ASSEMBLY
HOUSE COMMITTEE ON REDISTRICTING

TRANSCRIPT OF THE PROCEEDINGS

In Raleigh, North Carolina
Friday, August 25, 2017
Reported by Robbie W Worley

Worley Reporting
P.O. Box 99169
Raleigh, NC 27624
919-870-8070
REP. SZOKA: Good morning. I'm Representative John Szoka calling the meeting to order. I'd just like to recognize our Sergeant at Arms for today. We have Reggie Sills, Marvin Lee, David Leighton, Thomas Terry and Joe Crook. And that's going to pretty much be the extent of what I have to say here. The Chairmen are still getting some materials prepared, and they have asked me to put the Committee into recess until 9:45. So we stand in recess until 9:45. Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

It was the criteria that was used in preparing this map.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REP. LEWIS: Yeah.

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

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

Thank -- thank you for that clarification.

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

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

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

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

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

REP. DOLLAR: Gentleman's recognized.

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

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

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

REP. LEWIS: Yeah.

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

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

REP. DOLLAR: Gentleman's recognized.

REP. MCHAUX: I -- I guess --

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

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

REP. MCHAUX: Follow up.

REP. DOLLAR: Gentleman's recognized.

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

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

REP. M CHAUX: Further follow up,
Representative Michaux again.

REP. DOLLAR: Gentleman's recognized.

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

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

REP. DOLLAR: Representative Jackson is recognized.

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

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

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

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

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

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

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

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

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

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

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

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

REP. JORDAN: Mr. Chairman.

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

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

FEMALE SPEAKER: I only have two.

REP. DOLLAR: You will have two that are -- have maps attached, one does not -- does not have a map attached. It's actually the first one that we're going to take up in just a moment. AST-85v1 offered by Representative Jackson; it's a one-page technical -- essentially, a technical
amendment. Okay. Well, if you will hold for that, we'll -- we'll take these amendments up in just a moment. Chairman Lewis, I believe, had a couple of quick comments and then Representative Michaux wished to be recognized and I'll get back to him.

REP. LEWIS: Thank you, Mr. Chairman.

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

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

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

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

REP. DOLLAR: Gentleman is recognized.

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

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

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

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

REP. M CHAUX: May I follow up?

Representative --

REP. DOLLAR: Follow up.

REP. M CHAUX: You know what I mean, Representative Lewis. I'm trying to find out how many Democrats make up the 120 and how many Republicans make up the 120.

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

REP. M CHAUX: May I follow up again?

REP. DOLLAR: Follow up.

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

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

REP. DOLLAR: Gentleman's recognized.

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

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

REP. M CHAUX: One follow up?

REP. DOLLAR: Gentleman is recognized.

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

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

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

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

REP. DOLLAR: Chairman Lewis is recognized.

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

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

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

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

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

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

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

REP. DOLLAR: Representative Bell?

REP. JACKSON: Thank you, Mr. Chairman. John Bell, District 10. I have a question for Representative Lewis.

REP. DOLLAR: Now, gentleman's
recognized.

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

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

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

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

REP. LEWIS: Yes, sir.

REP. M'CHAUX: Thank you.

REP. DOLLAR: Representative Torbett for a comment.

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

REP. DOLLAR: The gentleman is recognized.

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

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

REP. DOLLAR: Mr. Chair, thank you.

Chairman Lewis is recognized.

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

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

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

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

REP. DOLLAR: Chairman Lewis.

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

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

(Voice vote.)

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

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

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

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

REP. DOLLAR: Chairman Lewis is recognized.

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

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

REP. DOLLAR: Representative Stevens is recognized.

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

REP. DOLLAR: Chairman, yield?

REP. LEWIS: I yield.

REP. DOLLAR: Gentleman yields.

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

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

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

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

REP. STEVENS: But you -- do you understand the criteria used about the optimum potting that we had to go with these particular
kind of constitutional potting?

    REP. HUNTER: I understand the criteria.

I'm just doing what my citizens asked me to do.

    REP. DOLLAR: Any further questions?

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

    (Voice vote.)

    REP. DOLLAR: Opposed, no.

    (Voice vote.)

    REP. DOLLAR: The ayes appear have it.

    REP. LEWS: The noes do.

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

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

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

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

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

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

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

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

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

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

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

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

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

REP. LEWIS: Mr. Chairman?

REP. DOLLAR: Chairman Lewis is recognized.

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

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

(Voice vote.)

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

(Voice vote.)

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

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

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

REP. DOLLAR: That's fine.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Like I said earlier, I did not draw the amendment map. My understanding, though, is the Plaintiffs did not use -- artificially cut themselves off from racial data. They used racial data as well as other political and demographic information to draw a map that treated African-Americans fairly. The amended map does not create artificially high concentrations of minority voters to diminish those voters' overall electoral
influence.

Finally, I believe that this amendment is better on the issue of partisan gerrymandering. The majority clearly thinks partisan gerrymandering is legal in this state. We -- we saw that in the congressional redistricting and we see it again today. I personally think the days are numbered on that -- that belief and the number might be getting pretty low. The US Supreme Court will decide the issue in the Wisconsin case being argued in, I believe, early October.

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

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

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

REP. DOLLAR: Representative Lewis, you are recognized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

REP. SZOKA: Does the chairman yield?

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

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

REP. SZOKA: Representative Jackson?

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

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

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

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

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

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

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

I know that there are nine or ten adopted criteria, no particular order was given. I assumed they did the constitutional requirements first. That's the way I would've drawn it. But other -- other way how -- what they've chose to put the next is -- you know, I have no way of knowing.

I would also answer to your previous question about the number of incumbents that you're including. That is you should not consider people who have announced their retirements. And so, I believe, this map does it to the extent of the
double-cut [sic] -- double-bunk some members, it does so in areas where there's already been a member announced that they're stepping down.

REP. DOLLAR: Follow up?

REP. SZOKA: Follow up.

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

REP. SZOKA: Representative Jackson?

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

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

REP. DOLLAR: Follow-up?

REP. SZOKA: Follow-up.

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

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

REP. SZOKA: Representative Jackson?

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

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

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

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

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

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

REP. SZOKA: Will the gentleman yield?

REP. JACKSON: Yes, I will yield.

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

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

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

REP. STEVENS: Has that --
REP. SZOKA: Follow up?
REP. STEVENS: Please. Has that letter been offered into the -- to the record here?
REP. JACKSON: Yes, it -- it was. It was sent to everybody and was entered as part of the record, to my understanding. And I imagine it will be entered into the Federal Court record as well.
REP. STEVENS: Follow up?
REP. SZOKA: Follow up.
REP. STEVENS: Do you know how that differed from the criteria that this Committee used at all, if it did?

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

REP. STEVENS: Follow up?

REP. SZOKA: Follow up.

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

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

REP. STEVENS: And -- and have --
REP. Szoka: Follow up?

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

REP. Szoka: Representative Jackson?

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

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

REP. Stevens: Follow-up?

REP. Szoka: Follow-up.

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

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

REP. STEVENS: Follow-ups?

REP. SZOKA: Follow-up.

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

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

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

REP. SZOKA: Follow up.

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

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

REP. STEVENS: Follow up?

REP. DOLLAR: Follow up.

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

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

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

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

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

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

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

REP. STEVENS: Follow-up?

REP. DOLLAR: Follow-up.

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

REP. DOLLAR: Representative Jackson recognized.

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

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

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

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

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

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

REP. STEVENS: Follow up?

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

REP. SPECIALE: Mr. Chairman?

REP. SZOKA: Representative Speciale?

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

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

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

REP. SZOKA: Representative Jackson recognized.

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

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

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

REP. SZOKA: So noted.

REP. JACKSON: Mr. Chairman?

REP. SZOKA: Yes, sir?

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

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

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

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

REP. STEVENS: Yeah --

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

REP. DOLLAR: Ma'am are you finished?

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

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

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

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

REP. TORBETT: Thank you, Mr. Chairman.

(Pause.)

REP. LEWIS: Mr. Chairman?

REP. SZOKA: Yes, sir?

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

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

(Pause.)

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

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

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

REP. LEWIS: Mr. Chairman?

REP. SZOKA: And the Committee?

Representative Lewis?

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

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

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

REP. TORBETT: I'm sorry, I'll repeat it. Do you feel the issue that we're addressing today in North Carolina as under one person, one vote and how those votes are defined and -- and relegated -- do you feel that's a pretty important issue?

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

REP. TORBETT: Thank you, sir.

Follow up?

REP. SZOKA: Follow up.

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

REP. JACKSON: I guess, theoretically.

REP. TORBETT: Thank you. So --

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

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

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

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

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

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

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

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

REP. TORBETT: Follow up, Mr. Chairman.

REP. SZOKA: Follow up.

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

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

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

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

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

REP. TORBETT: Sure.

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

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

REP. DOLLAR: The gentleman has the floor.

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

But --

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

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

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

REP. DOLLAR: Follow up.

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

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

REP. JACKSON: (No response.)

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

REP. DOLLAR: Thank you, Representative Torbett.

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

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

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

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

Representative Michaux, you're recognized.

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

REP. SZOKA: That's fine.

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

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

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

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

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

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

I think that question is like this thing about freeze District 105 in Mecklenburg County. It looks innocuous, but it's actually the key to achieving the aims that -- I believe that the Democrats would like to achieve in this issue. By freezing 105, but having to move everything else, it allowed them to split Matthews and Mnt Hill, a clear community of interest, into three pieces.

Now, the reason -- well, one, I'm very familiar with it because I represent that area. I've lived in Matthews since 1982, and Matthews and Mnt Hill or on Matthews-Mnt Hill Road. We read the Matthews-Mnt Hill weekly. We share a Park Commission slot on Mecklenburg County Board of Park Commissioners. Kids in Matthews go to middle school and elementary school in Mnt Hill. Kids in Mnt Hill go to high school in Matthews. We play in both sports leagues. They -- sometimes we wonder why the towns don't just merge. They do tend to vote very Republican; however, not always. Those towns have always elected whoever's in that
district, from Jim Black, Larry Di gg, Sean LeM onde, Jim Gul ley and me.

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

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

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

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

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

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

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

REP. JONES: Just a brief follow up.

REP. SZOKA: Follow up.

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

REP. LEWIS: I would have no reason to question your -- what you said. No, sir.

REP. JONES: Thank You.

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

REP. BROCKMAN: Okay. I -- I have a -- two questions and a comment. And I want to just comment on the last question or the last thing that Representative Jones said. Yes, there may be more African-Americans, but we have less power. We have a super-minority, so, you know, we have less power;
we have less influence. So, you know, you're really diluting the African-American voice, which is really kind of the point of why we're here. But then -- so my two questions are --

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

REP. BROCKMAN: The Chairs.

REP. SZOKA: Specifically both or --

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

REP. SZOKA: Okay.

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

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

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

UNKNOWN SPEAKER: Mr. Chairman?

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

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

REP. DOLLAR: The gentleman made my point.

REP. SZOKA: Representative Brockman?

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

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

REP. LEWIS: Chairman.

REP. SZOKA: Representative Lewis?

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

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

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

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

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

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

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

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

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

REP. JACKSON: I yield.

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

REP. JACKSON: In April, no, sir.

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

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

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

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

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

REP. SZOKA: You're recognized now.

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

REP. SZOKA: You have the floor.

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

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

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

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

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

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

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

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

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

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

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

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

MALE SPEAKER: Mr. Chair? Mr. Chairman?

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

THE CLERK: Representative Bell?

REP. BELL: No.

THE CLERK: Representative Bell, no.

Representative Jackson?

REP. JACKSON: Yes.

THE CLERK: Representative Jackson, yes.

Representative Stevens?

REP. STEVENS: Yes.

THE CLERK: Representative Stevens, no.

Representative Brawley?

REP. BRAWLEY: No.

THE CLERK: Representative Brawley, no.

Representative Brockman?

REP. BROCKMAN: Yes.

THE CLERK: Representative Brockman, yes.

Representative Burr?

REP. BURR: No.

THE CLERK: Representative Burr, no.

Representative Davis?

REP. DAVIS: No.
THE CLERK: Representative Davis, no.

Representative Dixon?

REP. DIXON: No.

THE CLERK: Representative Dixon, no.

Representative Dobson?

REP. DOBSON: No.

THE CLERK: Representative Dobson, no.

Representative Dulin?

REP. DULIN: No.

THE CLERK: Representative Dulin, no.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: Yes.

THE CLERK: Representative Farmer-Butterfield, yes.

Representative Floyd?

REP. FLOYD: Yes.

THE CLERK: Representative Floyd, yes.

Representative Garrison?

REP. GARROSON: Yes.

THE CLERK: Representative Garrison, yes.

Representative Gill?

REP. GILL: Yes.

THE CLERK: Representative Gill, yes.

Representative Grange?

REP. GRANGE: No.

THE CLERK: Representative Grange, no.
Representative Hall?

REP. HALL: No.

THE CLERK: Representative Hall, no.

Representative Hanes?

REP. HANES: Yes.

THE CLERK: Representative Hanes, yes.

Representative Hardister?

REP. HARDISTER: No.

THE CLERK: Representative Hardister, no.

Representative Harrison?

REP. HARRISON: Yes.

THE CLERK: Representative Harrison, yes.

Representative Hastings?

REP. HASTINGS: No.

THE CLERK: Representative Hastings, no.

Representative Howard?

REP. HOWARD: No.

THE CLERK: Representative Howard, no.

Representative Hurley?

REP. HURLEY: No.

THE CLERK: Representative Hurley, no.

Representative Hunter?

REP. HUNTER: Yes.

THE CLERK: Representative Hunter, yes.

Representative Johnson?
REP. JOHNSON: No.

THE CLERK: Representative Johnson, no.

Representative Jones?

REP. JONES: No.

THE CLERK: Representative Jones, no.

Representative Jordan?

REP. JORDAN: No.

THE CLERK: Representative Jordan, no.

Representative Malone?

REP. MALONE: No.

THE CLERK: Representative Malone, no.

Representative Michaux?

REP. MICHAUX: Yes.

THE CLERK: Representative Michaux, yes.

Representative Moore?

REP. MOORE: Yes.

THE CLERK: Representative Moore, yes.

Representative Pierce?

REP. PIERCE: Yes.

THE CLERK: Representative Pierce, yes.

Representative Reives?

REP. REIVES: Yes.

THE CLERK: Representative Reives, yes.

Representative Willingham?

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

REP. SPECIALE: No.

THE CLERK: Representative Speciale, no.

Representative Rogers.

REP. ROGERS: No.

THE CLERK: Representative Rogers, no.

Representative Saine?

REP. SAINÉ: No.

THE CLERK: Representative Saine, no.

Representative Wray?

REP. WRAY: Yes.

THE CLERK: Representative Wray, yes.

Representative Torbett?

REP. TORBETT: No.

THE CLERK: Representative Torbett, no.

Representative Yarborough?

REP. YARBOROUGH: No.

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

REP. LEWIS: No.

THE CLERK: Representative Lewis, no.

Representative Dollar?
REP. DOLLAR: No.

THE CLERK: Representative Dollar, no.

Representative Szoka?

REP. SZOKA: No.

THE CLERK: Representative Szoka, no.

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

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

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

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

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

FEMALE SPEAKER: Mister --

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

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

MALE SPEAKER: Division.

MALE SPEAKER: Division.

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

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

MALE SPEAKER: We already started, right?

THE CLERK: Representative Jackson?

REP. JACKSON: No.

THE CLERK: Representative Jackson, no.

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

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

REP. HARRISON: Thank you, sir.

REP. DOLLAR: Representative Harrison,
REP. HARRISON: Thank you, Mr. Chair.

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

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

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

(Voice vote.)

REP. SZOKA: Those opposed [inaudible] --

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

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

REP. MICHAUX: Yes, I am

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

THE CLERK: Representative Jackson?

REP. JACKSON: Aye.
THE CLERK: Representative Stevens?

REP. STEVENS: Yes.

THE CLERK: Representative Stevens, yes -- Representative Stevens, aye. Representative Bell?

REP. BELL: Aye.

THE CLERK: Representative Bell, aye.

Representative Brawley?

REP. BRAWLEY: Aye.

THE CLERK: Representative Brawley, aye.

Representative Brockman?

REP. BROCKMAN: No.

THE CLERK: Representative Brockman, no.

Representative Burr?

REP. BURR: Aye.

THE CLERK: Representative Burr, aye.

Representative Davis?

REP. DAVIS: Yes.

THE CLERK: Representative Davis, aye.

Representative Dixon?

REP. DIXON: Aye.

THE CLERK: Representative Dixon, aye.

Representative Dobson?

REP. DOBSON: Aye.

THE CLERK: Representative Dobson, aye.
Representative Dulin?

REP. DULIN: Aye.

THE CLERK: Representative Dulin, aye.

Representative Farmer-Butterfield?

REP. FARMER-BUTTERFIELD: No.

THE CLERK: Representative Farmer-Butterfield, no.

Representative Floyd?

REP. FLOYD: No.

THE CLERK: Representative Floyd, no.

Representative Garrison?

REP. GARRISON: No.

THE CLERK: Representative Garrison, no.

Representative Gill?

REP. GILL: No.

THE CLERK: Representative Gill, no.

Representative Grange?

REP. GRANGE: Aye.

THE CLERK: Representative Grange, aye.

Representative Hall?

REP. HALL: Aye.

THE CLERK: Representative Hall, aye.

Representative Hanes?

REP. HANES: No.

THE CLERK: Representative Hanes, no.

Representative Hardister?
REP. HARDISTER: Aye.

THE CLERK: Representative Hardister, aye. Representative Harrison?

REP. HARRISON: No.

THE CLERK: Representative Harrison, no. Representative Hastings?

REP. HASTINGS: Aye.

THE CLERK: Representative Hastings, aye. Representative Howard?

REP. HOWARD: Aye.

THE CLERK: Representative Howard, aye. Representative Hunter?

REP. HUNTER: No.

THE CLERK: Representative Hunter, no. Representative Hurley?

REP. HURLEY: Aye.

THE CLERK: Representative Hurley, aye. Representative Johnson?

REP. JOHNSON: Aye.

THE CLERK: Representative Johnson, aye. Representative Jones?

REP. JONES: Aye.

THE CLERK: Representative Jones, aye. Representative Jordan?

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

REP. SAINE: Aye.

THE CLERK: Representative Saine, aye.

Representative Wray?

REP. WRAY: No.

THE CLERK: Representative Wray, no.

Representative Yarborough?

REP. YARBOROUGH: Aye.

THE CLERK: Representative Yarborough, aye.

Representative Torbett?

REP. TORBETT: Aye.

THE CLERK: Representative Torbett, aye.

Representative Lewis?

REP. LEWIS: Aye.

THE CLERK: Representative Lewis, aye.

Representative Dollar?

REP. DOLLAR: Aye.

THE CLERK: Representative Dollar, aye.

Representative Szoka?

REP. SZOKA: Aye.

THE CLERK: Representative Szoka, aye.

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

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

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

REP. LEWIS: The gentleman may state his inquiry.

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

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

REP. FLOYD: Question, Representative Lewis.

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

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

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

REP. FLOYD: Thank you.

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

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

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

CERTIFICATION OF TRANSCRIPT

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

This 5th day of September, 2017.

[Signature]

Worley Reporting
2017 HOUSE AND SENATE PLANS CRITERIA

Equal Population. The Committees shall use the 2010 federal decennial census data as the sole basis of population for drawing legislative districts in the 2017 House and Senate plans. The number of persons in each legislative district shall comply with the +/- 5 percent population deviation standard established by Stephenson v. Bartlett, 355 N.C. 354, 562 S.E. 2d 377 (2002).

Contiguity. Legislative districts shall be comprised of contiguous territory. Contiguity by water is sufficient.


Fewer Split Precincts. The Committees shall make reasonable efforts to draw legislative districts in the 2017 House and Senate plans that split fewer precincts than the current legislative redistricting plans.

Municipal Boundaries. The Committees may consider municipal boundaries when drawing legislative districts in the 2017 House and Senate plans.

Incumbency Protection. Reasonable efforts and political considerations may be used to avoid pairing incumbent members of the House or Senate with another incumbent in legislative districts drawn in the 2017 House and Senate plans. The Committees may make reasonable efforts to ensure voters have a reasonable opportunity to elect non-paired incumbents of either party to a district in the 2017 House and Senate plans.

Election Data. Political considerations and election results data may be used in the drawing of legislative districts in the 2017 House and Senate plans.

No Consideration of Racial Data. Data identifying the race of individuals or voters shall not be used in the drawing of legislative districts in the 2017 House and Senate plans.