NORTH CAROLINA GENERAL ASSEMBLY

SENATE REDISTRICTING COMMITTEE

FEBRUARY 17, 2022

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1 CHAIRMAN NEWTON: Committee members,
2 good morning to you. We're going to go ahead
3 and get started.
4 Hello, Senator Lowe. So good to see
5 you.
6 SENATOR LOWE: I was trying to see if I
7 needed [unintelligible].
8 CHAIRMAN NEWTON: Well, the House maps
9 are getting passed out to you now.
10 Let me go ahead and acknowledge our
11 sergeant-at-arms here today. And I'll give you
12 a little context for what's going on this
13 morning, and we'll take it from there.
14 But Terry Barnhardt is the first on the
15 list. Terry, good morning, and thank you for
16 being here. Robert Cordell. Robert. Robert.
17 John Enloe. Rod Fuller is here. And Matthew
18 Lee. Linda Matthews. And finally, Hal Roach.
19 Hal, always good to see you. And thank you all
20 for being here, our sergeant-at-arms.
21 So here's what this morning's going to
22 look like, folks. We are going to start with
23 the House maps. We're going to let
24 Chairman Hall present and be done with the
25 Senate side on his maps. We are then going to

most likely -- well, we're then going to stand at ease, and the reason we got to do that is last night -- as we promised you, we were going to have to rework to make the Senate -- I'm sorry -- the congressional maps score better. It didn't score as well as we hoped it would, so we reworked those. We've got those -- we got those processing last night, and about 2:00 a.m. it became evident that there was an IT error, a processing error in those maps. It only affected about I think it was 26 people. Erika can explain in detail if you want her to, but they're fixing that now. So they're rerunning it, they're getting those few VTDs put where they belong, and then we will have the congressional map for you to look at. And, you know, we're all pressed for time. You know, we'll give you as much time as we reasonably can before Senator Daniel presents that map to you.

But, Senator Clark, you have a question.

SENATOR CLARK: Mr. Chair, I have a map that would score very well.

CHAIRMAN NEWTON: I bet you do. I bet you do.

1 All right. So with that, unless
2 there's any other order of business, I am going
3 to turn to Chairman Hall and ask him to present
4 the House map. You should all have a copy of
5 that before you.
6 UNIDENTIFIED SPEAKER: At the
7 appropriate time I will have a series of
8 questions for Senator Clark on his map. I just
9 wanted to get that on the record.
10 CHAIRMAN NEWTON: Hopefully it will
11 include a motion for a favorable.
12 Senator Hall -- I mean Chairman Hall,
13 it's all yours.
14 CHAIRMAN HALL: Thank you,
15 Mr. Chairman.
16 Members, I'll be pretty brief. We had
17 a 115 to 5 vote on this map last night, so
18 obviously a large bipartisan vote. There were
19 six Democratic amendments that were adopted. I
20 think that probably speaks for itself, so I
21 would ask you to support the bill.
22 CHAIRMAN NEWTON: Any questions for
23 Chairman Hall? Comments?
24 Senator Perry moves for a favorable.
25 All those in favor say aye.

1 COMMITTEE MEMBERS: Aye.
2 CHAIRMAN NEWTON: Those opposed, no.
3 Ayes have it.
4 Thank you, Chairman Hall.
5 CHAIRMAN HALL: Thank you,
6 Mr. Chairman.
7 CHAIRMAN NEWTON: All right. With
8 that, committee, unless there are other comments
9 from the chairs, from Chairman Daniel, we are
10 going to stand at ease until central staff can
11 complete the computational work on the
12 congressional map. We'll get that to you as
13 soon as we possibly can, give you a little bit
14 of time with it anyway. But, of course, Senator
15 Daniel will walk you through that map and
16 explain what that map contains.
17 All right. Thanks. With that, we will
18 stand at ease.
19 (At ease.)
20 CHAIRMAN NEWTON: The staff thinks that
21 by 9:45 we'll probably have hard copies of the
22 maps available. The CSV files will be available
23 before that, sometime shortly before that.
24 They're going to post those immediately upon
25 receipt. So you've got a little bit of time to

1 mill around, but they'll all be here. So come
2 on back here if you leave the room and we'll
3 have those to you as quickly as possible.
4 (At ease.)
5 CHAIRMAN NEWTON: We're going to go
6 ahead and get started based on the electronic
7 versions of the congressional maps before you.
8 The hard copies will be coming here shortly.
9 Senator Daniel has a motion to amend.
10 SENATOR DANIEL: Yeah. I move to amend
11 Senate Bill I think it's 745, Mr. Chair.
12 CHAIRMAN NEWTON: It's Senate Bill 745.
13 All those in favor say aye.
14 COMMITTEE MEMBERS: Aye.
15 CHAIRMAN NEWTON: Those opposed.
16 All right. Senator Daniel will explain
17 the motion.
18 SENATOR DANIEL: Thank you, Mr. Chair.
19 So the map before you, which you can
20 access electronically, was drawn to comply with
21 the Supreme Court's order. It contains what we
22 believe will be four of the most highly
23 competitive congressional districts in the
24 country.
25 According to the redistricting expert

1 Dave Wasserman, there have been only 19
2 congressional districts in the country drawn
3 during this year's ongoing redistricting process
4 with an election result in the Biden-Trump 2020
5 race with a difference of less than 5 percent.
6 This map will make home to
7 North Carolina four additional highly
8 competitive congressional districts. We believe
9 that the map is constitutional. We believe that
10 it is fair to all candidates, voters, political
11 parties in the state. Also, it follows the
12 Court's order, and it will reflect the will of
13 the people if adopted by the Court.
14 The map scores well within the ranges
15 for measuring mean-median and efficiency gap
16 announced by the Court in its opinion. The
17 Court set a baseline of plus or minus 1 percent
18 for the mean-median score. This map scores at
19 minus 0.61 percent. The Court set a baseline of
20 plus or minus 7 percent for the efficiency gap
21 score. This map scores at minus 5.3 percent.
22 So I'll go through the districts one by
23 one with a brief description.
24 District 1 remains a district that is
25 rooted in mostly rural counties in northeastern

1 North Carolina. We have consistently been told
2 during this process that it is important to keep
3 counties -- the counties forming the belt along
4 the northern border of the state together. This
5 district does that.
6 District 2 is contained wholly within
7 Wake county. Adhering to our original criteria,
8 Wake county is split only once in this map. It
9 has one incumbent in it, and she has announced
10 her intention to seek reelection.
11 District 3 is a district taking in much
12 of eastern North Carolina, including the
13 majority of the state's coastline and counties
14 with close proximity to the coast. The district
15 contains one incumbent.
16 District 4 contains all of Caswell,
17 Durham, Orange, and Person counties, and most of
18 Alamance county and Granville county. This
19 configuration forms a highly compact district in
20 the northern central counties in the state.
21 District 5 is based in the northwestern
22 corner of North Carolina and is made up of six
23 whole counties. Those counties are Allegheny,
24 Ashe, Forsyth, Stokes, Surry, Watauga, and
25 Wilkes. Most of Rockingham county and a portion

1 of Yadkin make up the rest of the district.
2 There is only one incumbent in the district.
3 District 6 contains all of Chatham,
4 Harnett, Lee, and Randolph counties. It also
5 contains most of Guilford and parts of Alamance
6 and Rockingham. The district contains one
7 incumbent and will be one of the most
8 politically competitive congressional districts
9 in the country.
10 District 7 is based in southeastern
11 North Carolina, and it takes in the rural
12 counties south of Harnett and joins them to the
13 remaining coastal counties. It contains all of
14 Bladen, Brunswick, Cumberland, New Hanover
15 counties and a portion of Columbus. This
16 district contains one incumbent member of
17 congress. It, too, will be one of the most
18 politically competitive congressional districts
19 in the country.
20 District 8 is a district taking in
21 mostly counties and cities located between the
22 Triad and Charlotte. It contains all of
23 Cabarrus and portions of Davidson, Rowan, and
24 Guilford. The district is home currently to one
25 incumbent.

1 District 9 contains nine whole
2 counties. Those are Anson, Hoke, Montgomery,
3 Moore, Richmond, Robeson, Scotland, Stanly, and
4 Union. It also contains portions of Columbus
5 and Davidson. There are no incumbents in this
6 district.
7 District 10 is a western North Carolina
8 based district stretching from Forsyth county
9 west into the mountains. It keeps eight
10 counties whole. Alexander, Avery, Burke,
11 Caldwell, Catawba, Davie, Iredell, and Lincoln.
12 It also contains part of McDowell, Rowan, and
13 Yadkin. There is one incumbent in the district.
14 District 11 is a western North Carolina
15 mountain based district. It contains the whole
16 of the 14 westernmost North Carolina counties.
17 It also contains parts of McDowell and
18 Rutherford counties. There is one incumbent
19 currently living in the district.
20 District 12 is a district containing
21 the northeastern section of Mecklenburg county,
22 including the majority of Charlotte. The areas
23 in and around Charlotte are too large to be
24 wholly contained in one congressional district.
25 Mecklenburg county is split only one way in this

1 map. There is currently one incumbent living in
2 District 12.
3 District 13 is the new open seat
4 created as a result of the North Carolina
5 receiving an additional seat in congress after
6 the 2020 census. It contains all of Duplin,
7 Johnson, Sampson counties and parts of Wake and
8 Wayne. This will again be one of the most
9 highly competitive congressional districts in
10 the country.
11 District 14 is a seat taking in the
12 remaining portions of Mecklenburg and stretching
13 west across the southern boundary of the state
14 into Rutherford county taking in all of
15 Cleveland and Gaston. It is a compact district
16 with only one incumbent.
17 District 14 will likely be among the
18 most politically competitive congressional
19 districts found anywhere in the United States.
20 So we believe that this map is highly
21 competitive, that it follows the Court's order,
22 and that it will represent the will of the
23 people adopted by the Court in the course of the
24 ongoing litigation. So I would ask for your
25 support of the amendment and for the bill.

1 CHAIRMAN NEWTON: Thank you, Senator
2 Daniel.
3 Members, you're welcome to ask
4 questions or make comments.
5 Senator Lowe.
6 SENATOR LOWE: I'm looking at the fifth
7 district which encompasses -- which is part
8 of -- where you have all of Forsyth. Forsyth,
9 as I've stated earlier, has far more in common
10 with Guilford, there's no question about that.
11 When I see Forsyth and we go way over to Watauga
12 and Ashe and Allegheny and Wilkes, we have far
13 more in common with Guilford. Explain that.
14 CHAIRMAN NEWTON: Is that --
15 SENATOR LOWE: That's a question. It
16 may be rhetorical, but it's a question.
17 CHAIRMAN NEWTON: Senator Daniel.
18 SENATOR DANIEL: Thank you, Senator
19 Lowe, for the question. I think the answer is
20 that when -- I believe that was in the previous
21 version of the map that was released earlier
22 this week. When we did the scoring based on the
23 metrics that the Court had given us, the map did
24 not score appropriately within that range, and
25 so we went back to work to make a map that did

1 score well within the range, and that is this
2 map.
3 I think there's some great people in
4 Forsyth and some great people in the mountains,
5 and I hope you'll get to like those folks and
6 become friends.
7 SENATOR LOWE: I don't dislike them. I
8 just don't think we have much in common.
9 CHAIRMAN NEWTON: All right. Thank
10 you.
11 SENATOR DANIEL: We're all humans so we
12 have a lot in common.
13 CHAIRMAN NEWTON: Thank you, Senator
14 Daniel.
15 Any other questions or comments?
16 Senator Blue.
17 SENATOR BLUE: Thank you, Mr. Chairman.
18 I heard Senator Daniel lay out that the
19 districts were competitive. Tell me what the
20 political measurements on all of these districts
21 were.
22 SENATOR DANIEL: Can staff --
23 CHAIRMAN NEWTON: Staff, do you have
24 the political measurements?
25 ERIKA CHURCHILL: Mr. Chair, the stat

pack is posted to the website, or are you asking for something slightly different than that the standard stat pack?

CHAIRMAN NEWTON: Senator Blue.

SENATOR DANIEL: We don't have paper copies, it's just electronic right now.

CHAIRMAN NEWTON: We do have the paper copies.

SENATOR BLUE: All I need, just read it to me.

ERIKA CHURCHILL: So the paper copies are coming. Is there a particular something that you're interested in?

SENATOR BLUE: Yes. I'm just trying to see what the political layout of it is. Senator Daniel said he had all of these competitive districts, but I want to see how they match up, and eventually I want to see how they fit on charts and stuff, histograms and what have you to show what's really happening here.

CHAIRMAN NEWTON: So we'll ask staff to work on that. If you have another question or others have questions, give them a minute to collect their thoughts on that.

SENATOR DANIEL: Erika, are you just

1 going to review some of those statistics?
2 ERIKA CHURCHILL: We'll work through
3 that and [unintelligible].
4 SENATOR CLARK: Question, Mr. Chair.
5 CHAIRMAN NEWTON: I think she's ready
6 to roll, Senator Clark.
7 SENATOR DANIEL: Senator Blue, would it
8 be okay if Erika goes through the composite --
9 SENATOR BLUE: Sure.
10 SENATOR DANIEL: -- 12 race statistics
11 for the 14 districts.
12 SENATOR BLUE: Yes, that's fine.
13 ERIKA CHURCHILL: Senator Blue, I think
14 we have it up on the screen. It may not be the
15 most readable in the room, but I'm going to go
16 through each district individually.
17 SENATOR BLUE: Okay. Fine.
18 ERIKA CHURCHILL: So District 1, the
19 composite score with the 12 election contests
20 from 2016 to 2020, for percent Democrat is 53.94
21 and for Republican is 45.26.
22 For District 2, percent Democrat is
23 63.3; for Senate Republican is 35.39.
24 For District 3, the Democrat percentage
25 is 38.42; Republican, 60.39.

1 For District 4, the percent Democrat is
2 66.17; for Senate Republican is 32.78.
3 For District 5, the percent Democrat is
4 43.52; for Senate Republican is 55.3.
5 For District 6, percent Democrat is
6 49.55; Republican, 49.37 percent.
7 For District 7, 49.71 percent for
8 Democrat; 49.03 percent Republican.
9 For District 8, 41.33 percent for
10 Democrat; 57.5 for Republican.
11 District 9 percent Democrat is
12 38.11 percent; percent Republican is 60.87.
13 For District 10, percent Democrat is
14 28.92; Republican, 69.96.
15 For District 11, percent Democrat is
16 42 -- 44.12; for Senate Republican, 54.62.
17 For District 12, percent Democrat is
18 66.1; percent Republican is 32.61.
19 For District 13, percent Democrat is
20 47.8; Republican, 51.03.
21 District 14 percent Democrat is 47.96;
22 Republican 50.87.
23 And the 12 election contests are the
24 2016 US president, 2016 lieutenant governor,
25 2020 president, 2020 US senate, 2020 governor,

2020 lieutenant governor, 2020 attorney general, 2020 auditor, 2020 commissioner of labor, 2020 commissioner of agriculture, 2020 secretary of state, and 2020 treasurer.

CHAIRMAN NEWTON: Thank you, Ms. Churchill.

Senator Blue.

SENATOR BLUE: Yeah, and I was counting as we went along. So as I counted up, about eight districts that are over 50 percent Republican, and is it three districts over 50 percent Democrat, and the rest of them 49 one way or the other.

CHAIRMAN NEWTON: Is that a question for --

SENATOR BLUE: Yes. I was trying to write it down as Erika was talking. I think I counted it right.

ERIKA CHURCHILL: Yes, sir, Senator Blue, in my count as well with the percent Democrat above 50.0 percent is three -- is three, and for the Republican is eight. However, one of those is at 50 percent.

SENATOR BLUE: Okay. So to be technically accurate, there are eight Republican

1 districts 50 percent plus and three
2 Democratic -- three districts 50 percent plus
3 Democrat.
4 ERIKA CHURCHILL: Yes, sir.
5 CHAIRMAN NEWTON: Senator Daniel.
6 Well, I'm not -- I think that's a
7 question for Senator Daniel.
8 SENATOR BLUE: Yeah. No. No. I'm
9 just wanting to make sure my counting is right.
10 I'm not trying to put her on the spot. Just
11 wanted to be accurate. I hear the grunts and
12 groans, but I can describe something pretty
13 accurately. That's my job.
14 SENATOR DANIEL: So if you go back to
15 the previous map that was released a couple days
16 ago, I guess the pundits would say it was a
17 7-5-2 map. This one would be a 6-4-4 map.
18 SENATOR BLUE: Question of Senator
19 Daniel.
20 CHAIRMAN NEWTON: Yes, Senator Blue.
21 SENATOR BLUE: What is it that makes
22 it's a 6-4-2 map?
23 SENATOR DANIEL: 6-4-4.
24 SENATOR BLUE: 6-4-4.
25 SENATOR DANIEL: It essentially has

1 four of the most competitive districts which are
2 I think 6, 7, 13, and 14, then has six likely
3 Republican districts and four likely Democrat
4 districts.
5 SENATOR BLUE: Okay.
6 UNIDENTIFIED SPEAKER: Mr. Chair.
7 CHAIRMAN NEWTON: Hold on one second.
8 Mr. Daniel, Warren Daniel -- Senator
9 Daniel, anything you wanted to clarify there
10 or --
11 SENATOR DANIEL: Senator Blue, if you
12 look at the chart, the four -- there are four
13 districts with greater than 50 percent Democrat
14 performance. That would be District 1,
15 District 2, District 4, and District 12.
16 CHAIRMAN NEWTON: All right. Thank
17 you, Senator Daniel.
18 Who had a question? Senator Clark.
19 SENATOR CLARK: Thank you, Mr. Chair.
20 According to our criteria, I assume
21 we're still using it, we should only split the
22 minimum number of VTDs in order to achieve
23 population balance. This one splits 15 as
24 opposed to the 13 required. Why did we do that?
25 CHAIRMAN NEWTON: Senator Daniel.

1 SENATOR DANIEL: So all the changes
2 that were made were made to achieve compliance
3 with the Court's objective criteria, with the
4 mean-median and efficiency gap, and so that's
5 why that was done.
6 SENATOR CLARK: Mr. Chair, you are
7 aware that we can do those things with 13 VTD
8 splits, are you not?
9 CHAIRMAN NEWTON: Is this a follow-up,
10 or is that just a comment?
11 SENATOR CLARK: That's a question to
12 you, asking you since you are aware we can
13 achieve the Court's requirements with the 13 VTD
14 splits.
15 CHAIRMAN NEWTON: Okay. That sounds
16 like a comment and your opinion on that, and I
17 appreciate that.
18 SENATOR CLARK: Well, there's an
19 opinion that's been filed. Feel free to check
20 it out.
21 CHAIRMAN NEWTON: Very good. Thank
22 you, Senator Clark.
23 Any other questions or comments for
24 Senator Daniel?
25 SENATOR CLARK: Mr. Chair.

1 CHAIRMAN NEWTON: Yes.
2 SENATOR CLARK: Was it also necessary
3 to split 14 counties as opposed to 13 in order
4 to achieve objectives of the Court?
5 CHAIRMAN NEWTON: Senator Daniel.
6 SENATOR DANIEL: Well, we could go back
7 to the enacted map which was 11, but this
8 one does -- there's 14 districts, 14 splits,
9 so...
10 SENATOR PERRY: Mr. Chairman.
11 SENATOR CLARK: Comment, Mr. Chairman.
12 The enacted map had too many county
13 splits. It may not have split more counties,
14 but it had too many county splits.
15 CHAIRMAN NEWTON: Senator Perry.
16 SENATOR PERRY: Thank you,
17 Mr. Chairman. I think this question is for
18 Senator Daniel, if that is all right.
19 To my knowledge, this is the only map
20 that we have for consideration, it's the only
21 thing before us today. Is that accurate?
22 CHAIRMAN NEWTON: That is accurate.
23 SENATOR PERRY: So I don't know how we
24 can speak to hypotheticals about anything other
25 than what's contained in this map, and I would

1 think that would be what is germane to this
2 committee if we're going to have a committee
3 discussion about the maps and this committee
4 room not be treated like a cross-examination or
5 a courtroom. If we're going to have committee
6 discussion, I think it's suggested that we have
7 to discuss what's before the committee for it to
8 be germane. I'd like for us to be able to get
9 through this today in a reasonable amount of
10 time while answering reasonable questions, but I
11 don't know that having a lot of conversations
12 about what is not in here or not done is going
13 to be helpful. I don't know where that ends and
14 how long we would be here.
15 CHAIRMAN NEWTON: Thank you, Senator
16 Perry. I think --
17 SENATOR BLUE: Mr. Chairman.
18 CHAIRMAN NEWTON: Senator Blue, yes,
19 sir.
20 SENATOR BLUE: Just to comment because
21 I think that Senator Perry's cynicism and
22 comments deserve response.
23 We got this map -- what time is it now?
24 We got this map 30 minutes ago, and we get to
25 comment that this is the only thing before us.

1 That is genuine, unadulterated
2 misrepresentation. Nobody has had a chance to
3 prepare amendments to it, look at any
4 alternative maps, and that's the way this
5 process works.
6 So I don't want anybody to get the
7 impression that somewhere or other all of us are
8 sitting up twiddling our thumbs rather than
9 coming with alternatives to look at. He's
10 absolutely right. Committees look at what's
11 before them, what maps are. We're not going to
12 take a break to look and put other things before
13 you now, but it's not fair to somewhere cast
14 aspersions on those who might have different
15 ideas because those ideas are not in front of us
16 now.
17 CHAIRMAN NEWTON: Thank you,
18 Senator Blue. You're both right, and we're not
19 going to cast aspersions.
20 And with that, do I see a motion to
21 adopt the amendment?
22 SENATOR PERRY: So moved.
23 CHAIRMAN NEWTON: So moved. Senator
24 Perry.
25 All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: Those opposed.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: The ayes have it.

So I would also, then, like to see if there's a motion to -- unfavorable as to the original bill, favorable as to the amendment, rolled into a new PCS. Senator Perry so moves.

All those in favor say aye.

COMMITTEE MEMBERS: Aye.

CHAIRMAN NEWTON: Those opposed.

COMMITTEE MEMBERS: No.

CHAIRMAN NEWTON: The ayes have it. Thank you, and we stand adjourned.

(End of recording.)

STATE OF NORTH CAROLINA)
) C E R T I F I C A T E
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 February 17, 2022, 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 February 2022.

Denise Myers Byrd
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CSR 8240, RPR, CLR 102409-2