

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.

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Legislative Defendants Trial

1 SPEAKER MOORE: The House will come to
2 order. Members and guests will take their seats.
3 Visitors will retire from the chamber. The
4 Sergeant-At-Arms will close the doors. We ask all
5 members and all guests with us today to silence any
6 electronic devices.

7 This afternoon's prayer will be offered by
8 Representative Arp. We ask members, guests and
9 visitors to please stand, those in the gallery as
10 well, and remain standing for the pledge of
11 allegiance.

12 Representative Arp.

13 REPRESENTATIVE ARP: Thank you. If you
14 would like, you may join with me in prayer.

15 Our heavenly father, we pause before you
16 this morning to open our session. Lord, we have many
17 emotions on our hearts, great joy and the celebration
18 of youth and victory and celebration, but, Lord, also
19 we have great concerns in our hearts for our fellow
20 citizens in Texas, and even North Carolinians who have
21 gone on down, both with volunteers and professionals,
22 to help out with relief efforts. Lord, our hearts
23 turn to them and ask for their safety that you provide
24 them, Lord, that you minimum loss of life and that we
25 grow together as a country and community, Lord,

1 through that which me makes us a strong as a nation
2 because you've loved us and given us the spirit of
3 love to help our fellow man.

4 As we undertake the business of this state I
5 pray that you give us wisdom, humbleness and a genuine
6 desire to love and those who you love to serve those
7 in this great state. Lord, we just lift our efforts
8 to you, ask that you bless them and give us wisdom and
9 guidance to make the right decision. As we honor you
10 with all we do. In Jesus' name I pray. Amen.

11 AUDIENCE: I pledge allegiance to the flag
12 of the United States of America and to the republic
13 for which it stands, one nation under God,
14 indivisible, with liberty and justice for all.

15 SPEAKER MOORE: The gentleman from Harnett,
16 Representative Lewis, recognized for a motion.

17 REPRESENTATIVE LEWIS: Mr. Speaker, the
18 Journal for August 29th has been examined and found to
19 be correct. I move that it be approved as written.

20 SPEAKER MOORE: Representative Lewis moves
21 that the Journal of August 29th be approved as
22 written. Those in favor say Aye; those opposed say
23 No. The Ayes have it. The Journal is approved as
24 written.

25 The gentleman from Pitt, Representative

1 Murphy, is recognized to speak to a point of personal
2 privilege as well as the representative statement if
3 the gentleman desires.

4 REPRESENTATIVE MURPHY: Thank you, Mr.
5 Speaker. We have a --

6 SPEAKER MOORE: Just a moment, the House
7 will come to order. The gentleman has the floor.

8 REPRESENTATIVE MURPHY: Statement of
9 personal privilege and recognize that I would like the
10 Clerk to read.

11 SPEAKER MOORE: The Clerk will read in its
12 entirety.

13 HOUSE CLERK: A Representative Statement,
14 recognizing the North State Little League Team.

15 Whereas, the Little League Baseball World
16 Series took place in Williamsport, Pennsylvania,
17 between August 17th and 27th of, 2017; and

18 Whereas, the State of North Carolina was
19 represented in the World Series by the North State
20 Little League Team from Greenville, North Carolina;
21 and

22 Whereas, North State defeated South
23 Carolina, Florida, Tennessee, and Georgia to become
24 the Southeastern region tournament champions; and

25 Whereas, North State went on to defeat the

1 regional tournament champions from the Midstate, Sioux
2 Falls, South Dakota, by a score of 6-0; the West,
3 Rancho Santa Margarita, California, by the score of
4 16-0; and the Southwest, Lufkin, Texas, by a score of
5 2-1; and

6 Whereas, North State's outstanding pitching
7 earned the team's place in history by becoming the
8 first team in the Little League Baseball World Series
9 not to allow any hits in two consecutive games; and

10 Whereas, North State was defeated by Lufkin
11 the United States championship game and by Mexico in
12 the consolation game; and

13 Whereas, North State finished the World
14 Series as second in the nation and fourth in the
15 world;

16 Now, therefore, the members of the North
17 State Little League Team and their coaches have
18 brought great honor to the City of Greenville and the
19 State of North Carolina for their outstanding
20 performance and sportsmanship during the 2017 Little
21 League Baseball World Series and deserve to be honored
22 for their accomplishments.

23 In Witness Whereof, the undersigned
24 certifies that the foregoing statement was read in the
25 House and placed upon the Journal on the 30th day of

1 August, 2017. Submitted by Representative Gregory
2 Murphy. House Principal Clerk, James White.

3 SPEAKER MOORE: Gentleman from Pitt has the
4 floor to speak to a point of personal privilege.

5 REPRESENTATIVE MURPHY: Thank you, Mr.
6 Speaker.

7 Ladies and gentlemen, I present to you 12
8 young men and -- young men who have honored our state
9 and they are now fourth in the world. With your
10 pleasure I would like to call each one, and as I call
11 their name, if they would stand.

12 Jacob Calder, JoeJoe Bryne, Will Casey, Drew
13 Fields, Chase Anderson, Ashton Byers, Cameron
14 Greenway, Luke Lambert, Bryce Jackson, Cash
15 Daniels-Moye, Thomas Barrett, Matthew Matthijs.
16 Mathias, thank you. Carson Hardee. Coaches: Jake
17 Allen, Coach Mike Vaughn. Coach Team Manager, Brian
18 Fields, and batting cleanup, Team Mom, Wagner Grubb.

19 Thank you all, thank you all for the --
20 (Applause.)

21 Thank you all for the memories that you've
22 given us. I have a little something extra to say to
23 you guys:

24 Take me out to the ball game, take me to see
25 our All Stars. They've been pounding the baseball to

1 bits, giving their opponents all kind of fits. Let me
2 root, root, root for our young men, they've
3 represented us so well. For it's one, two, teams they
4 sent home as their victories start to swell.

5 Verse Two: Take me to see our All Stars,
6 their journey began months ago. Hours of practice
7 learning techniques, pitching the baseball like major
8 league freaks. Let them hit, pitch and run, mow the
9 other teams down like grass. For it's one, two series
10 they won by kicking them in the pants.

11 Take Coach Fields, Allen and Vaughn, Wagner
12 Grubb, the team mom, traveling all over God's green
13 earth, draining all the money from their parents'
14 purse, but we root, root, root for our young men. Go
15 rescue me, rescue the day because it's one, two hot
16 dogs chugged down as we jump back in the fray.

17 Last: More wins in Williamsport, not ours.
18 That's just the breaks of the game, but champions in
19 our mind you'll always be, memories everlasting for
20 all there to see. We'll always root, root, root for
21 our state team. You surely have stolen our hearts,
22 for as victors here you'll always be seen when the
23 next season starts.

24 Congratulations, gentlemen. Thank you for a
25 job well done.

1 (APPLAUSE.)

2 SPEAKER MOORE: Folks, no doubt we can tell
3 clearly the ability to sing is not required to serve
4 in the House of Representatives.

5 For what purpose does the gentleman from
6 Scotland, Representative Pierce, rise?

7 REPRESENTATIVE PIERCE: To ask the member a
8 question.

9 SPEAKER MOORE: Does the gentleman from Pitt
10 yield to the gentleman from Scotland? He yields.

11 REPRESENTATIVE PIERCE: Who were the other
12 two persons on the up front at the -- I don't think
13 you called their names; could you tell us who they
14 are, please?

15 REPRESENTATIVE MURPHY: That is Ms. Candy
16 Smith, and is one of the coach's dads, who I can't
17 remember. It's Jeff Fires.

18 REPRESENTATIVE PIERCE: Thank you.

19 (APPLAUSE.)

20 SPEAKER MOORE: On behalf of my colleagues
21 now we appreciate you all being with us today. I tell
22 you a lot of folks here were paying close attention to
23 the games and were watching, and really are very proud
24 of the hard work you did here, you and the support of
25 your families to be traveling around the State and the

1 country. And so, you've made North Carolina very
2 proud, and I know that no doubt years from now when
3 you are a little older and you look back, you are
4 going to appreciate even more what you all
5 accomplished, not only for yourselves, but also your
6 -- for Greenville and your home state. And I would
7 ask my colleagues -- actually, does Representative
8 Richardson -- for what purpose does the lady from
9 Franklin, Representative Richardson, rise?

10 REPRESENTATIVE RICHARDSON: Thank you,
11 Mr. Speaker. I would just like to rise and
12 congratulate my soror. My mayor and Candy Smith,
13 she's a Delta, and we're so proud of her and her team
14 and we say congratulations to all of you. All the
15 Deltas around are very proud of you. Thank you.

16 (APPLAUSE.)

17 SPEAKER MOORE: But, again, I know and I
18 know you all are on a tight schedule. Once again,
19 thank you all, and I ask my colleagues to please join
20 me again in congratulating these -- these folks.

21 (APPLAUSE.)

22 SPEAKER MOORE: Thanks again. Y'all are
23 welcome to stay with us here in session, or we'll put
24 you -- we'll put you to work here very quickly.
25 Otherwise, thank you for being with us. All right,

1 thanks, y'all.

2 Senate Bill 691, the Clerk will read.

3 HOUSE CLERK: Senate Bill 691, a bill to
4 enact to realign the districts of election of the
5 North Carolina Senate. General Assembly of North
6 Carolina annex.

7 SPEAKER MOORE: The gentleman from Harnett,
8 Representative Lewis, is recognized to address the
9 bill.

10 REPRESENTATIVE LEWIS: Mr. Speaker, may I
11 make a request to the Chair?

12 SPEAKER MOORE: The gentleman may state his
13 request.

14 REPRESENTATIVE LEWIS: Mr. Speaker, may I
15 have staff on the floor to aid me?

16 SPEAKER MOORE: The gentleman is permitted
17 to have staff on the floor.

18 REPRESENTATIVE LEWIS: Thank you, Mr.
19 Speaker.

20 SPEAKER MOORE: And any other members who
21 wish to have staff on the floor, the permission is
22 extended as well.

23 The gentlemen has the floor.

24 REPRESENTATIVE LEWIS: Thank you, Mr.
25 Speaker.

1 Mr. Speaker and Members, the Senate map
2 complies with state and federal law, it adheres to
3 traditional districting principles and it remedies
4 defects the court found in the previous map. It
5 splits fewer counties and divides far fewer precincts
6 and fewer municipalities than previous plans for this
7 body.

8 The only members double bunked are those
9 forced by the county grouping formula, and that is
10 exclusively to the detriment of the majority party in
11 this map. It fully cures the defects found by the
12 Covington Court, and, for the record, I will note that
13 this statement also applies to the House map.

14 At multiple points during the House debate,
15 in committee and on the floor, members of the
16 Democratic Party revealed that they had requested and
17 received a statistical package that included the race
18 for the 2017 House Redistricting Plan and they
19 accepted amendment to Wake County that was passed
20 yesterday. In addition, an Associated Press reporter
21 has apparently also seen these statistics provided by
22 the minority party. This data has already been
23 released for the proposed Senate plan via request from
24 Senator Floyd McKissick of Durham.

25 So that there wasn't an asymmetry of

1 information, yesterday morning I asked for central
2 staff to prepare the full statistical package for the
3 House plan as it passed on the House floor yesterday
4 and posted to the House Select Committee on
5 Redistricting's website. It has been posted there
6 since yesterday just before the Senate committee
7 considered our plan.

8 To be clear, race was not used in drawing of
9 the map, and I did not request or see this information
10 for the House plan until yesterday after the House
11 plan passed this chamber. Since yesterday I have
12 reviewed this data for our plan and believe it fully
13 remedies the racial issues the court identified in the
14 previous map. It also avoids any theoretical vote
15 delusion claims under Section II of the Voting Rights
16 Act.

17 An additional expert -- pardon me. An
18 additional report from the democratic plaintiff
19 expert, Dr. Alan Lichman, has been entered into the
20 Senate record, and I believe the report is relevant to
21 our plans as well. Further, I believe our map
22 complies with traditional redistricting principles
23 outlined by the court.

24 Members, to get back to the map before us
25 today, I believe the Senate map complies with the

1 committee's adopted criteria, state and federal law.
2 For those reasons, I ask for your support in voting
3 green to adopt this Senate map. Thank you, Mr.
4 Speaker.

5 SPEAKER MOORE: For what purpose does the
6 gentleman from Cumberland, Representative Richardson,
7 rise?

8 REPRESENTATIVE RICHARDSON: To debate the
9 bill.

10 SPEAKER MOORE: The gentleman is recognized
11 to debate the bill.

12 REPRESENTATIVE LEWIS: Members of the
13 General Assembly, I thought long and hard about
14 speaking on this, and I felt moved by one of our
15 colleague's comments in the last debate on the House
16 plan, and that was Judge Joe John. To me he is like
17 the E.F. Hutton of our body. When he talks, we ought
18 to listen. And there's several -- what makes this
19 place so magical and special is there are several of
20 us like that. Representative McGrady is like that.
21 And those wonderful, wise people when they get up and
22 speak, they transcend party, they transcend the ages
23 and they're a part of this body's politic that makes
24 it special.

25 And we are at our best when we get away from

1 party, and we get away from the caucus and what the
2 caucus wants us to do and we follow our hearts. And I
3 know that each of you in 2008, if you ran in 2008 and
4 you were elected, one of the things you ran on and one
5 of the things I ran on is that if I got in this body
6 and was reelected to this body again, that I would
7 support and fight with all I could to make sure that
8 we had impartial redistricting.

9 Now listen to what Representative Lewis just
10 said. It comply -- we have had this expert that says
11 it complies with this law, and we've had this expert
12 say it complies with split districts, and we've had
13 this looked at by numerous other people, and we've
14 done this and we have done that to comply with the
15 court order. Think about what your common sense is
16 saying to what he just said there and what we put that
17 man through in the last three weeks trying to draw
18 these districts. What all's we had to do and all we
19 should do is what Judge John said two days ago and
20 that is follow our hearts, follow what people want us
21 to do and say to the court here's how we're going to
22 solve this problem. We are going to put six
23 republicans of impeccable character on a commission
24 and six democrats with impeccable character on the
25 commission and we're going to let them draw the

1 districts.

2 Citizens ought to draw the districts that we
3 are elected in and not us. When we were in power, we
4 messed it up. You all ran and said you were going to
5 fix it and now that you're in power, power is a very
6 seductive thing, you all are messing it up. We ought
7 to be ashamed of ourselves, and we ought to do the
8 right thing, and the right thing here is I sat in
9 these public hearings. Folks, people took the time
10 from their jobs, from their homes, from their daily
11 lives to come to those public hearings, what little
12 bit of public hearings we gave them, and they made
13 their voices clear, almost unanimous. Every person
14 that came to those things almost to a -- almost to a
15 person is almost unanimous demanded from us that we
16 have a fair and impartial redistricting, and the only
17 way to do it is to get us out of it and let the
18 citizens draw the lines.

19 I would encourage each of us to vote against
20 this, send it back to our caucuses and demand that we
21 all go united to the court and say, court, we want a
22 fair and impartial commission to do this. It is a
23 fundamentally right thing to do, and each of us in our
24 hearts know that that is the right things to do, and
25 each one of us at one time or another has campaigned

1 and told our constituents that we would do that. And
2 one of these days the citizens are going to have
3 enough of these broken promises and they're going to
4 send us home, and they should, because the right thing
5 to do here is to let citizens draw the lines. Thank
6 you.

7 SPEAKER MOORE: For what purpose does the
8 gentleman from Cabarrus, Representative Pittman, rise?

9 REPRESENTATIVE PITTMAN: To speak on the
10 bill.

11 SPEAKER MOORE: The Gentleman asks to debate
12 the bill.

13 REPRESENTATIVE PITTMAN: Thank you, Mr.
14 Speaker.

15 Ladies and gentlemen, I don't suspect I'm
16 going to sway many people to do what I'm going to do
17 today. I just want you to understand what I'm doing.
18 I meant to say this Monday, I didn't hit my light in
19 time because it doesn't matter whether it's the Senate
20 of the House, I feel the same way about this whole
21 process.

22 If the courts had simply said here's some
23 guidelines that you need to follow next time you do
24 redistricting, I don't think I'd have much of an
25 argument against that. However, our state

1 constitution says that we do redistricting after the
2 census every ten years. So, I'm voting no because I'm
3 not willing to violate our state constitution by doing
4 do it four years early. Thank you.

5 SPEAKER MOORE: For what purpose does the
6 gentleman from Wake, Representative Hall, rise?

7 REPRESENTATIVE HALL: Speak to the bill.

8 SPEAKER MOORE: The gentleman is recognized
9 to debate the bill.

10 REPRESENTATIVE HALL: Members, I got elected
11 in this body in 2012 along with a lot of colleagues on
12 that side, which is the first year these new maps were
13 in place, and my first real observation of my caucus I
14 hate to say, but it was we whined a lot, we
15 complained. We complained that you weren't treating
16 us fairly, and I still remember the responses from a
17 lot of you, it was that, that we did too, it was that
18 elections have consequences.

19 I vividly remember the we did it too
20 argument because that was the first time I talked on
21 this floor. I didn't realize as a freshman that the
22 Speaker rarely comes down unless he feels strongly
23 about something. So, then Speaker Tillis had come
24 down and talked about the rules, how they were much
25 fairer than we had done with you guys. And there was

1 a lot of weight to that argument, but I made the
2 freshman mistake of standing up and saying that's an
3 irrational argument, just because we did it, you
4 shouldn't. I don't want to tell you the consequences
5 I suffered, but, needless to say, I did not win my
6 first debate on this floor.

7 Because of the raw nerves it touched, I
8 realized that there was probably a lot of truth to
9 that, we did not treat you very well. The other thing
10 that was said a lot was elections have consequences,
11 and that's what we're here about. I agree, you're
12 right, they do. We're here about maps and elections,
13 so that's what I'd like to talk about. But the first
14 thing I think that has to be said is that I don't
15 think any of us should conflate winning elections with
16 winning the hearts and mind of the people.

17 There are 120 opinions in this room on what
18 that means, so instead of just adding mine to that,
19 what I'd like to do is just throw out some actual
20 numbers.

21 The first one, I'm going to get some
22 grumbling, I know no one wants to hear this, but the
23 first number is a million people. More than a million
24 people, more than a million Americans voted for the
25 democratic candidate for President in this last

1 election, yet we don't control the presidency, we
2 don't control congress and we don't control this body.
3 Move on quickly to congress and I'll talk about the
4 first election after you guys drew the maps. In that
5 first election when I came to this body in 2012,
6 50.93% of North Carolinians actually went to the poll,
7 walked in and voted for the democratic person on their
8 ballot for the US Congress in North Carolina. 49.6%
9 voted for the republican. So, more people actually
10 walked in the polls and voted for the democrat in that
11 election, yet the result was you guys got a 10/3
12 split, 77% of the seats to 23. And I know what every
13 member of this body is thinking right now, the same
14 thing I'm thinking, we did it too, and you're right,
15 we did.

16 Last week Leader Jackson pointed out the
17 results here in the House, the elections, after the
18 last time we drew the maps versus the last when you
19 guys drew the maps. So, under the 2003 democratic
20 gerrymander, and that's what it was, it was a
21 gerrymander as well, they gave us 66 seats in that
22 next election and you had 54.

23 My point is that I think your version is far
24 more one-sided because right now after that election
25 you had 77 seats to 43. And I think it's important,

1 an important point that Leader Jackson made that we
2 also understand that elections have consequences, but
3 we didn't give ourselves the supermajority in the
4 state, in a state that votes almost equally every
5 single time for democrats and republicans. And my
6 point is that I think every member of this body is
7 politically astute enough to understand that North
8 Carolina is an extremely purple state. Every election
9 it's almost an equal number of democrats that vote for
10 you guys and vote for us.

11 In this body, in the North Carolina House,
12 in the 2016 election roughly 48% of North Carolinians
13 walked into the poll and voted for a democrat running
14 for this body, the North Carolina House. You did win
15 that election as well, and 52% of the voters voted for
16 republicans, but if you look around this chamber it's
17 75 members on that side, which is obviously a
18 supermajority.

19 I'm pointing out the disparities in the
20 election from the President all the way down to this
21 House because I honestly feel there's never been a
22 time in America's history when the disparity between
23 the will of the voters and the actual electoral
24 outcome has been this great.

25 George Washington was revered for being the

1 first man that voluntarily gave up power, and I know
2 that we can't be held to their standards. No one
3 here, including myself is George Washington. I say
4 that with a humility, again, of knowing that we did it
5 as well, but the absolute empirical data of the votes
6 cast in the state make clear that the people of North
7 Carolina don't want us to have a supermajority.

8 Thank you, Mr. Speaker.

9 SPEAKER MOORE. For what purpose does the
10 gentleman from Wake, Representative John, rise?

11 REPRESENTATIVE JOHN: Debate the bill.

12 SPEAKER MOORE: The gentleman has the floor
13 to debate the bill.

14 REPRESENTATIVE JOHN: Thank you, Mr.
15 Speaker.

16 First of all, I appreciate your not
17 referring to me as the gentleman from E.F. Hutton, but
18 more seriously, Mr. Speaker, I'm not going to repeat
19 the full statement I made when this body was
20 considering the proposed House plans, but everything I
21 said on Monday is applicable again today as we
22 consider these proposed Senate maps, characterized
23 perhaps to an even greater degree by the flaws which
24 mark the House maps.

25 In short, politicians who directly benefit

1 from the drafting of legislative districts should not
2 be the drafters of those districts. We absolutely
3 must have in North Carolina a truly independent,
4 impartial and most importantly not partisan
5 redistricting commission.

6 I'll be voting no as I did when we
7 considered the House maps. I recommend the same to
8 you. Thank you for your attention. Thank you,
9 Mr. Speaker.

10 SPEAKER MOORE: For what purpose does the
11 lady from New Hanover, Representative Butler, rise?

12 REPRESENTATIVE BUTLER: To briefly debate
13 the bill.

14 SPEAKER MOORE: The lady is recognized to
15 debate the bill.

16 REPRESENTATIVE BUTLER: I had no intention,
17 actually, of speaking on this issue today, but as I
18 saw the young men from Greenville here, and I did
19 watch their ball game, they should have won that
20 thing. They were up 5 to nothing, and all those curly
21 headed fellows in the front there did so well.

22 You know, the public like those boys expect
23 nothing less than a level playing field. The public
24 made that perfectly clear throughout meetings all
25 across this state. I thought about what if we had

1 told those children, boys, do the best you can, but
2 you're going to start six runs down, and you're going
3 to bat left-handed even if you're a righty and you're
4 going to have to hop on one foot to first base.
5 That's not fair.

6 So, in life, in sports and in politics the
7 public expects a level playing field, and what we have
8 in North Carolina is a national reputation for sports
9 earth politics, and none of us should be very proud of
10 that in this body.

11 So, fairness, a level playing field and good
12 conscience should rue the day. I vote you to vote no
13 on these maps. Thank you, Mr. Speaker.

14 SPEAKER MOORE: For what purpose does the
15 gentleman from Wake, Representative Dollar, rise?

16 REPRESENTATIVE DOLLAR: To debate the bill.

17 SPEAKER MOORE: The gentlemen has the floor
18 to debate the bill.

19 REPRESENTATIVE DOLLAR: Members of the
20 House, there's been some arguments made here in the
21 last few minutes that I just want to make a couple of
22 points about. One, the gentleman says all of this is
23 a purple state. Well, that's very deceptive and let
24 me tell you why that's deceptive. In the last
25 statewide election republicans won 13 of 17 statewide

1 races. 13 of 17. That seems a whole lot more leaning
2 to the republican side, the conservative side of the
3 actual issues, that are -- that come before our state
4 and federal elected officials from here in North
5 Carolina.

6 I would also remind one of the members, you
7 know, talked about various formulas and who won this
8 and who won that. I mean what do you want? Do you
9 want proportional representation? Then you need to go
10 change the U. S. Constitution if that's what you want.
11 If you want a European system, go out there and get
12 it. Don't try to boot strap it through all sorts of
13 various and sundry mechanisms that, you know,
14 professors and different things come up with around
15 the -- around the country.

16 The fact is, is that you have a
17 misdistribution of your voters of people willing to
18 support you. That's your problem that you probably
19 ought to go try to solve if you want to solve it.

20 I would also note just two other quick
21 things. One, you know, when we talk about reform, I
22 remember because I was around this town for a while
23 now, and I remember cases going back to the early and
24 mid '80's and coming forward and I seem to note that
25 it was republicans who were helping with lawsuits or

1 initiating lawsuits to reform redistricting, and time
2 and time again winning against in our state supreme
3 court and winning in the United States Supreme Court.
4 So, folks need look at themselves and look at your own
5 history. Republicans have a history of reform here.
6 We have the history of reform, hard fought. And
7 that's the reason why we have some of the most
8 stringent requirements of anywhere in the country like
9 it's forgotten, it doesn't get reported on, but it's
10 an actual fact. And we have complied in both the
11 House and Senate map with those requirements, state as
12 well as federal.

13 And it was also a fundamental question about
14 what do the people want, what do the people want.
15 Well, it occurs to me that we are debating the Senate
16 maps, and I would point this out to everybody here and
17 everybody listening, Senate republicans won a
18 supermajority under the democrat maps, under the
19 democrat maps. So, clearly, that was the will of the
20 people. And I encourage you to vote for this bill.

21 SPEAKER MOORE: For what purpose does the
22 lady from Durham, Representative Morey, rise?

23 REPRESENTATIVE MOREY: Thank you, to debate
24 the bill.

25 SPEAKER MOORE: The lady has the floor to

1 debate the bill.

2 REPRESENTATIVE MOREY: Members, I echo the
3 comments of my colleagues, and I just want to be
4 reminded of the public hearings. And when we sat in
5 Raleigh and watched the various people throughout the
6 state speak, there was one young mother here in
7 Raleigh who sat for two and a half hours. She had a
8 one-year-old toddler, kept running in running out,
9 disturbing and she finally got her opportunity to
10 speak. And she said I'm a nobody to you. You won't
11 hear my voice, but I care about fairness. I want a
12 future for my child.

13 So, for all those people who spoke, I think
14 this whole body did hear their voices, but they are
15 asking for fair maps, and I echo my colleagues that we
16 do need independent, nonpartisan redistricting;
17 therefore, I'll be voting no. Thank you very much.

18 SPEAKER MOORE: For what purpose does the
19 gentleman from Wake, Representative Jackson, rise?

20 REPRESENTATIVE JACKSON: I speak on the
21 bill.

22 SPEAKER MOORE: The gentleman has the floor
23 to debate the bill.

24 REPRESENTATIVE JACKSON: Thank you, Mr.
25 Speaker.

1 I rise, ladies and gentlemen, to oppose the
2 Senate redistricting plan. I know that they've had a
3 good debate on their and their chamber, and I know
4 it's normal for us to just accept what the Senate
5 does, and so, I'm not going to really get into many of
6 the details.

7 I will point out something. I know for a
8 fact that a nonpartisan redistricting bill has passed
9 this chamber in the past and, you know, some people
10 are kind of questioning if it passed only because we
11 knew the Senate would never take it up, but I will say
12 to you this: I floated this idea to many of the bills
13 sponsors over the last several years. There's nothing
14 that prevents the House from doing our own type of
15 nonpartisan redistricting. We don't have to get the
16 senate to go along with it in the House plans. We can
17 do what we want. So, if you, in fact, in the last
18 four years have voted for nonpartisan redistricting,
19 we can make that happen.

20 As to this plan, I want to say that the
21 racial gerrymandering issues in the Senate map is
22 basically the same ones as I mentioned in the House
23 map. Senate republicans did not use racial data, and
24 in my opinion again what we have before us today does
25 not apply to Federal court's order. Also, this map

1 does also double down on the partisan gerrymander from
2 2011. And I know I've read several people have
3 complimented Senator Berger and the speech that he
4 gave on the Senate floor about how my party's problem
5 is not, in fact, gerrymandering, it's that we can't
6 appeal to rule voters, and I understand talking points
7 and I understand how people parrot that.

8 You know, I just simply don't agree with
9 that, but if you accept that Senator Berger's argument
10 is true, then you also have to accept the flip side of
11 that argument, which is that democrats are doing
12 really well in urban areas, but yet these maps don't
13 reflect that truth. So, if you don't accept the
14 notion that the maps are gerrymandered in the east and
15 in the rural areas, you have to at least accept that
16 they are, in fact, gerrymandered in the urban areas to
17 prevent democrats from having more seats than they
18 probably should.

19 In Wake County if you look at Senate
20 District 18, and Senate District 15, Guilford County,
21 if you look at Senate District 28 and Senate District
22 27, Forsyth, you can look at Senate District 29, and
23 Senate District 31, and then Mecklenburg County, you
24 can look at Senate District 41, which starts in the
25 northeast portion of the county and goes down the

1 western border of the county, all the way down into
2 the southern part of the county. And then you can
3 look at the districts in Cumberland County in all its
4 gerrymandered glory. In fact, it was gerrymandered
5 pretty badly before it was added on, but then when
6 they went and got the section adding Senator Clark's
7 second home in, it really became a work of art.

8 I've not done an in-depth analysis of the
9 Senate maps or the alternative maps, but it's really
10 hard for me to imagine that this is the best we can
11 do. We can draw maps that are less partisan, more
12 compact and maps that don't repeat the racial
13 gerrymander of 2011. I think that's what the court
14 expected us to do. I think we'll be back here in 2019
15 doing this again after the court's vote it out. I'll
16 be voting red today.

17 SPEAKER MOORE: For what purpose does the
18 lady from Mecklenburg, Representative Cunningham,
19 rise?

20 REPRESENTATIVE CUNNINGHAM: To speak on the
21 bill.

22 SPEAKER MOORE: The lady has the floor to
23 debate the bill.

24 REPRESENTATIVE CUNNINGHAM: Thank you, Mr.
25 Speaker.

1 You know, as I sit here and I heard what my
2 colleague said, Representative Hall, that we were
3 whining. I'm not a whiner. I want to get that clear.

4 This redistricting is serious for the people
5 of the State of North Carolina. It's two things that
6 was said that really bothers me. One is that race was
7 not taken into consideration. That was one of the
8 criteria, and I understand that, but when I walk in a
9 room, you know exactly who I am. I don't get to take
10 off my skin and be anything else. So, I think it
11 should always be taken into consideration. So that's
12 the decision that they made.

13 The other thing is about this redistricting
14 is it's all about power. It's about who gets to make
15 the decisions for the whole State of North Carolina,
16 for all the citizens of North Carolina. This is about
17 power. Are you willing to share power with someone
18 that is not equal to you? That's the question. Are
19 you equal, are you ready to share power?

20 The redistricting that we're going under now
21 that we have waited a decade almost for that was
22 unconstitutional, that we were elected under, we've
23 waited almost a decade for this to happen and it looks
24 like we will have an additional wait. Are you ready
25 to share power, that's what redistricting is about.

1 No, the maps are not exactly what I would
2 like them to be, but do I have the power and are you
3 willing to share the power? The people of North
4 Carolina are looking for us to learn how to share
5 power. Thank you.

6 SPEAKER MOORE: For what purpose does the
7 gentleman from Nash, Representative Jordan, rise?

8 REPRESENTATIVE JORDAN: To debate the plans.

9 SPEAKER MOORE: The gentleman is recognized
10 to debate the bill.

11 REPRESENTATIVE JORDAN: Thank you, Mr.
12 Speaker.

13 There's a whole lot of stuff that I can
14 stand up here and say, but I really just want to make
15 two points. Aside from the fact that I'm a primary
16 sponsor of the nonpartisan redistricting plan, so that
17 makes me immune to a lot of the whining that's going
18 on across the aisle.

19 The two points I'd like to make are
20 follow-up on Representative Jackson's comments about
21 how Senate District 21 in Cumberland County. Did you
22 hear him very carefully? Did you hear him ask about
23 that district? It looks like Puff The Magic Dragon to
24 me. And that little puff there that came from Senator
25 Clark, who apparently asked the Senate majority to add

1 that in for him I guess to gerrymander for him,
2 although he's been one of the leading members talking
3 about this deficiency gaps, how there are wasted
4 voters for anybody who votes for a losing candidate,
5 your vote is wasted, and anyone who votes for more
6 than what the winning candidate needed is also wasted
7 votes. I'm afraid the court is going to look at that,
8 ridiculous formulas like that in the future. But the
9 other point I'm going to make and I'm voting, I'm
10 actually voting against this map and I wanted to
11 explain why because I took some of my colleagues by
12 surprise in committee yesterday, and that is for this
13 reason: I thoroughly understand step one being the
14 Senate county groupings, and I think that's very good.
15 That is important for everyone to understand listening
16 here today and listening online, that this process,
17 even though it is not the non-partisan districting
18 process that I would prefer, starts with actual
19 objective steps and it included grouping the counties,
20 all right.

21 Well, despite that, I'm going to vote
22 against this because basically my area northwestern
23 North Carolina is going to lose a Senate
24 representative, and that's why I'll be voting against
25 this map today. Thank you, Mr. Speaker.

1 SPEAKER MOORE: Further discussion, further
2 debate. If not, the question for the House, passage
3 of Senate Bill 691 on second reading. Those in favor
4 will vote Aye, those opposed will vote No. The Clerk
5 will open the vote.

6 The Clerk will lock the machine and record
7 the vote. 68 having voted in the affirmative; 47 in
8 the negative. Senate Bill 691 passes the second
9 reading.

10 Any overrule to that objection?

11 Clerk will read that in.

12 HOUSE CLERK: Senate Rule 691 annex.

13 SPEAKER MOORE: Any further discussion,
14 further debate? If not, question for the House pass
15 Senate Bill 691 on the third reading. Those in favor
16 will vote Aye; those opposed will vote No. Clerk will
17 open the vote.

18 Clerk will lock the machine and record the
19 vote. 68 having voted in the affirmative; 47 in the
20 negative. Senate Bill 691 passes the third reading.
21 The Bill is ordered enrolled.

22 Members, we are about to take a recess until
23 3:30. It is right now it's -- actually, strike that,
24 until 3:45. That will be a one-hour recess for a
25 number of reasons. I believe the Majority Leader is

1 going to announce a caucus 30 minutes from now.

2 Sorry, Representative Bell, I didn't realize you had
3 stepped away from your desk.

4 Gentlemen is recognized for an announcement.

5 REPRESENTATIVE BELL: Thank you, Mr.
6 Speaker. Republicans, you just saw on your e-mail
7 we're going to caucus 30 minutes after recess in Room
8 1228. That's 30 minutes after recess in Room 1228.
9 Please be prompt. Thank you.

10 SPEAKER MOORE: Mr. Clerk, Chair directs
11 that House Bill 717 revised judicial districts be
12 removed from the Committee on Elections and Ethics
13 Law; directs that it be referred to the Committee on
14 Judicial Redistricting.

15 For what purpose does the gentleman from
16 Chowan, Representative Steinberg, rise?

17 REPRESENTATIVE STEINBERG: A point of
18 personal privilege, Mr. Speaker.

19 SPEAKER MOORE: The gentleman is recognized
20 to speak to a point of personal privilege.

21 REPRESENTATIVE STEINBERG: Thank you.

22 This tragedy unfolding in Texas from
23 Hurricane Harvey reminds all of us of the immeasurable
24 value of our service personnel who leave their homes
25 and risk their lives to assist in rescuing citizens

1 from grave peril. As a North Carolina State
2 Representative serving northeastern North Carolina, it
3 is an honor to serve a district that includes a major
4 coast guard installation located in Elizabeth City and
5 officially designated All American Coast Guard City.
6 Captain Joseph Deere, commanding officer of Air
7 Station Elizabeth City and the magnificent men and
8 women of the coast guard serving with C130 fixed wing
9 aircraft and H60 helicopters and other personnel,
10 courageously exemplify the best of the American spirit
11 as they assist those in need in Texas and around the
12 nation.

13 Today, I offer my continued thanks to the
14 coast guard, their families and the civilians who
15 support their mission for their exceptional commitment
16 and work on behalf of the American people.

17 Thank you, Mr. Speaker.

18 SPEAKER MOORE: For what purpose does the
19 gentleman from Guilford, Representative Quick, rise?

20 REPRESENTATIVE QUICK: A point of personal
21 privilege.

22 SPEAKER MOORE: The gentleman is recognized
23 to speak to a point of personal privilege.

24 REPRESENTATIVE QUICK: Prior to my arrival
25 here in the North Carolina House, District 58 was

1 represented by a gentleman named Mr. Ralph C. Johnson.
2 Mr. Johnson passed away earlier this year, and this
3 morning I was privileged to be part of a ceremony that
4 re- named a new connector road in Greensboro, North
5 Carolina, the Ralph C. Johnson Way.

6 I'd ask my colleagues here today if you
7 would join me in acknowledging the work and life of
8 former Representative Ralph C. Johnson as we
9 celebrated his life in Greensboro earlier this
10 morning.

11 (APPLAUSE.)

12 SPEAKER MOORE: For what purpose does the
13 gentleman from Wake, Representative Jackson, rise?

14 REPRESENTATIVE JACKSON: Inquiry of the
15 Chair.

16 SPEAKER MOORE: The gentleman is recognized
17 to inquire.

18 REPRESENTATIVE JACKSON: What time will we
19 be coming back, Mr. Speaker?

20 SPEAKER MOORE: We're going to be back at 4
21 -- excuse me, at 3:45.

22 REPRESENTATIVE JACKSON: Inquiry of the
23 Chair.

24 SPEAKER MOORE: The gentleman is recognized.

25 REPRESENTATIVE JACKSON: Will we be done

1 today?

2 SPEAKER MOORE: Maybe. I hope so.

3 REPRESENTATIVE JACKSON: Okay, for an
4 announcement.

5 SPEAKER MOORE: The gentleman is recognized
6 for an announcement.

7 REPRESENTATIVE JACKSON: House democrats
8 will caucus at 3 o'clock in 12 -- I mean 14, whatever
9 our normal room is.

10 SPEAKER MOORE: Thanks.

11 Members, if there's no more notices and
12 announcements right now, subject to the standard
13 stipulations set forth in Rule 15.1, the Chair directs
14 the House to stand in recess until 3:45.

15 (THE HOUSE STANDS IN RECESS AT 2:47 P.M.)

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1 STATE OF NORTH CAROLINA

2 COUNTY OF DURHAM

3

4 REPORTER'S CERTIFICATE

5 I, Regina Toppins, Shorthand Reporter and Notary
6 Public in and for the State of North Carolina, do hereby
7 affirm that the foregoing pages contain a verbatim
8 transcription of the above-captioned proceedings and
9 have been transcribed to the best of my ability and
10 understanding; I further affirm that I am not related to
11 any of the parties to this action; that I am not
12 interested in the outcome of this case; that I am not of
13 counsel nor in the employ of any of the parties to this
14 action.

15 IN WITNESS WHEREOF, I have hereto set my hand,
16 this the 30th day of August, 2017.

17

18

19

Regina Toppins

20

Regina Toppins, Notary Public
Notary Number: 200626300019

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