



North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh, NC 27601-2808

SENATOR BEN CLARK
21ST DISTRICT

OFFICE: (919) 733-9349
BEN.CLARK@NCLEG.NET

August 10, 2017

Recommended Criteria for Construction of NC Legislative Districts

1. **Equal Population:** The 2010 federal decennial census data shall be used as the basis of population for the establishment of districts in the plan. Within the limits of the law, efforts shall be made to account for population growth.
2. **Contiguity:** Legislative districts shall be comprised of contiguous territory which may consist of both landmass and bodies of water. To the extent practicable, areas within a legislative district shall be easily accessible for commerce, from other areas of the same district, without requiring members to transit through an adjacent legislative district to gain such access.
3. **Total Black Voting Age Population:** None of the nine Senate districts and 19 House districts deemed as unconstitutional by the US Supreme Court in the Covington case shall have a total black voting age population higher than that which existed in those enacted NC legislative districts that were in effect in 2010.
4. **Voting Districts:** 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.
5. **Partisan Symmetry:** Partisan symmetry posits that a district plan should treat the major parties symmetrically in terms of the conversion of votes to seats. The Committee shall make reasonable efforts to achieve this ideal by constructing plans that provide for the equally efficient conversion of partisan proxy votes from selected statewide elections, in such a way, as to prospectively achieve a distribution of seats commensurate with the partisan makeup of the state.





North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh, NC 27601-2808

SENATOR BEN CLARK
21ST DISTRICT

OFFICE: (919) 733-9349
BEN.CLARK@NCLEG.NET

6. **Efficiency Gap:** The efficiency gap of plans considered for enactment shall not exceed five percent. The efficiency gap shall be determined by using the simplified efficiency gap calculation. Such calculations shall use the 2016 US President and US Senate election results as proxy votes for assessing prospectively, the likely partisan performance of districts as constructed within the maps being considered for enactment.
7. **Compactness:** The Committee shall make reasonable efforts to construct districts in the Senate and House district plan that improve the compactness of the current districts and keep more counties and VTDs whole as compared with the current enacted plan.
8. **Whole-County Provision:** Pursuant to complying with the whole-county provision as mandated by the North Carolina Constitution, to the greatest extent practical, the Committee shall not divide counties in creating legislative districts except wherein compliance with the whole-county provision has been preempted or otherwise superseded by federal law or court rulings. When division of counties is required, reasonable efforts shall be made not to divide a county into more than two districts.
9. **Partisan Advantage:** Maintaining or establishing a partisan advantage for any party shall NOT be a criterion for the construction or approval of House and Senate district plans.
10. **Voter Preference Assignment:** Voters may be assigned to redistricts based on the policy preferences expressed by the votes they have cast in past elections in order to produce partisan symmetry in the House and Senate, but voters may not be assigned to redistricts to produce a partisan political advantage unrelated to the statewide electoral strength of the political parties.





North Carolina General Assembly
Senate Chamber
State Legislative Building
Raleigh, NC 27601-2808

SENATOR BEN CLARK
21ST DISTRICT

OFFICE: (919) 733-9349
BEN.CLARK@NCLEG.NET

11. **Incumbency:** Incumbency may not be considered in redrawing districts for the purpose of maintaining, in whole or in part, the partisan advantage gained by the illegal 2011 House and Senate plans.
12. **Race:** Race shall not be the predominant factor used to re draw the boundary of any House or Senate district unless that decision is supported by legislative findings based on substantial evidence that the district's boundaries are necessary to avoid a violation of the Voting Rights Act, properly interpreted.
13. **Interactive District Maps:** Currently citizens can access the "Who Represents Me" tool on NCGA website and easily determine the legislative district they reside in and who represents them. A similar tool shall be made available that will allow citizens to easily determine which legislative district they would reside in under a proposed legislative map.
14. **Plan Completion Date:** The North Carolina General Assembly shall complete and submit new House and Senate district plans to the United States District Court for the Middle District of North Carolina no later than August 21, 2017.

Respectfully,

Senator Robert B. Clark, III

