| Short Title: | Redistricting Reform. | (Public) |
| --- | --- | --- |
| Sponsors: | Senator Brock. | |
| Referred to: | | |

1  <div align="center">A BILL TO BE ENTITLED</div>
2  AN ACT TO AMEND THE CONSTITUTION TO REFORM LEGISLATIVE AND
3      CONGRESSIONAL REDISTRICTING.
4  The General Assembly of North Carolina enacts:
5        **SECTION 1.**  Section 3 of Article II of the Constitution of North Carolina
6  reads as rewritten:
7  "**Sec. 3. Senate districts; apportionment of Senators.**
8      The Senators shall be elected from districts. The ~~General Assembly, at the first~~
9  ~~regular session convening~~ Secretary of State, beginning as soon as practical after the
10  return of every decennial census of population taken by order of Congress, shall ~~revise~~
11  supervise the revision of the senate districts and the apportionment of Senators among
12  those ~~districts,~~ districts by the people of North Carolina, according to the process
13  described in Section 26 of this Article, subject to the requirements in that section and
14  both the following requirements:
15      (1)    Each Senator shall ~~represent, as nearly as may be, an equal~~ represent a
16  number of ~~inhabitants,~~ inhabitants which shall not differ from the ideal by more than
17  three percent (3%), the ideal number of inhabitants that each Senator represents being
18  determined for this purpose by dividing the population of the ~~district that he represents~~
19  State by ~~the number of Senators apportioned to that district;~~50.
20      ~~(2)~~    ~~Each senate district shall at all times consist of contiguous territory;~~
21      ~~(3)~~    ~~No county shall be divided in the formation of a senate district;~~
22      ~~(4)~~(2) When established, the senate districts ~~and the apportionment of Senators~~ shall
23  remain unaltered until the return of another decennial census of population taken by
24  order of Congress."
25        **SECTION 2.**  Section 5 of Article II of the Constitution of North Carolina
26  reads as rewritten:
27  "**Sec. 5. Representative districts; apportionment of Representatives.**

1    The Representatives shall be elected from districts. The ~~General Assembly, at the~~
2    ~~first regular session convening~~ Secretary of State, beginning as soon as practical after
3    the return of every decennial census of population taken by order of Congress, shall
4    ~~revise~~ supervise the revision of the representative districts and the apportionment of
5    Representatives among those ~~districts,~~ districts by the people of North Carolina,
6    according to the process described in Section 26 of this Article, subject to the
7    requirements in that section and both the following requirements:
8        (1)    Each Representative shall ~~represent, as nearly as may be, an equal~~ represent a
9    number of ~~inhabitants,~~ inhabitants which shall not differ from the ideal by more than
10   three percent (3%), the ideal number of inhabitants that each Representative represents
11   being determined for this purpose by dividing the population of the ~~district that he~~
12   ~~represents~~ State by ~~the number of Representatives apportioned to that district;~~120.
13       ~~(2)    Each representative district shall at all times consist of contiguous territory;~~
14       ~~(3)    No county shall be divided in the formation of a representative district;~~
15       ~~(4)~~(2) When established, the representative districts ~~and the apportionment of~~
16   ~~Representatives~~ shall remain unaltered until the return of another decennial census of
17   population taken by order of Congress."
18           **SECTION 3.**  Section 6 of Article II of the Constitution of North Carolina
19   reads as rewritten:
20   "**Sec. 6. Qualifications for Senator.**
21       Each Senator, at the time of his election, shall be not less than 25 years of age, shall
22   be a qualified voter of the State, and shall have resided in the State as a citizen for two
23   years and in the district for which ~~he~~ the Senator is chosen for one year immediately
24   preceding ~~his election.~~the Senator's election, unless the boundaries of any senate district
25   were revised less than 15 months before the general election, in which case the Senator
26   shall have established residence in the district no later than three months after the date
27   the boundaries were last revised."
28           **SECTION 4.**  Section 7 of Article II of the Constitution of North Carolina
29   reads as rewritten:
30   "**Sec. 7. Qualifications for Representative.**
31       Each Representative, at the time of his election, shall be a qualified voter of the
32   State, and shall have resided in the district for which ~~he~~ the Representative is chosen for
33   one year immediately preceding ~~his election.~~ the Representative's election, unless the
34   boundaries of any representative district were revised less than 15 months before the
35   general election, in which case the Representative shall have established residence in
36   the district no later than three months after the date the boundaries were last revised."
37           **SECTION 5.**  Article II of the Constitution of North Carolina is amended by
38   adding a new section to read:
39   "**Sec. 25. Congressional districts.**
40       Members of the House of Representatives of the United States shall be elected from
41   districts. The Secretary of State, beginning as soon as practical after the return of the
42   decennial census of population taken by order of Congress, shall supervise the revision
43   of the congressional districts and the apportionment of United States Representatives
44   among those districts by the people of North Carolina, according to the process

1   described in Section 26 of this Article, subject to the requirements of that section and
2   both the following requirements:
3       (1)    Each United States Representative shall represent a number of inhabitants
4   which shall not differ from the ideal by more than the lesser of three percent (3%) or the
5   limit set by federal law, the ideal number of inhabitants that each Representative
6   represents being determined for this purpose by dividing the population of the State by
7   the number of United States House seats to which North Carolina is entitled by federal
8   law.
9       (2)    When established, the congressional districts shall remain unaltered until the
10  return of another decennial census population taken by order of Congress."
11          **SECTION 6.**  Article II of the Constitution of North Carolina is amended by
12  adding a new section to read:
13  "**Sec. 26. Process of defining districts.**
14      (1)    Legislative and congressional districts shall be revised by the citizens of
15  North Carolina, under the supervision of the Secretary of State. The General Assembly
16  shall not adopt any legislative or congressional district plan.
17      (2)    Any citizen of the State of North Carolina may submit one or more proposed
18  redistricting plans to the Secretary of State for any or each type of district: The North
19  Carolina House of Representatives, North Carolina Senate, and United States House of
20  Representatives.
21      (3)    Each plan submitted to the Secretary of State shall be accompanied by a
22  nonrefundable fee of one hundred dollars ($100.00), unless waived per subsection (9) of
23  this section.
24      (4)    The proposed redistricting plans shall be submitted to the Secretary of State
25  electronically, in a manner and format to be determined by the Secretary of State for the
26  mutual convenience of the citizens and the Secretary of State.
27      (5)    The Secretary of State shall have the responsibility for evaluating each such
28  plan according to the criteria of this Article. Each plan shall first be evaluated for
29  compliance with the mandatory requirements. Plans which do not comply with the
30  mandatory requirements shall not be scored for quality. Plans which comply with the
31  mandatory requirements shall be scored for quality according to the criteria of this
32  section.
33      (6)    The Secretary of State shall accept the proposed redistricting plans for a
34  Submission Period of 90 days. At the end of the Submission Period, the Secretary of
35  State shall announce which submitted plan for each type of district had the highest total
36  quality score. Those plans shall be adopted to define the legislative and congressional
37  districts until the return of another decennial census of population taken by order of
38  Congress.
39      (7)    Each weekday during the Submission Period, or as frequently as practical, but
40  not less than once per week, the Secretary of State shall post on its Web site the 10
41  highest-scoring proposed plans received so far for each type of district, based on each
42  plan's total quality score. The highest-scoring plan for each type of district shall be
43  called the Leading Plan for that day.

1  (8) Each proposed plan submitted to the Secretary of State shall become public
2  information. Both the data file defining each plan and each plan's total quality score and
3  component scores shall be made public as quickly as practical on the Secretary of
4  State's Web site, so that other citizens may use them when creating other proposed
5  plans.
6  (9) The fee for submitting a plan shall be waived or refunded if that plan is
7  determined by the Secretary of State to be the Leading Plan for the day.
8  (10) The State of North Carolina shall create, place into the public domain and
9  make available to the public, computer software for designing and scoring redistricting
10 plans, including the software that the Secretary of State uses to evaluate proposed plans.
11 The source code for all such software shall also be placed into the public domain, and
12 made available to the public. Such software may be dependent upon the use of
13 commercially available software, but the cost of the required commercially available
14 software shall be as small as practical to avoid being an impediment to citizen
15 participation in the redistricting process.
16 (11) The following are mandatory requirements for all proposed redistricting
17 plans:
18       (a)    Each district shall consist of contiguous territory. Point-contiguity
19              shall not be considered contiguous.
20       (b)    One and only one State Senator, State Representative, or United States
21              Representative shall represent each district.
22       (c)    The districts shall comply with federal law.
23 (12) The total quality score for each proposed redistricting plan shall be computed
24 as the sum of three component scores, each of which is chosen to achieve a particular
25 goal. The three goals are: compactness, one person, one vote, and minimizing the
26 number of split counties, municipalities, and precincts:
27       (a)    The goal of compactness is to avoid elongated and irregular districts.
28              The component score which quantifies this goal shall be the Reock
29              quotient for the plan. The 'Reock quotient for the plan' means the
30              average of the Reock quotients for each proposed district in the plan.
31              The Reock quotient for a district is the area of the district divided by
32              the area of the smallest possible enclosing circle, a number between 0
33              and 1.
34       (b)    The goal of one person, one vote is to ensure that each voter's vote is
35              of equal importance. The component score that quantifies this goal
36              shall be computed as follows:  First, compute X, the 'ideal district
37              voting strength,' which means the total number of votes cast in the
38              most recent gubernatorial election divided by the number of districts in
39              the State. Then, for each proposed district, compute Y, the number of
40              those voters who resided in the proposed district. Then, for each
41              proposed district, divide the smaller of X and Y by the larger of X and
42              Y, resulting in a number between 0 and 1. Finally, average these
43              quotients for all the districts in the plan.

1        (c)      The goal of minimizing the number of split counties, municipalities,
2        and precincts is quantified by calculating a component score as
3        follows: First, for each county, municipality, or precinct (hereafter
4        'geographic entity') which the plan splits, calculate the number of
5        'excess splits,' and cube that number. Then sum these cubed numbers,
6        divide the sum by twice the number of districts in the State, and
7        subtract the quotient from 1. The result is the component score for this
8        goal, a number less than or equal to 1. The number of excess splits for
9        a geographic entity is calculated as follows: First, calculate X, the ideal
10       number of districts to represent that geographic entity. For precincts, X
11       is always equal to 1. Otherwise, X is defined as ninety-nine percent
12       (99%) of the population of the county or municipality, divided by the
13       ideal population of a district, rounded up to the next integer. Then
14       define Y, the number of districts into which the geographic entity is
15       split by the proposed plan. If Y is not greater than X, the number of
16       excess splits is zero. If Y is greater than X, the number of excess splits
17       is Y minus X."
18       **SECTION 7.**  Article II of the Constitution of North Carolina is amended by
19 adding a new section to read:
20 "**Sec. 27. Process of redefining districts if required by courts.**
21   If any redistricting plan adopted in accordance with the process in Section 26 of this
22 Article is invalidated by a court decision, the State of North Carolina shall first exhaust
23 all legal remedies in appealing that decision to reinstate the districts. But if the decision
24 cannot be reversed, the citizens of North Carolina shall create revised districts under the
25 supervision of the Secretary of State, according to the process in Section 26 of this
26 Article, except that the Submission Period shall be shortened to 45 days."
27       **SECTION 8.**  The amendments set out in Sections 1 through 7 of this act
28 shall be submitted to the qualified voters of the State at the general election in
29 November 2008, which election shall be conducted under the laws then governing
30 elections in the State. Ballots, voting systems, or both may be used in accordance with
31 Chapter 163 of the General Statutes. The question to be used in the voting systems and
32 ballots shall be:
33                    "[ ] FOR     [ ] AGAINST
34       A constitutional amendment to eliminate gerrymandering by providing for the
35 citizens of the State of North Carolina to redistrict the State for the purpose of electing
36 members of the General Assembly and members of the United States House of
37 Representatives into districts designed with the goals of compactness, smallest number
38 of split counties and cities, and one person, one vote."
39       **SECTION 9.**  If a majority of votes cast on the question are in favor of the
40 amendments set out in Sections 1 through 7 of this act, the State Board of Elections
41 shall certify the amendments to the Secretary of State. The amendments become
42 effective upon this certification. The Secretary of State shall enroll the amendments so
43 certified among the permanent records of that office.
44       **SECTION 10.**  This act is effective when it becomes law.