



2007 ASSEMBLY JOINT RESOLUTION 63

August 28, 2007 - Introduced by Representatives KESSLER, BLACK, SHERIDAN, BERCEAU, POPE-ROBERTS, HEBL and FIELDS, cosponsored by Senator LEHMAN. Referred to Committee on Elections and Constitutional Law.

1 **To renumber** section 9 of article IV; **to renumber and amend** section 3 of article
2 IV; and **to create** section 3 (2) to (4) of article IV and section 9 (2) of article IV
3 of the constitution; **relating to:** the procedure for redistricting the legislature
4 and the establishment of a state redistricting board and a legislative technology
5 services bureau (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2007 legislature on first consideration, establishes a state redistricting board composed of the attorney general, the secretary of state, the state treasurer, the state superintendent of public instruction, and one member appointed by the supreme court. It also defines demographic and political standards for the drawing of legislative districts and establishes a procedure for the drawing of legislative districts. The amendment further requires the legislature to establish a legislative technology services bureau.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

6 **Resolved by the assembly, the senate concurring, That:**
7 **SECTION 1.** Section 3 of article IV of the constitution is renumbered section 3
8 (1) of article IV and amended to read:

1 [Article IV] Section 3 (1) ~~At its first session after~~ After each decennial
2 enumeration made by the authority of the United States, the legislature state
3 redistricting board shall apportion and district anew the members of the senate and
4 assembly, according to the number of inhabitants.

5 **SECTION 2.** Section 3 (2) to (4) of article IV of the constitution are created to
6 read:

7 [Article IV] Section 3 (2) Within 120 days after receipt of the final census report
8 of the population count by census block, the legislative technology services bureau
9 shall submit to the state redistricting board 3 apportionment proposals providing for
10 competitive elections, all meeting the following criteria:

11 (a) Each assembly district shall contain a number of inhabitants that does not
12 deviate more than 2 percent from the statewide mean district population.

13 (b) African-Americans, Hispanic Americans, Native Americans, and members
14 of any other demographic group protected by the laws of the United States shall be
15 the voting age majority in the number of assembly and senate districts in proportion
16 to the percentage of the population in counties or groups of counties having a
17 sufficient geographic concentration of their members.

18 (c) The bureau shall determine the combined mean percentage of the vote for
19 governor and president for the 2 major political parties in the 5 general elections held
20 during the prior decade. The bureau's apportionment proposals shall provide as
21 follows: at least one-half of the assembly districts, if the number of districts is
22 divisible by 2, or rounded up to the next whole number in other cases, shall have a
23 percentage above the average 5 general election percentage for the majority party;
24 at least one-half of the senate districts, if the number of districts is divisible by 2, or
25 rounded up to the next whole number in other cases, shall have a percentage above

1 the average 5 general election percentage for the minority party; at least one-fifth
2 of the assembly districts, if the number of districts is divisible by 5, or rounded up
3 to the next whole number in other cases, and at least one-fourth of the senate
4 districts, if the number of districts is divisible by 4, or rounded up to the next whole
5 number in other cases, shall be evenly split between the parties, shall have an
6 average general election percentage that does not exceed 1 percent above the
7 statewide 5 general election average; no district may have a percentage in excess of
8 85 percent of the 5 general election average for one political party.

9 (3) The state redistricting board shall consist of the attorney general, the
10 secretary of state, the state treasurer, the state superintendent of public instruction,
11 and a member appointed by the supreme court. The state redistricting board shall
12 act within 90 days after receipt of the bureau's proposals. If the state redistricting
13 board fails to adopt one of the proposals, the bureau shall select one of the proposals
14 that shall have the force of law.

15 (4) Any senator or assembly member whose district is altered as a result of the
16 adopted plan shall continue in office for the balance of his or her term even if his or
17 her residence is no longer located in the district he or she represents.

18 **SECTION 3.** Section 9 of article IV of the constitution is renumbered section (9)
19 (1) of article IV.

20 **SECTION 4.** Section 9 (2) of article IV of the constitution is created to read:

21 [Article IV] Section (9) (2) The legislature shall provide by law for the
22 establishment of a legislative technology services bureau.

23 **SECTION 5. Numbering of new provisions.** (1) The new subsections (2) to
24 (4) of section 3 of article IV of the constitution created in this joint resolution shall
25 be designated by the next higher open whole subsection numbers in that section in

1 that article if, before the ratification by the people of the amendment proposed in this
2 joint resolution, any other ratified amendment has created subsections (2) to (4) of
3 section 3 of article IV of the constitution of this state. If one or more joint resolutions
4 create subsections (2) to (4) of section 3 of article IV simultaneously with the
5 ratification by the people of the amendment proposed in this joint resolution, the
6 subsections created shall be numbered and placed in a sequence so that the
7 subsections created by the joint resolution having the lowest enrolled joint resolution
8 number have the numbers designated in that joint resolution and the subsections
9 created by the other joint resolutions have numbers that are in the same ascending
10 order as are the numbers of the enrolled joint resolutions creating the subsections.

11 (2) The new subsection (2) of section 9 of article IV of the constitution created
12 in this joint resolution shall be designated by the next higher open whole subsection
13 number in that section in that article if, before the ratification by the people of the
14 amendment proposed in this joint resolution, any other ratified amendment has
15 created a subsection (2) of section 9 of article IV of the constitution of this state. If
16 one or more joint resolutions create a subsection (2) of section 9 of article IV
17 simultaneously with the ratification by the people of the amendment proposed in this
18 joint resolution, the subsections created shall be numbered and placed in a sequence
19 so that the subsections created by the joint resolution having the lowest enrolled joint
20 resolution number have the numbers designated in that joint resolution and the
21 subsections created by the other joint resolutions have numbers that are in the same
22 ascending order as are the numbers of the enrolled joint resolutions creating the
23 subsections.

