

**MINUTES OF THE
REDISTRICTING COMMITTEE**

Wednesday, May 10, 2001 - 3:00 p.m. S Box Elder Middle School, Brigham City

Members Present:

Sen. Michael G. Waddoups, Chair
Rep. Gerry A. Adair, Chair
Sen. Ron Allen
Sen. Beverly Evans
Sen. Pete Suazo
Rep. Patrice M. Arent
Rep. Chad E. Bennion
Rep. Ron Bigelow
Rep. Katherine M. Bryson
Rep. Don E. Bush
Rep. Brent H. Goodfellow
Rep. James R. Gowans
Rep. Thomas V. Hatch
Rep. Loraine T. Pace
Rep. Glenn L. Way

Members Excused:

Rep. Wayne A. Harper
Sen. John Valentine

Members Absent:

Rep. Jackie Biskupski
Rep. Jack A. Seitz
Rep. LaWanna Shurtliff

Staff Present:

Mr. Stewart E. Smith, Research Analyst
Mr. John L. Fellows, Associate General Counsel
Mr. John Q. Cannon, Research Analyst
Mr. Richard C. North, Research Analyst
Mr. Joseph T. Wade, Research Analyst
Ms. Alicia Gambles, Legislative Secretary

Note: A list of others present and handouts distributed are on file in the Office of Legislative Research and General Counsel.

1. Call to Order - Chair Adair called the meeting to order at 3:20 p.m.

2. Committee Business

The chairs introduced committee members and discussed the schedule of future meetings.

MOTION: Rep. Bigelow moved to approve the minutes of the April 26, 2001 Meeting. The motion passed unanimously with Rep. Hatch and Rep. Way absent for the vote.

3. Redistricting Procedural Guidelines

Chair Adair presented six redistricting procedural guidelines to the committee. He indicated that the guidelines would assist the committee in maintaining an open and orderly redistricting process. Committee discussion followed.

Sen. Waddoups indicated that political information would not be included on the redistricting computers.

MOTION: Sen. Waddoups moved that the committee adopt the following six redistricting procedural guidelines:

1. All requests to use staff time and redistricting resources must first be cleared by a member of the committee and by one of the committee chairman. A committee chairman will not unreasonably deny a legitimate request.
2. To ensure the security of information and to protect licensing agreements with software manufacturers, access to computer information and the computer system used in the redistricting process will be restricted to redistricting committee staff. With permission from a chairman, individual legislators may be present and direct staff in drawing plans.
3. Redistricting Committee meetings will be open to the public.
4. Members of the public may obtain any copies of written information provided at Redistricting Committee meetings.
5. Political data will not be included in the redistricting computer system. Political data should not be shown to or discussed with Redistricting Committee staff nor at Redistricting Committee meetings.
6. Every change to a proposed plan by any committee member must also resolve the ripple effect on the entire plan caused by that change.

Rep. Bigelow asked if any criteria could be established, reasonably or legally, so that when requests for staff come in, Redistricting Committee needs are met first.

Mr. Fellows, Associate General Counsel, Office of Legislative Research and General Counsel, explained that the presumption made in item #1 of the redistricting procedural guidelines is that the requests to use committee time and resources would have to come from a legislator. He suggested that the committee amend the guideline to reflect this idea.

Rep. Arent expressed her concern that interest groups besides political groups may want to be present when staff is drawing up plans. She asked for clarity on item #2.

Mr. Fellows indicated that the intent of the guideline is for legislators to have first priority in the process.

Sen. Evans asked that Sen. Waddoups consider amending item #1 stating "all requests from legislators."

Sen. Waddoups explained that the 2000 Census CD is available for \$10 to the public which should discourage a lot of different extraneous groups from requesting to use state equipment. Sen. Waddoups agreed to amend the second guideline, adding the language: "Limited constituents may be in attendance and observe." He also amended the first guideline, inserting the words "by legislators" after "all requests."

Mr. Rich North indicated that it was the practice in 1981 and 1991 to restrict public access to information on the computers. He explained that citizens gave their input on the process in writing to legislators, which worked well.

Rep. Bush explained that when someone from the public wants to express something, they must go through a representative. He indicated that this is the representative form of government, which is how the redistricting process should work.

Sen. Evans called for previous question. The motion to limit debate passed with Rep. Bigelow and Rep. Bennion voting in opposition.

The committee returned to the original motion of Sen. Waddoups as amended. The motion passed with Rep. Bigelow and Rep. Bennion voting in opposition.

Rep. Bigelow and Rep. Bennion expressed their concerns about allowing limited constituents into the room when plans are being drawn. Rep. Bigelow suggested that only letting some members of the public, and not others, into the room would not be beneficial to the committee.

4. Redistricting Principles

Rep. Adair indicated that in 1981 and 1991 redistricting principles guided the redistricting process and the work of the Redistricting Committee. The principles addressed: equal population, the number of districts, the Bureau of Census figures, single member districts, contiguity and compactness, communities of interest, geographical boundaries and existing political subdivisions, etc. Committee discussion and action followed.

MOTION: Sen. Waddoups moved to adopt the following redistricting principle: "Congressional districts must be as nearly equal as practicable with a deviation not greater than ± 1 percent."

SUBSTITUTE MOTION: Rep. Goodfellow moved to adopt the language of Sen. Waddoups' original motion, but that $\pm .5$ percent be substituted for ± 1 percent in Sen. Waddoups motion for an overall total deviation of 1 percent. The motion passed unanimously.

MOTION: Sen. Waddoups moved to adopt the following redistricting principle: "State legislative districts and state school board districts must have substantial equality of population among the various districts with a deviation not greater than ± 4 percent."

SUBSTITUTE MOTION: Rep. Goodfellow moved to adopt the language of Sen. Waddoups' original motion, but that the deviation be ± 2 percent. The substitute motion failed with Sen. Allen, Sen. Suazo, Rep. Arent, Rep. Goodfellow, and Rep. Gowans voting in favor.

The committee returned to the original motion of Sen. Waddoups. The motion passed with Sen. Allen, Sen. Suazo, Rep. Arent, Rep. Goodfellow, and Rep. Gowans voting in opposition.

Rep. Pace expressed her concern that there be flexibility in the process. She indicated that there are some very strong feelings in certain districts about population and stated that keeping certain groups together is beneficial to each district.

Sen. Suazo asked in terms of litigation, which deviation is more defensible. Mr. Fellows clarified that the closer you are to population equality, the better off you are. He explained that the courts have accepted deviations in legislative districts of up to 10 percent if those deviations were justified by some of the other traditional redistricting principles.

Sen. Waddoups pointed out that congressional districts can be closer than other districts because there are only three or four of them. He indicated that House and Senate districts should be kept as close together as possible to preserve communities of interest. He expressed his concern that the rural areas will lose representation faster than urban areas because of the growth in population.

MOTION: Sen. Waddoups moved to adopt the following redistricting principle: "In drawing districts, the official population enumeration of the 2000 decennial census will be used." The motion passed unanimously.

MOTION: Sen. Waddoups moved to adopt the following redistricting principle: "Districts will be contiguous and reasonably compact." The motion passed unanimously.

MOTION: Sen. Waddoups moved to adopt the following redistricting principle: "The committee will make an effort to receive input regarding communities of interest, geographical boundaries, and existing political subdivisions, while recognizing that the overriding objective must be to meet equal population requirements." The motion failed with Sen. Waddoups, Sen. Allen, Sen. Evans, Rep. Adair, Rep. Bennion, Rep. Goodfellow, Rep. Hatch, and Rep. Pace voting in favor.

MOTION TO RECONSIDER: Rep. Bryson moved that the committee reconsider the actions of accepting item #2 of the redistricting procedural guidelines, specifically where it states "Limited constituents may be in attendance and observe." The motion passed unanimously.

MOTION: Rep. Bryson moved that the committee adopt item #2 of the redistricting procedural guidelines as it was originally stated without the amendment of "Limited constituents may be in attendance and observe." The motion passed with Sen. Allen, Sen. Suazo, Rep. Arent, Rep. Goodfellow, and Rep. Gowans voting in opposition.

5. Other Committee Business

6. Adjourn

Chair Adair adjourned the committee at 4:50 p.m. until the 6:30 p.m. public hearing.

**MINUTES OF THE
REDISTRICTING PUBLIC HEARING
Thursday, May 10, 2001 – 6:30 p.m. to 8:30 p.m. – Brigham City
Box Elder Middle School Auditorium – 18 South 500 East**

1. Call to Order - Chair Adair called the public hearing to order at 6:45 p.m.

2. Committee Business

Sen. Waddoups introduced Senate committee members and Rep. Adair introduced House committee members.

3. Introduction to Redistricting

Mr. Stewart Smith, Redistricting Team Manager, reviewed the packet of materials provided for the public hearing participants, presented a slide show outlining Utah's population growth by county, and gave background information on redistricting procedures up to the present time. Mr. Smith explained how the redistricting process works and noted that it is anticipated that the final redistricting plan will be enacted in a special session in September or early October of this year. Committee discussion followed.

Mr. John Fellows, Associate General Counsel, stated each redistricting principle that was adopted in the previous meeting. Committee discussion followed.

Representative Adair called on committee members to express their views on the redistricting process.

4. Public Input/Comments

The total attendance for the meeting was 39, of which 21 were committee members and staff. The following citizens gave testimony on redistricting in the area:

Ms. Luann Adams, Box Elder County Clerk, encouraged the committee to preserve rural districts and not split up voting precincts.

Rep. Ben Ferry stated that preserving the rural nature of House districts would be the most beneficial to the area. He also suggested having one House district in Brigham City and another in Tremonton.

Mr. Eldon Peterson, Box Elder County Republican Chairman, stated that they need an urban/rural mix in congressional districts so that Utah's congressional delegation is on the same page, especially on land issues.

Sen. David Gladwell stated that he would like to see a rural/urban congressional mix and that Weber, Morgan, and Davis Counties work well together and can be combined. He also wanted to maintain his representation of all these areas.

Rep. Joseph Murray cautioned the committee to be sensitive to the "domino effect" in drawing lines.

Mr. Marty Soval requested that the rural nature of districts be preserved and that Utah's congressional representatives be unified. He stated that Box Elder County has more in common with Tooele County rather than Weber County.

Mr. Steve Hale stated that he did not want the lines to move south into urban areas. He requested that two House districts be maintained in their area.

Mr. Todd Taylor stated that the solution to the issue of not wanting to move into Weber County would be to create a Summit County House district. The extra population could go north to help out.

Ms. Georgiana Knudson welcomed the committee to Box Elder County on behalf of Sen. Knudson.

5. Future Communications with Committee

Rep. Adair called the attention of the public hearing participants to the committee's fax number, Internet and e-mail addresses as a means of giving further input to the committee. He also encouraged further participation in the redistricting process.

6. Adjourn

Rep. Adair adjourned the meeting at 8 p.m.

