

**MINUTES OF THE  
REDISTRICTING COMMITTEE  
Wednesday, May 30, 2001 - 1:00 p.m. S Room 129 State Capitol**

**Members Present:**

Sen. Michael G. Waddoups, Chair  
Rep. Gerry A. Adair, Chair  
Sen. Ron Allen  
Sen. Pete Suazo  
Rep. Patrice M. Arent  
Rep. Chad E. Bennion  
Rep. Jackie Biskupski  
Rep. Katherine M. Bryson  
Rep. Don E. Bush  
Rep. Brent H. Goodfellow  
Rep. James R. Gowans  
Rep. Loraine T. Pace  
Rep. Jack A. Seitz  
Rep. LaWanna Shurtliff  
Rep. Glenn L. Way

**Members Excused:**

Sen. John L. Valentine  
Sen. Beverly Evans  
Rep. Ron Bigelow  
Rep. Wayne A. Harper  
Rep. Thomas V. Hatch

**Staff Present:**

Mr. Stewart E. Smith, Redistricting Team Manager  
Mr. John L. Fellows, Associate General Counsel  
Mr. Mark D. Andrews, Research Analyst  
Mr. John Q. Cannon, Research Analyst  
Mr. Jerry D. Howe, Research Analyst  
Mr. Richard C. North, Research Analyst  
Mr. Mark J. Allred, Technical Support  
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 1:10 p.m.
2. **Committee Business**

**MOTION:** Rep. Bennion moved to approve the minutes of the May 10 and May 16, 2001 meetings. The motion passed unanimously with Rep. Biskupski and Rep. Bryson absent for the vote.

3. **Redistricting Comments from Utah's Congressmen**

Congressman James Hansen, First District, distributed a map with a proposal for redrawing the congressional districts. He explained that the plan includes metropolitan with rural areas and indicated that Salt Lake County will be the only county that will need to be divided up. Committee discussion followed.

Rep. Arent asked Congressman Hansen to indicate the advantages to disrupting so many areas with his proposal. He explained that, with the significant increase in population, there has to be a way to separate the districts, which will cause a little disruption. He stated that he thought the advantage would be for all three congressmen to have a little piece of rural and urban areas.

Sen. Waddoups stated that Salt Lake County has to be divided because of the population growth. He indicated that there is no way around it.

Congressman Jim Matheson, Second District, stated that common sense principles should guide the redistricting process. He indicated that if the committee remains true to the intentions of those that wrote the constitution, the state will have a fair reapportionment process, leaving neighborhoods undivided and communities of interest intact. He also stated that partisanship and politics can be part of the reapportionment process but hoped that those motivations could be resisted and that the committee would do what is fair for everyone in the state.

Congressman Matheson also indicated that only a slight adjustment to Utah Congressional Districts is necessary: 42,000 residents need to be added to the Second Congressional District. He stated that he believed it could be done without any significant disruption to existing communities and without removing any current population from the second district. He listed four basic principles to follow when reapportioning. They are as follows: (1) The process should preserve the core of existing districts; (2) There should be minimal disruption; (3) Communities of interest should be recognized and maintained; and (4) There should be logical boundaries. Committee discussion followed.

Sen. Waddoups asked Congressman Matheson to define the idea of disruption. Congressman Matheson stated that we live in a society where citizens feel more and more disconnected with their elected officials and their elected government. He stated that the more they are moved around, the fewer people will understand who is representing them. He noted that he recognizes there will be some disruption, but that it can be done in a minimal way.

Rep. Bennion indicated that ten years ago Utah was one of eight states that did not have any lawsuits. He asked why there is concern for one now. Congressman Matheson stated that Utah should do what is under the terms of the law, but also what is the common sense thing to do. He stated that people expect the committee to act in a fair and responsible way. Rep. Bennion stated that the committee wants to be conscientious and try to keep cities and communities together as much as possible through the process.

Congressman Chris Cannon, Third District, suggested that the committee have urban/rural mixed districts. He indicated that Salt Lake County is too large to leave as just one district and suggested that mixing these communities would be a benefit to the state so that representatives could have a broad outlook and interest for those that they may represent. He stated that Utah has grown dramatically and has not been able to maintain coherence with the state's identity. He indicated that creating urban/rural mixed districts would be a small step toward a more coherent view of Utah if all congressional representatives are representing mixed areas. He stated that Sen.

Suazo's concerns about being in all three congressional districts are legitimate and should be addressed.

Congressman Cannon suggested that the committee continue to consider a fourth congressional seat, stating that it has been concluded that you can only apportion representation based upon the number of people that are counted and thought the lawsuit has a good chance of success. He encouraged the committee to keep local communities of interest together to the degree possible. Committee discussion followed.

Rep. Bennion asked Congressman Cannon how, if a 4<sup>th</sup> District was given, he would envision the lines be drawn. Congressman Cannon indicated that the partisanship of a delegation is not as relevant as a common interest for the people congressional delegates represent.

Rep. Biskupski asked Congressman Cannon why he believes it is important that there is a rural portion in each congressional district. Congressman Cannon stated that there should be an array of interest in each district, so that they may have more balance and judgment in voting and representation. He stated that not having congressmen who represent the various aspects of a unified state is somewhat disruptive to the development of a sense of community. Rep. Biskupski also asked if he believed the rural component is more important than maintaining the current communities of interest. Congressman Cannon indicated that he believed there would not be much of a disruption if areas are changed, but there is a significant improvement in how the state sees itself and how the state is represented with a rural and urban component in each district. She asked if he believed that rural Utah is properly represented in the legislature, but not in Congress. Congressman Cannon stated that he thought the delegation would work significantly better over the long term if they did not have an urban-only district.

Sen. Waddoups asked about the advantages of having Utah County divided. Congressman Cannon stated that Utah County is a community of interest and should not be divided.

Sen. Suazo asked Congressman Cannon if it was his preference with the rural/urban mix that all 13 cities in Salt Lake County be kept whole. Congressman Cannon stated he thought it was important to keep the cities whole. Sen. Suazo also expressed his concern about the Latino community growth. He indicated that if Utah goes to all urban/rural congressional districts, the Latino community may be cut into 3 or 4 separate districts, which separates the Latino voice. Congressman Cannon stated that it is a legitimate concern and that he would like to work with the community to resolve that concern.

Chair Adair stated that everyone likes progress and no one likes change. He indicated how the committee will be receiving input from the public.

#### **4. Redistricting Comments from Utah's Certified Political Parties**

Ms. Meg Holbrook, State Chair, Democratic Party, stated that it is only common sense that all the urban portions of greater Salt Lake constitute a single community of interest. These urban areas are equally impacted by and equally interested in the following issues: population growth, quality of life issues, air pollution, water resources, public transportation, etc. She stated that there should be minimal disruption to these citizens and to separate this single community of interest into separate voting and Congressional Districts is both fundamentally unfair and potentially unconstitutional. Committee discussion followed.

Sen. Waddoups commented on the politicization of the process. He indicated that the role of each political party is to give their perspective on the redistricting process and how much politics ought to be involved. He stated that he had heard that they should try and hold together political points of interest also, and as a result, draw lines around counties that are mostly Democrat and asked if those are bad communities of interest for the Democrats.

Ms. Holbrook responded that the whole state is a community of interest to Democrats.

Mr. Todd Taylor, Executive Director, explained that the Democratic Party is not a single community of interest. He indicated that a community of interest is separate from areas within natural boundaries or political boundaries. He stated that it can be defined by common socio-economic interests and legislative factors, which could be any community which is frequently the subject of legislation. He said competition builds a better product. He also concluded that fairness is about representing the public and not about what is in any political party's or any incumbent's current interest.

Sen. Waddoups stated that he keeps hearing about lawsuits if certain parties don't get what they want. He asked why he has heard so much of that and why it is universally coming from the Democrats. Ms. Holbrook stated that a lawsuit is the last thing they would like to do, but that they will sue if it is not a fair process.

Rep. Pace indicated that there are parts of Salt Lake County that do not have the same interests as Salt Lake City. She asked why the Democratic Party felt that Salt Lake County stay intact. Mr. Taylor stated that they are talking about the greater Salt Lake area as opposed to Salt Lake County. He stated that Salt Lake City has much more in common with the Holladay or South Salt Lake areas, than the rural-flavored areas. He stated that they are not doing away with contiguity, that the issue is: "are people being represented by someone who understands what issues are important to their communities?" He indicated that the ability to take care of the lack of economic progress in both of those area's becomes a very difficult thing when they are not grouped with other areas that have those same kinds of problems.

Mr. Gene Linder, State Chair, Libertarian Party, stated that the Libertarian Party's position on redistricting is that there are two legitimate bases for redistricting. Geographical compactness or proximity, and approximately equal population. He said that policy makers need to get back to the point where people are treated as individuals, rather than special interest groups. He suggested that the committee stop worrying about lawsuits, because if the committee has done the right thing, there won't be a problem. He also stated that the state of Utah would be well served if it had a good mix of rural and urban and suburb geographic areas in each of the congressional districts. Committee discussion followed.

Rep. Bush stated that he agreed with Mr. Linder and suggested that at some point the state needs to quit talking about diversity, and talk about unity. He stated that when people come to Utah from other countries, they should consider themselves Americans and Utahns and not try to divide themselves into different groups that tear others down.

Mr. Randall Tolpinrud, State Chair, Natural Law Party, asked to be excused.

Mr. Scott Simpson, Executive Director, Republican Party, cautioned the committee not to overplay the issue of displacement. He said citizens are not served by an over politicization of a process which is already political. Committee discussion followed.

Rep. Shurtliff asked if depending on the way lines are drawn that they would help one party or the other. Mr. Simpson stated that it may give an advantage to either party. He stated that it is the inherent political nature of the process.

Rep. Arent elaborated on the clarification brought by Rep. Shurtliff. She stated that there are a number of states that do not redistrict in a political way. She said that to say that 50 states are redistricting in a partisan way is extremely inaccurate. Mr. Simpson stated that there are a lot of communities of interest that are heavily involved in the process where politics are an issue.

## **5. Public Input**

Mr. Floyd Marine, resident of Sandy City, stated that in the process the representatives are held accountable for the decisions they make. They must be held accountable to the constituents that have elected them.

Rep. Bush stated that there is opposition in all things. There must be more than one option if decisions are being made. The important thing is to make decisions that they think are right. Mr. Marine stated that right is very relative depending on who you talk to. He concluded that 90 percent of the decisions that need to be made are more political than moral.

Mr. William Thompson, resident of Salt Lake City, stated that Rep. Hansen and Rep. Cannon have argued that they should speak with one voice, their voice not his. He stated that it is to dilute the impact of urban voters to irrelevancy. This does not constitute disenfranchisement, but it makes many voters feel unrepresented. The interests of urban and rural voters are much different which is best accomplished by separate representation. Utah deserves to have a diverse representation in congress. He expressed his hope that a lawsuit does not happen and noted that it is the role of the courts to preserve minority views.

Mr. Patrick Cohen, Summit County Commissioner, said the word fair is subjective.

Mr. James Yapias, Hispanic Advisory Council, requested that the committee not draw congressional districts with an urban/rural mix because it dilutes the voice of the Hispanic Council. He threatened the committee with a lawsuit if their interests are not met.

Rep. Pace asked where the Hispanics live. He said places like Rose Park and Midvale.

Mr. Ross Romero, Utah Minority Bar Association, resident of Salt Lake City, stated that the appropriate and proper role of legislators is that each one represents their area and the state. He indicated that the state would be under served without a party affiliation or diversity in representation. He stated that clearly the committee should keep race in mind and that gerrymandering is not appropriate. He concluded that voters want representatives that they can easily communicate with and have communities that are closely related with similar views. He noted that because the courts have protected minority groups, there should be an effort to not split up those minority groups.

Rep. Pace inquired about certain legal requirements governing redistricting, to which Mr. John Fellows, Associate General Counsel, Office of Legislative Research and General Counsel responded.

## **6. Adjourn**

**MOTION:** Chair Adair moved to adjourn the meeting. The motion passed unanimously with Rep. Way absent for the vote. Chair Adair adjourned the meeting at 4:05 p.m.