

**MINUTES OF THE  
REDISTRICTING COMMITTEE  
Thursday, August 30, 2001 – 2:00 p.m. S Room 129 State Capitol**

**Members Present:**

Sen. Michael G. Waddoups, Senate Chair  
Rep. Gerry A. Adair, House Chair  
Sen. Ron Allen  
Sen. Gene Davis  
Sen. Beverly Evans  
Sen. John L. Valentine  
Rep. Patrice M. Arent  
Rep. Chad E. Bennion  
Rep. Ron Bigelow  
Rep. Jackie Biskupski  
Rep. Katherine M. Bryson  
Rep. Don E. Bush  
Rep. Brent H. Goodfellow  
Rep. James R. Gowans  
Rep. Wayne A. Harper  
Rep. Thomas V. Hatch

Rep. Loraine T. Pace  
Rep. Jack A. Seitz  
Rep. LaWanna Shurtliff  
Rep. Glenn L. Way

**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 a copy of materials can be found at <http://www.image.le.state.ut.us.imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

**1. Call to Order**

Chair Adair called the meeting to order at 2:05 p.m.

**2. Committee Business**

**MOTION:** Rep. Hatch moved to approve the minutes of the August 9, 2001 meeting. The motion passed unanimously.

Rep. Biskupski requested that the committee consider additional testimony in the minutes regarding minority groups. Chair Waddoups indicated that Rep. Biskupski's request was included in the packet mailed to the committee prior to the meeting.

Mr. John L. Fellows, Associate General Counsel, Office of Legislative Research and General Counsel, inquired whether Rep. Biskupski desired the testimony to be transcribed or summarized in the minutes. Rep. Biskupski requested a transcript.

**MOTION:** Rep. Hatch moved to reconsider the motion. He questioned if the motion to approve the minutes included the transcription requested by Rep. Biskupski. Rep. Bigelow raised a point of order. He stated that Rep. Biskupski had not made the request as a motion. Rep. Hatch withdrew the motion.

**MOTION:** Rep. Biskupski moved to reconsider the approval of the minutes of August 9, 2001. She explained that the testimony provided should be included in the minutes. Committee discussion followed. The motion passed with Sen. Evans, Rep. Bennion, Rep. Bigelow, Rep. Bush, and Rep. Way voting in opposition, and Sen. Davis and Rep. Bryson absent for the vote.

Committee members consented to providing a summary of the testimony in the minutes.

**MOTION:** Rep. Biskupski moved to amend the minutes of the August 9, 2001 meeting to include a summary of the discussion between Sen. Waddoups and Mr. Fellows regarding minority groups.

**SUBSTITUTE MOTION:** Sen. Waddoups moved to direct staff to provide the summary to committee members before voting on the minutes. He explained the minutes will be voted on in the next meeting. The motion passed unanimously with Rep. Bryson absent for the vote.

Mr. Fellows clarified that race cannot be an exclusive factor for drawing redistricting lines. He stated that it can, however, be considered.

Sen. Waddoups welcomed Sen. Gene Davis as a newly appointed member of the Redistricting Committee. Sen. Davis expressed humbleness for the position on the committee.

Mr. Mark Andrews, Research Analyst, Office of Legislative Research and General counsel, explained the process for obtaining information from the Internet.

Rep. Pace suggested an all-day meeting on September 6, 2001 to begin finalizing plans.

Sen. Waddoups encouraged committee members to recommend dates for the special session to the Speaker, President, and the Governor.

Mr. Fellows updated the committee on the Census Lawsuit. He indicated a decision is expected by the end of September.

### **3. School Board and Senate Plans**

Rep. Pace indicated that members of the State School Board are comfortable with the maps that have been drawn. She explained the changes that were made to School Board Plan A. Rep. Pace indicated that an attempt was made to keep voting precincts whole, which caused some lines appear to be drawn illogically. Committee discussion followed.

**MOTION:** Sen. Evans moved to adopt the School Board Plan A.1, as amended, as a base plan. The motion passed with Rep. Harper voting in opposition.

Sen. Waddoups explained three major changes to the Senate Plan 8-9-01, in Utah County, Iron County, and south portion of Salt Lake County. He stated that more changes are being drafted for northern Salt lake County and the northern senate districts.

**MOTION:** Sen. Waddoups moved to adopt Senate Plan 8-9-01 as a base plan, which will including the changes. Rep. Hatch suggested that the changes be made before voting on the plan. Sen. Waddoups withdrew the motion.

Sen. Waddoups explained the amendments made to the Utah County plan.

**MOTION:** Sen. Waddoups moved to attach the proposed amendments to the Utah County plan to Senate Plan 8-9-01. The motion passed unanimously.

Sen. Waddoups explained the southern Utah counties portion of the plan. He stated that the proposed option was based on public input.

Sen. Hickman explained a proposed amendment to the southern counties plan and indicated that the plan makes sense in southern Utah. He stated that the district sizes are very large and it is not in the best interest of the State for representing the common interests of the constituents if the districts maintained those sizes.

Ms. Lois L. Bulloch, Iron County Commissioner, indicated that Iron County was concerned with the proposed plan and had organized a committee to draw a plan that did not divide Iron County or Cedar City. She stated the plan that Iron County created was similar to the plan Sen. Waddoups was proposing.

Mr. John Cooper, Millard County Commissioner, expressed appreciation for being involved with redistricting. He supported the proposal from Iron County.

Mr. Gene Roundy, Iron County Commissioner, spoke in favor of the proposal from Iron County.

Mr. Stephen Draper, Millard County Commissioner, spoke in favor of the proposal from Iron County.

Mr. Mark Whitney, Beaver County Commissioner, distributed two letters to the committee. He spoke in favor of the proposal from Iron County.

Mr. LaVar Cox, Millard County Commissioner, spoke in favor of the proposal from Iron County. He distributed four letters to the committee.

Mr. Clenn Okerlund, Wayne County Commissioner, spoke in favor of the proposal from Iron County.

Mr. Allen R. Jones, Wayne County Commissioner, spoke in favor of the proposal from Iron County.

Mr. Ray Spencer, Kane County Commissioner, expressed appreciation for the representation on Capitol Hill. He spoke in favor of the proposal from Iron County.

Mr. Clare Ramsay, Kane County Commissioner, spoke strongly in favor of the proposal from Iron County.

Mr. Pat Yardley, Beaver County Commissioner, spoke in favor of the proposal from Iron County.

Mr. D. Maloy Dodds, Garfield County Chair, spoke in favor of the proposal from Iron County.

Mr. Dennis Stowell, Iron County Commissioner, spoke in favor of the proposal from Iron County.

Commissioner Bulloch respectfully requested that the committee consider adopting the Iron County plan, which is a common sense plan.

Rep. Goodfellow paraphrased previous comments of Rep. Bush by stating that one senator in a county, when the county represents its own district, means one voice in the Legislature, but if the county is divided into four districts, four voices would represent that county in the Legislature.

Mr. Mike Bennett, Iron County School Superintendent, indicated that the committee received a letter from the five school superintendents in the districts being discussed. He stated that all of the superintendents are in favor of the proposal from Iron County.

Sen. Valentine stated that the proposal divides Hurricane and inquired if representatives from that area had been contacted regarding the proposal. Sen. Hickman stated that the county commission from Wasatch County had given some input on the subject. He stated that the proposal would work well as a base plan and that some amendments may be necessary.

Mr. Harold Grant Shirley, Cedar City Mayor, spoke in favor of the proposal from Iron County. He stated that Senate Plan 8-9-01 created some concerns. He indicated that Wayne and Iron Counties would have been divided in the previously proposed plan.

Mr. Dixie Leavitt, Cedar City resident, former Utah Senator, stated the importance of representation from the area. He stated that the issue isn't who represents the area, but that the area is represented accurately. He asked the committee to look at the issue of reapportionment on a statewide basis, using the proposed plan from Iron County as an example.

Sen. Mike Dmitrich, Senate District 27, explained the problems between Carbon and Sanpete Counties. He indicated that requiring one legislator to represent both counties would not be fair. He suggested that the least amount of change be made and stated the committee should review the many communities of interest. He spoke against the southern counties amendment proposed earlier.

Mr. Mike Milovich, Carbon County Commissioner, stated that a combining Carbon and Sanpete Counties would be a great disservice. He also spoke against the southern counties amendment.

Mr. Bill Howell, Director, South Eastern Association of Governments, explained that federal land management is a profound issue in the south eastern counties. He stated that many of these issues should be addressed when redistricting southern Utah counties.

Mr. Durwood Carter, Carbon County Republican Chair, requested that the committee consider geographics.

Mr. Kent Peterson, former Emery County Commissioner, stated that to every problem there is a solution that is obvious, attractive, and wrong. He requested that the committee review a better plan to keep south eastern Utah whole.

Mr. Tony Conder, Emery County Republican Party Chair, spoke in favor of the recommendations from Sen. Dmitrich.

Mr. Drew Sitterud, Carbon County Commissioner, stated that the mountain range between the two counties should be used as a natural district line. He echoed previous public comments.

Mr. Randy Johnson, Emery County Commissioner, expressed support for the plan from Iron County. He stated that the counties work together very well and share many issues. He indicated that there are political and agricultural issues which would divide the counties. He spoke in opposition to combining Emery and Carbon Counties.

Sen. Leonard M. Blackham, Senate District 28, stated that the issue of southern Utah is a difficult issue. He expressed favorable opinion of keeping the counties whole and not combining Carbon and Emery Counties in district 27.

Mr. Eddie Cox, Sanpete County Commissioner, stated that the only issue Carbon and Emery Counties agree upon with Sanpete County is that the counties do not wish to be combined. He asked the committee to consider the public comments on the issue.

Mr. Jim Case, Iron County Democratic Committee Chair, related two scenarios to the committee regarding Senate Plan 8-9-01. He stated that neither scenarios would be advisable.

**MOTION:** Sen. Valentine moved to place Senate Plan 8-9-01 and the Iron County plans on the Internet for public input. The motion passed unanimously with Sen. Evans absent for the vote.

Sen. Waddoups presented and explained a senate district plan for the south portion of Salt Lake County. He stated that there are other plans being finalized that would make changes to a variety of districts. He requested placement of those plans on the Internet for public input.

**MOTION:** Rep. Bryson moved to place the proposals on the Internet that are complete before the next meeting. The motion passed unanimously with Rep. Gowans and Rep. Shurtliff absent for the vote.

**MOTION:** Sen. Evans moved that the Democratic Senate Plan be available for consideration and public input. The motion passed unanimously with Rep. Gowans and Rep. Shurtliff absent for the vote.

Ms. Marlene F. Gonzalez, Staff Attorney, Multi-Cultural Legal Center, distributed "What Everyone Needs to Know About Utah's Redistricting." She provided background on the Multi-Cultural Legal Center. She expressed concern about the welfare of the minority communities in the State. She explained that minority communities are communities of interest and requested that the committee keep those communities together.

Rep. Arent inquired about the concept of redistricting based on racial minority communities. Mr. Fellows explained that Utah would not be required to create a majority-minority district. He stated that Utah does not have enough minority population so that a single district could be created with a majority of minorities. He explained the Gingles test, which is used to determine whether or not a state must create a majority-minority district. In response to several questions from Rep. Biskupski, Mr. Fellows also explained the Voting Rights

Act requirements and the application of the Act in determining the possibility of creating a majority-minority district.

Rep. Arent indicated that other states consider racial minority communities while redistricting.

Mr. Robert Gallegos, Salt Lake County Voter Registration Chair, disagreed with splitting cities, particularly when minority communities are split off. He expressed concern for registered voter numbers declining. He stated that the people do not feel represented and feel that their vote doesn't mean anything.

Rep. Bush commented that small communities have a difficult time obtaining representation as well as racial minority communities.

Sen. Allen stated that racial minority communities have numerous other factors that contribute to the difficulties in obtaining representation.

#### **4. Presentation of Congressional Plan**

Congressman James Matheson, Second Congressional District, explained his four redistricting principles, which are: (1) establish minimal disruption, (2) maintain stability within the election system, (3) establish simplicity, and (4) maintain communities of interest. He presented the plan which considers all of these principles and indicated that there is zero deviation between the districts.

Congressman Matheson explained that rural and urban Utah have unique interests. He stated that those interests deserve to have representation in Congress. He indicated that the question is whether urban and rural Utah will have unified representation or divided representation.

Sen. Allen expressed concern for ignoring the needs and desires of rural Utah. He stated that the committee should consider adopting "minimal disruption" as a redistricting principle.

**MOTION:** Rep. Way moved to place Congressman Matheson's plan on the state computers and mail the plan to committee members. The motion passed unanimously with Sen. Evans absent for the vote.

Sen. Waddoups expressed opposition to the principle of minimal disruption. He explained disruption will be necessary to maintain communities of interest. Rep. Harper also expressed opposition to the principle of minimal disruption.

Rep. Arent encouraged Congressman Matheson to draw a four-member congressional district plan.

Sen. Evans suggested committee members bringing laptops to the committee meetings to view maps from the Internet.

#### **5. Presentation of Four-member Congressional Plan(s)**

**MOTION:** Sen Waddoups moved that all four-member congressional district plans presented to staff within the next week be placed on the Internet. The motion passed unanimously.

**6. Presentation of House District Plan(s)**

Rep. Pace presented House District Plan Q.1. She explained that she started in the northern part of the State and let the numbers drive the district lines. She indicated that the population in each district is just larger than the ideal deviation of zero and that three counties are divided.

**7. Adjourn**

**MOTION:** Sen. Waddoups moved to adjourn the meeting. The motion passed unanimously. Chair Adair adjourned the meeting at 5:35 p.m.

