

**RESOLUTION CREATING REDISTRICTING
COMMISSION**

2006 FIFTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Rosalind J. McGee

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution proposes to amend the Utah Constitution to establish a state redistricting commission.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ eliminate the Legislature's authority to divide the state into districts following the federal enumeration and to establish a state redistricting commission to do so;
- ▶ provide for membership on the commission and establish qualifications for commission members;
- ▶ restrict commission members from running for or holding certain offices;
- ▶ provide redistricting criteria; and
- ▶ provide for the regulation of commission proceedings.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2009 for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE IX, SECTION 1



28 *Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*
29 *of the two houses voting in favor thereof:*

30 Section 1. It is proposed to amend Utah Constitution Article IX, Section 1, to read:

31 **Article IX, Section 1. [Apportionment.]**

32 [~~At the session next following an enumeration made by the authority of the United~~
33 ~~States, the Legislature shall]~~

34 (1) There shall be a State redistricting commission that shall divide the State into
35 congressional, legislative, and other districts [accordingly.] according to the decennial
36 enumeration made by the authority of the United States.

37 (2) (a) The commission shall:

38 (i) consist of nine members, appointed as provided in Subsection (2)(b); and

39 (ii) be reconstituted in connection with each decennial enumeration.

40 (b) (i) On or before January 31 of the year following the decennial enumeration:

41 (A) two members shall be appointed by the president of the Senate;

42 (B) two members shall be appointed by the speaker of the House of Representatives;

43 (C) two members shall be appointed by the leader of the minority party in the Senate;

44 and

45 (D) two members shall be appointed by the leader of the minority party in the House of
46 Representatives.

47 (ii) (A) The four members appointed under Subsections (2)(b)(i)(A) and (B) shall
48 select one among them to be a vice chair of the commission.

49 (B) The four members appointed under Subsections (2)(b)(i)(C) and (D) shall select
50 one among them to be a vice chair of the commission.

51 (C) The two vice chairs selected under Subsections (2)(b)(ii)(A) and (B) shall appoint a
52 ninth member of the commission who shall be chair of the commission.

53 (3) (a) At the time of appointment, each commission member shall:

54 (i) be a citizen of the United States;

55 (ii) be at least 25 years of age; and

56 (iii) have been a resident of the State for three consecutive years immediately before
57 appointment.

58 (b) A person who holds an elected or appointed public office may not be appointed to

59 or serve on the commission.

60 (4) A person who serves as a member of the commission may not seek election to or
61 hold any of the offices identified in Subsection (1) until after the completion of the second
62 election for that office following the adoption of a redistricting plan by the commission of
63 which the person was a member.

64 (5) In dividing the State into districts under Subsection (1), the commission shall:

65 (a) consider:

66 (i) the preservation of communities of common interest;

67 (ii) natural and geographic boundaries; and

68 (iii) existing political boundaries; and

69 (b) make each district contiguous and reasonably compact.

70 (6) The commission shall complete the process of dividing the State into districts
71 within 120 days after both the decennial enumeration data are available to the public and the
72 commission is constituted under Subsection (2).

73 (7) (a) The commission may formulate and adopt rules, not inconsistent with this
74 article, to govern its proceedings.

75 (b) Five members of the redistricting commission constitute a quorum for the purpose
76 of adopting a redistricting plan, but public hearings may be held by the commission with less
77 than a quorum.

78 (c) Adoption of a redistricting plan requires the affirmative vote of at least five
79 members of the commission.

80 **Section 2. Submittal to voters.**

81 The lieutenant governor is directed to submit this proposed amendment to the voters of
82 the state at the next regular general election in the manner provided by law.

83 **Section 3. Effective date.**

84 If the amendment proposed by this joint resolution is approved by a majority of those
85 voting on it at the next regular general election, the amendment shall take effect on January 1,
86 2009.

Legislative Review Note
as of 12-4-06 2:39 PM

Office of Legislative Research and General Counsel