

REDISTRICTING COMMITTEE

**Mailing Packet for the May 30, 2001 Meeting
1:00 p.m. Room 129 State Capitol**

List of Enclosures

- Notice of Meeting
- Agenda
- Minutes of the May 10, 2001 Meeting and Public Hearing
- Minutes of the May 16, 2001 Meeting

NOTICE OF MEETING

TO: Redistricting Committee
FROM: Stewart E. Smith, Redistricting Team Manager
DATE: May 22, 2001
SUBJECT: May 30 Meeting

Sen. Michael G. Waddoups and Rep. Gerry A. Adair have scheduled a meeting of the Redistricting Committee as follows:

DATE: **Wednesday, May 30, 2001**
TIME: **1:00 p.m.**
PLACE: **Room 129 State Capitol**

An agenda is included. If you are unable to attend, please call me or Alicia Gambles at 538-1032.

COMMITTEE MEMBERS

Sen. Michael G. Waddoups, Senate Chair
Rep. Gerry A. Adair, House Chair

Sen. Ron Allen
Sen. Beverly Evans
Sen. Pete Suazo
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

AGENDA
REDISTRICTING COMMITTEE
Wednesday, May 30, 2001 – 1:00 p.m. – Room 129 State Capitol

1. **Call to Order** – Rep. Gerry A. Adair

2. **Committee Business**

Approval of the minutes of May 10 and May 16, 2001
Other Items

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

First District	Congressman James Hansen
Second District	Congressman Jim Matheson
Third District	Congressman Chris Cannon

Committee Questions and Discussion

4. **Redistricting Comments from Utah’s Certified Political Parties**

Democratic Party Ms. Meg Holbrook, State Chair

Mr. Todd Taylor, Executive Director

Libertarian Party	Mr. Gene Linder, State Chair
Natural Law Party	Mr. Randall Tolpinrud, State Chair
Republican Party	Mr. Rob Bishop, State Chair

Mr. Scott Simpson, Executive Director

Committee Questions and Discussion

5. **Public Input**

6. **Adjourn**

**MINUTES OF THE
REDISTRICTING COMMITTEE**

Wednesday, May 10, 2001 - 3:00 p.m. – 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.

**MINUTES OF THE
REDISTRICTING COMMITTEE
Wednesday, May 16, 2001 - 9:00 a.m. – Room 129 State Capitol**

Members Present:

Sen. Michael G. Waddoups, Chair
Rep. Gerry A. Adair, Chair
Sen. Ron Allen
Sen. Beverly Evans
Sen. Pete Suazo
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. Loraine T. Pace
Rep. Jack A. Seitz
Rep. LaWanna Shurtliff

Members Excused:

Rep. Thomas V. Hatch
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 handouts distributed are on file in the Office of Legislative Research and General Counsel.

1. **Call to Order** - Chair Waddoups called the meeting to order at 9:15 a.m.
2. **Review Input from Brigham City Public Hearing**

The committee discussed the public hearing in Brigham City.

Mr. Stewart Smith, Redistricting Team Manager, Office of Legislative Research and General Counsel, reported on publicity for the committee meetings and public hearings. He distributed a mailing list and requested input from the committee on individuals or organizations that should be included on future mailing lists. He indicated that the current mailing list of approximately 200 includes 103 radio, television, and print media addresses.

Sen. Allen mentioned that public input thus far has supported the concept of a good mix of rural and urban, but when legislative districts are discussed, the rural districts don't want to have anything to do with the urban areas. He said the committee needs to be aware of the public's conflicting philosophical ideas about how the redistricting process should work.

Mr. Stewart Smith gave a summary of the telephone inquiries received. He indicated that the calls began March 21, 2001, the day the population data was received from the Census Bureau. Mr.

Smith noted that about 50 percent of the calls are from legislators, 25 percent from media, 10 percent from political parties or interest groups, 10 percent from cities and counties, and 5 percent from state agencies. He said that the redistricting phone calls relate to a variety of areas including: schedule of meetings; how to provide input; the redistricting process; and the population or demographics in a particular area.

Chair Waddoups indicated that several senators and others have contacted him giving input about their areas. He read a letter from a citizen in Rose Park indicating her desire to be included with Salt Lake City residents.

Chair Waddoups stated that it would be beneficial for the committee to be open and responsive to the public and listen as best as they can to their concerns.

Sen. Suazo spoke about the citizen that wrote to Sen. Waddoups. He stated that she feels disenfranchised because Rose Park is in a different congressional district than the rest of Salt Lake City.

Rep. Bigelow stated that the question of disenfranchisement is misunderstood. No one is ever disenfranchised, because they will always be able to vote and participate in the process no matter who is elected. Rep. Bigelow noted that it is important for the committee to keep these comments in perspective. For every one comment they hear, there are thousands or tens of thousands that the committee doesn't hear.

Rep. Pace stated that they must do their best to represent and draw the lines as fair and logical as possible. She explained that as much as the committee would like to make everybody happy, the bottom line is that each area must be represented well. She encouraged the committee to contact their constituents and be sure they feel they have a voice. Committee discussion followed.

3. Community Reaction to Redistricting

Mr. Rich North, Research Analyst, Office of Legislative Research and General Counsel, distributed a handout titled "Utah Redistricting/Reapportionment News, 1981, 1991, 2001" and presented an overview on the history of news topics for redistricting during those years. He also indicated legislation passed, vetoed, and vetoes overridden for those years. Committee discussion followed.

4. Introduction to Congressional Redistricting

Mr. North presented a map of the existing congressional boundaries from 1991. He explained the map and the lines that separate the voting districts. He demonstrated to the committee the capabilities of the computer software in drawing plans. Mr. North indicated how the redistricting process should work in conjunction with the software. He stated the importance of keeping the population deviation in each district as close as possible to zero. Mr. North demonstrated on the computer software how the counties can be shown with different levels of geography as overlays. Mr. North noted that staff's expectation is that legislators will tell them where to draw the lines.

Sen. Waddoups presented his own draft congressional plan as a starting point and to stimulate thought and illustrate how the process may work. He indicated the difficult time that he had trying to draw the lines. He stated that the process will take time and that each representative should come in and take time to draw lines for each of the areas they represent. Committee discussion followed

5. Committee Discussion of Legislative Districts

Chair Waddoups emphasized the fact that the census information is available to each committee member and to the public for a copying fee of \$10. He indicated that options can be drawn and presented to the committee for evaluation. Committee discussion followed.

6. Public Input

Ms. Pat Ingram, Juab County Clerk, expressed her concern about splitting voting precincts. She requested that the committee keep Juab County together in the same congressional and other districts. She indicated that it becomes very difficult for county clerks when districts are split, as well as expensive and confusing for voters.

Ms. Pearl Nelson, citizen of Rose Park, presented a petition signed by citizens of Rose Park requesting that they be joined again with Salt Lake County. She asked the committee to do what is right for the people.

Ms. Marlene Gonzalez, President, Utah Minority Bar Association, Staff Attorney for Multi-Cultural Legal Center, Coalition of Filipino Citizens, indicated that the minority population has increased 138 percent in the last year. She requested that minorities who have the same interests, who are faced with the same problems, be kept together so that they can have a voice in the state. She explained that when they are separated into different districts so that each district has a minority voice, they are not represented because there are too few minorities in the state. Responding to a question from Chair Waddoups, Ms. Gonzalez indicated her preference for minorities to be kept together in drawing all districts, not just congressional districts.

Chair Waddoups asked Ms. Gonzalez how the committee could identify the minority areas she referred to. She stated that she would like to work with the committee to indicate where the minority populations exist.

Rep. Pace asked how communities of interest are being defined by the committee.

Sen. Suazo stated that it is difficult to keep communities of interest together and provide these areas with one voice. He indicated how Rose Park has been separated by the manmade barrier of I-15 which has created a physical barrier between Rose Park and Salt Lake City as well as a mental barrier because they are not included when city issues are concerned. He reiterated the feelings of citizen Pearl Nelson, that they are separated fully from Salt Lake City and have felt that separation for ten years.

Rep. Pace stated that the committee will not be able to solve a city problem. Sen. Suazo indicated that the committee can solve the inclusion of Salt Lake City within one congressional district, rather than three. He indicated that Salt Lake City is certainly a community of interest which should not be split. He stated that Brigham Young, the master planner of the last two centuries, would never have considered splitting up the capitol city.

Rep. Bigelow stated that no matter how the population is divided, somewhere at least one senate district must be split, depending on the demographics. There is absolutely no way to align each boundary perfectly.

Chair Waddoups indicated that the committee did not pass a community of interest principle and expressed his hope that as the committee hears testimony and discusses the issue, they might present a community of interest guideline. He reread the motion from the last meeting and requested that the committee think about the issue.

Mr. James Neel, Multi-Cultural Legal Center, requested that the committee be sensitive to the fact that the multi-cultural community in Utah is a politically sensitive minority group that is politically cohesive. He indicated that the interests represented in some congressional districts are very dispersed, which makes it hard for minorities to be heard. In fact, according to Mr. Neel, the most dense Latino population is reaching 16 percent of the population. He suggested that when the committee considers community cohesive groups of interests that they consider that the minority population is a cohesive political interest group that is not represented well by less populous minority regions.

Chair Waddoups asked Mr. Neel if he could help the committee identify where the minority areas exist. He indicated that downtown Salt Lake City is the hub for minority residents in Utah and submitted a handout indicating the distribution of minority groups within Salt Lake City, and existing congressional districts. Committee discussion followed.

Mr. John Fellows, Associate General Counsel, Office of Legislative Research and General Counsel, asked Mr. Neel to elaborate on how minority groups are politically cohesive. Mr. Neel stated that from the information they have gathered, minority groups in Utah, particularly in Salt Lake City, tend to vote Democrat: specifically, they believe that 75 to 85 percent of minority populations vote Democrat. He indicated that research is being done right now through sampling and statistical analysis to have more information about the issue.

Mr. Fellows indicated to the committee that race cannot be the predominant factor in drawing district boundaries. He stated that, if there is evidence that race is the predominant factor, the plan is subject to being challenged and struck down by the courts. Mr. Neel indicated that they do not want race to be a predominant factor, but an important factor.

Ms. Lorna Vogt, Utah Progressive Network, stated that they are mostly interested in public involvement of the redistricting process. She indicated that they are strongly encouraging the committee and the legislature as a whole to give the public as much information as possible. She indicated that the public generally does not understand what redistricting means and how the process works. She encouraged the committee to adopt the communities of interest as a guiding principle for the process so that people feel that they are being represented.

7. Committee Questions

Sen. Evans acknowledged staff for the work they have done and the effort that has been made to try and make the redistricting information public. She stated that if the public chooses to be informed, there are many ways for them to receive information and become educated and involved in the process. She expressed her appreciation to staff for their efforts in making all the information available on the website.

Rep. Adair presented the appointments for House subcommittees.

Rep. Bennion expressed his appreciation to staff for their work. He expressed his desire that the committee stick to the principles they have adopted so that plans are as fair as possible.

Mr. Smith presented staff and their specific assignments indicating how they are available to help the committee and the public in the process.

8. Adjourn

MOTION: Rep. Bennion moved to adjourn the meeting. The motion passed unanimously. Sen. Waddoups adjourned the meeting at 10:50 a.m.