

**MINUTES OF THE
REDISTRICTING COMMITTEE**

Monday, September 12, 2011 – 10:00 a.m.– Room 210 Senate Building

Members Present:

Sen. Ralph Okerlund, Senate Chair
Rep. Kenneth W. Sumsion, House Chair
Sen. Gene Davis
Sen. Benjamin M. McAdams
Sen. Kevin T. Van Tassell
President Michael G. Waddoups
Rep. Roger E. Barrus
Rep. Melvin R. Brown
Rep. Gage Froerer
Rep. Francis D. Gibson
Rep. Neal B. Hendrickson
Rep. Don L. Ipson
Rep. Todd E. Kiser
Speaker Rebecca D. Lockhart

Rep. Merlynn T. Newbold
Sen. Stuart C. Reid
Rep. Christine F. Watkins
Rep. R. Curt Webb

Members Absent:

Rep. Brian S. King

Staff Present:

Mr. John Q. Cannon, Managing Policy Analyst
Mr. Joseph T. Wade, Policy Analyst
Mr. Richard C. North, Policy Analyst
Mr. John L. Fellows, Associate General Counsel
Ms. Kimberly A. Heiner, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Okerlund called the meeting to order at 11:12 a.m.

MOTION: Rep. Hendrickson moved to approve the minutes of the September 7, 2011 Redistricting Committee meeting. The motion passed unanimously with Rep. Barrus, Rep. Brown, Rep. Froerer, and Rep. Watkins absent for the vote.

2. Redistricting State Senate Plans - Committee Discussion and Action

Sen. Okerlund presented Senate plan "Okerlund Draft 3 of a Potential Senate Base plan" and responded to questions from the Committee.

Mr. Chris Sloan, Tooele County Republican Party, said he does not like the map proposed by Sen. Okerlund because it splits Tooele County.

Ms. Maryann Martindale, Alliance for a Better Utah, said that it would be helpful if the Committee provided metrics with the presented maps to compare with each other.

Mr. Ken Froehle, citizen, said it appears that the Committee is not listening to public input. He said the Committee needs to look at what the people are asking for and not what the Committee desires.

Former Representative James Gowans said that he was concerned that rural Utah is not represented well in the proposed maps.

Mr. Fellows reminded the Committee that the primary principle driving redistricting is derived from the

United States Supreme Court interpretation of the 14th Amendment that requires equal protection of the law to each citizen, which is interpreted by that court as requiring one person one vote in redistricting.

Sen. McAdams said that there is a natural tension between some of the redistricting principles such as equalization of population and keeping communities of interests together. He asked Mr. Fellows if the Committee could justify a population deviation in order to meet some of the other objectives that the courts have recognized.

Mr. Fellows said that the safest course would be to first drive the population numbers down as far as possible. He said that the Committee could then back off on some of the tighter deviations to meet other principles if that is what the Committee wanted to do. He said that, in defending a lawsuit, the court is going to first look at population deviations.

Mr. Chad Smith, West Valley City resident, said he does not like the map presented by Chair Okerlund because it splits West Valley City too many times. He said that he would like one contiguous district that would represent the majority of West Valley.

Ms. LuAnn Adams, Box Elder County Commissioner, said that she appreciates that Chair Okerlunds' proposed Senate map keeps Box Elder County in a rural district.

President Waddoups said that the proposed Senate plan splits up Taylorsville and West Valley City and that, based on population, those areas do not need to be divided that many times.

Sen. Davis said that, if the Committee adopted this as the base Senate map, there should still be room to make changes based on public input.

MOTION: Sen. Davis moved to adopt the "Okerlund Draft 3 of a Potential Senate Base Plan" as a base Senate map.

Sen. McAdams said that he would like to preserve the ability to make significant changes to the adopted base map if the motion passed. He also stated that he may like to revisit at a future meeting the principles adopted because focusing primarily on small deviations can compromise other principles.

The Committee voted on Sen. Davis's motion. The motion passed unanimously with Rep. Barrus, Speaker Lockhart, and Chair Sumsion absent for the vote.

MOTION: Rep. Ipson moved to recess. The motion passed unanimously.

The Committee recessed at 11:45 a.m. and reconvened at 1:33 p.m.

Mr. Glenn Wright, Fair Boundaries, presented a House map from Fair Boundaries. He said that the map drawers did not have any information on incumbents or voting preferences. He said the key characteristics of the plan were to keep population deviations to a minimum and keep cities, counties, towns, and communities of interest together. He then responded to questions from the Committee.

Speaker Lockhart asked Mr. Wright to define communities of interest. Mr. Wright said that Fair

Boundaries used census data and neighborhoods to determine communities of interest. He said that as the populations get smaller it becomes increasingly difficult to not divide communities of interest.

Chair Sumsion presented a proposed House base map. He said that this plan was compiled by Committee members familiar with the different regions. Rep. Newbold explained the Salt Lake County portion of the map. Chair Sumsion explained the Southwestern portion of the map. Rep. Gibson explained the Utah County portion of the map.

President Waddoups complimented the House team for drawing these maps and said the districts looked good.

Ms. Kelli Lundgren, Represent Me Utah, said that she thinks the House map proposed looked good to her but asked if the drawers were aware of where the incumbents lived. Chair Sumsion said that they were cognizant of where incumbents lived. Rep. Kiser said that he was involved in drawing the Salt Lake County portion of the map and said "I personally don't know where all of my colleagues live on this map as I've drawn. . . I can truthfully say, I don't know where they live." Rep. Kiser also discussed some of the challenges of drawing Salt Lake County due to the population reduction in that area and said that it was logical that Salt Lake County would lose a House seat. He said that because of this population shift he put his own district with another incumbent's district and said "I think that a correct principle here is that there's been enough shift of population from the south east side of Salt Lake County to the west side of Salt Lake County, that there ought to be some combination of those five seats into four. That's not been easy to do, and as a Committee member I thought that probably one of the more responsible things was to shrink me into one."

Ms. Lundgren also asked the Committee to consider adopting a change to the Utah Constitution to use an independent commission to draw redistricting lines for the next redistricting in ten years.

Rep. Barrus reminded the public that serving in the legislature is not a career for the legislators and that they have additional full time jobs. He said that they are serving on the Committee to give back to the public. He said that they are trying to represent the citizens in their state and are being upright and open in the process.

Rep. Webb discussed the northern portion of Utah of the House proposed plan. Rep. Froerer explained the Box Elder and Weber county portions of the House plan.

Chair Okerlund said the next meeting will be held on September 22nd. He also said that September 26-28 are still tentative dates to hold Redistricting meetings if needed to finish the Committee recommendations before the special session.

Chair Sumsion said that the chairs have invited each of the three Utah Congressmen to attend the meeting on September 22 to provide input and present congressional plans.

Rep. Hendrickson suggested changing the redistricting principles adopted to reflect the lower deviation the maps might contain. Mr. Fellows said that the principles adopted are only binding on the Committee, not the entire Legislature.

MOTION: Rep. Newbold moved to recess for 45 minutes. The motion passed unanimously with Sen. Davis, Sen. McAdams, Rep. Brown, Speaker Lockhart, Rep. Watkins, and Rep. Webb absent for the vote.

Chair Okerlund recessed the meeting at 3:00 p.m. and reconvened the meeting at 4:00 p.m.

Chair Sumsion presented the rural regions of the House plan.

Mr. Froehle said that he liked the map presented because it reflected changes made based on public input. He said the map showed that the Committee listened to public comment.

Mr. Sloan said that he liked the map and thanked the Committee for listening to public input.

MOTION: Rep. Ipson moved to approve the map presented by the Committee as the House base map, with the allowance for staff to make technical changes, as well as the ability for the Committee to make changes as needed. The motion passed unanimously with Sen. McAdams, President Waddoups, Rep. Barrus, and Rep. Gibson absent for the vote.

3. Adjourn

MOTION: Rep. Newbold moved to adjourn. The motion passed unanimously with Sen. McAdams, President Waddoups, Rep. Barrus, and Rep. Gibson absent for the vote.

Chair Okerlund adjourned the meeting at 4:23 p.m.