

**MINUTES OF THE  
REDISTRICTING COMMITTEE**

Tuesday, September 27, 2011 – 9:00 a.m.– Room 445 State Capitol

**Members Present:**

Sen. Ralph Okerlund, Senate Chair  
Rep. Kenneth W. Sumsion, House Chair  
Sen. Benjamin M. McAdams  
Sen. Kevin T. Van Tassell  
Sen. Gene Davis  
Rep. Roger E. Barrus  
Rep. Melvin R. Brown  
Rep. Gage Froerer  
Rep. Francis D. Gibson  
Rep. Neal B. Hendrickson  
Rep. Don L. Ipson  
Rep. Brian S. King  
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:**

President Michael G. Waddoups

**Staff Present:**

Mr. John Q. Cannon, Managing Policy Analyst  
Mr. Leif G. Elder, Policy Analyst  
Ms. Allison M. Nicholson, Policy Analyst  
Mr. Joseph T. Wade, 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](http://www.le.utah.gov).

**1. Committee Business**

Chair Okerlund called the meeting to order at 9:57 a.m.

Chair Okerlund excused President Waddoups from the meeting. He also said that Rep. Barrus would be calling into the meeting remotely and Sen. Davis would be joining the meeting later in the afternoon.

**MOTION:** Rep. Hendrickson moved to approved the minutes of the September 22, 2011 Redistricting Committee meeting. The motion passed unanimously with Sen. Davis, Rep. Barrus, Rep. Brown, Rep. Gibson, Rep. Kiser, Speaker Lockhart, and Rep. Newbold absent for the vote.

**2. Redistricting Plans - Committee Discussion and Action**

**SCHOOL BOARD PLANS**

Chair Sumsion distributed the "School Board: Sumsion Low Deviation" plan and explained the changes made to the base map to provide equal population and lower deviations in the proposed plan.

**MOTION:** Sen. Van Tassell moved to approve "School Board: Sumsion Low Deviation" as the Committee's recommended School Board plan. The motion passed unanimously with Sen. Davis, Rep. Barrus, and Rep. Gibson absent for the vote.

Mr. Cannon explained that, if authorized by the Committee, staff would like to overlay the existing boundaries of all four Committee approved plans to check for and possibly remove small, unique pockets where the various boundary lines intersect. Mr. Cannon suggested that, during the special session, these technical changes made to the adopted Committee maps could be done as a first substitute.

**MOTION:** Rep. Newbold moved for the Committee to authorize staff to make minor technical changes to the adopted maps. The motion passed unanimously with Sen. Davis, Rep. Barrus, and Rep. Gibson absent for the vote.

#### SENATE PLANS

Chair Okerlund distributed and discussed "Okerlund Draft 4 of a Potential Senate Plan." He said that most of the changes were minor to clean up lines. He also said that this plan keeps Tooele City whole. Chair Okerlund explained changes made to the Cache County portion of the map. Sen. Reid explained changes made to the Rose Park portion of the plan and said that changes were made based on public input. Sen. Van Tassell explained changes made to the Tooele and Wasatch County portion of the map. Sen. McAdams explained the changes made to the Salt Lake County portion of the map. Chair Okerlund explained some changes made in the Utah County portion of the map.

Mr. Chris Sloan, Tooele County Republican Party, said that he appreciates that Tooele City was kept whole in the proposed Senate plan.

Ms. Kerri Witte, Provo resident, thanked the Committee for all the work they put into drawing maps. She said that she is concerned that the Senate map places west Provo within a rural district. She said that it would be better to keep all of Provo City within the same district.

Mr. Chad Smith, West Valley City resident, said that he was concerned about how some of the boundaries were drawn in West Valley City around districts one, three, and five. Sen. McAdams explained some of the rationale of the lines.

**MOTION:** Chair Okerlund moved to adopt the changes made in "Okerlund Draft 4 of a Potential Senate Plan" as the Committee's recommended Senate plan. The motion passed unanimously with Sen. Davis and Rep. Barrus absent for the vote.

#### HOUSE PLANS

Chair Sumsion distributed "House Draft - 9-26-2011" and explained the changes that this version made to the House base map. Speaker Lockhart explained changes made to the Utah County portion of the plan. Rep. Gibson explained changes made to boundaries in House District 65. Rep. Newbold said that she was still planning on making additional changes to the House map in Salt Lake County. Rep. Brown explained changes made to the Sanpete County portion of the plan.

Mr. Steven Clark, Sanpete County Republican Chair, thanked the Committee for their hard work on redistricting and said that the proposed House map reflects the will of Sanpete County.

Mr. Sloan said that he supports the proposed House map because it keeps Tooele City whole and gives rural Tooele County a chance to be represented by a rural legislator. He thanked the Committee for being fair to Tooele County.

Mr. James Gowans, former state representative, said that he has no problem with the proposed House plan. He said that he has concerns about how the map splits Associations of Governments (AOG) and that he

may recommend an additional AOG be created within Utah.

Chair Okerlund said that the Committee heard about the importance of Associations of Governments during the Redistricting Committee meetings held throughout Utah.

Mr. David Lifferth, Eagle Mountain resident, recommended changes to the plan in the Eagle Mountain area.

Rep. Barrus joined the meeting remotely via telephone.

**MOTION:** Rep. Newbold moved to adopt the changes proposed in the "House Draft - 9-26-2011" as the new House Committee base map. The motion passed unanimously with Sen. Davis absent for the vote.

#### CONGRESSIONAL

Committee staff distributed copies of the six congressional maps that were narrowed down at the Redistricting Committee meeting on September 22, 2011. The maps distributed were, "Cox Congressional," "Congressional - Garber D," "Harper\_02 Congressional," "U.S. Congressional Plan--Okerlund Plan F," "SanpeteMan\_01 Congressional," and "Congressional: Sumsion\_06\_Salt Lake City Whole."

Committee staff also distributed an additional map, "Congressional: Sumsion\_06\_Modified A."

Speaker Lockhart explained "Congressional: Sumsion\_06\_Modified A" and said that it is a hybrid of the doughnut hole and pizza slice approach to congressional redistricting. She said that this map keeps Salt Lake City in the same district. She also said that this plan puts the additional congressional seat primarily in the areas of Utah where the population has grown, and said that those areas of growth are the reason why Utah was given an additional seat. She said that the map only splits three counties. She also said that the congressional delegation needs to be united, and Utah cannot afford to have solely urban and rural congressional representatives because so much of Utah is federal land. She also said that much of Utah County is rural. Speaker Lockhart explained additional differences to the modified plan from the "Congressional: Sumsion\_06\_Salt Lake City Whole" plan.

Rep. King said that he appreciates that Salt Lake County went from being split four ways to three in the modified plan. He also asked additional questions about the percentage of population that was kept in the current districts.

Chair Okerlund said that the "Congressional: Sumsion\_06\_Modified A" plan is available on [RedistrictUtah.com](http://RedistrictUtah.com).

Sen. Reid said that he agreed with Speaker Lockhart that much of Utah County is rural.

Sen. McAdams said that he appreciates that the proposed "Sumsion\_06\_Modified\_A" plan does not divide Salt Lake County in four ways, as the previous version did, but said that he was still concerned because it divides Salt Lake County three times. He said that he believes that residents want Salt Lake County to be whole, not just Salt Lake City. He said that dividing Salt Lake County fractures communities of interest.

Rep. Froerer said that the "Sumsion\_06\_Modified\_A" makes a great deal of progress over the previous version for northern Utah. He said that if Davis County had to be split, this modified version makes a more acceptable split than previous versions.

Rep. Newbold said that she is encouraged by "Sumsion\_06\_Modified\_A" because it keeps communities of interest together better than previous versions. She also said that she supports the "Congressional - Garber D" plan.

Rep. Cox presented a modified Congressional plan. He said this plan does not split cities, which he said is an advantage to his previous version.

Rep. King said that he appreciates the hard work and input that Rep. Cox has put into Redistricting.

Rep. Cox responded to questions from the Committee.

Ms. Mary Bishop, Salt Lake County Party Democratic Chair, said that she does not like how the proposed congressional map divides Salt Lake County. She said that it is difficult to know where the boundaries of Salt Lake City end and that the larger Salt Lake County remains a community of interest. She said she would rather see Salt Lake City split in certain areas, if it kept Salt Lake County whole.

Mr. Glen Wright, Fair Boundaries, said that Fair Boundaries had the six congressional maps analyzed and explained the results. He distributed a handout showing these measurements. Mr. Wright also said that he thought the updated House map is making progress towards keeping communities of interest together.

Speaker Lockhart asked Mr. Wright questions on how Fair Boundaries was defining communities of interest. Mr. Wright said that Fair Boundaries used census data to determine communities of interest.

Mr. Fellows asked Mr. Wright if Fair Boundaries measured keeping political subdivisions together or communities of interest. Mr. Wright said that Fair Boundaries measurements indicate how well political subdivisions are kept together.

Mr. Jim Dabakis, State Democratic Party Chair, noted that Democrats in Utah receive approximately 43% of the votes but only have 29% of the seats in the Legislature. He said that this type of disparity undermines the democratic process. He also said that this disenfranchisement due to gerrymandering may be one of the reasons why voter turnout is so low in Utah. He asked the Committee to re-look at the larger numbers.

Mr. Fellows asked Mr. Dabakis to clarify what he meant when he used the word "disenfranchise" and asked him several times if he meant that Democrats would not have the right to vote. Mr. Dabakis gave an example of how Tooele County was divided during redistricting ten years ago. Mr. Dabakis also cited several other examples such as computer manipulations in drawing redistricting lines that he said remove the desire for people to vote.

Mr. Dabakis said that the Democrats in charge of the Salt Lake County Commission voted to turn over the redistricting process to an independent commission. Mr. Fellows asked Mr. Dabakis if he was aware that many states who have chosen to have an independent commission to draw maps have reached a deadlock

and that the courts are currently drawing their maps. Mr. Dabakis responded that the courts could do a better job at drawing a fair map.

Mr. Fellows asked if either the Democratic party or himself submitted any maps to the Committee for consideration. Mr. Dabakis said that they had not submitted any maps for consideration.

Speaker Lockhart asked Mr. Dabakis for his definition of "gerrymandering." Mr. Dabakis said that gerrymandering is what the Committee has done. Speaker Lockhart asked him if he compared the State of Utah to a banana republic. Mr. Dabakis said he did use the results of redistricting to make that comparison. Speaker Lockhart said it sounded like he was advocating for a parliamentary form of government with the party being represented by the same percentage of voters. Mr. Dabakis said that he was not advocating for a parliamentary form of government.

Rep. Barrus disconnected and left the meeting.

Rep. King asked for a point of order and requested that a clear question be asked with time given for the person to answer to allow the Committee and the public to follow the conversation.

Chair Okerlund asked Mr. Dabakis to answer questions as succinctly as possible. Chair Okerlund also indicated that witnesses would be allowed time to answer.

Speaker Lockhart said that the Redistricting maps have been placed on the internet as fast as possible, and the Committee has held multiple hearings throughout the state to make the redistricting process open. Speaker Lockhart asked Mr. Dabakis if he would prefer that citizens have over representation from an area or if he would prefer the Committee to adhere to the one-person one-vote principle. Mr. Dabakis said the Committee should adhere to the one-person one-vote principle.

Rep. Gibson said that he appreciates the frustrations that Mr. Dabakis has expressed, but asked him if he believed that people still have the right to vote if they are registered.

Mr. Dabakis said that he believes that what happened in Tooele ten years ago, and what is threatening to happen now, has put people off so much that they have lost the energy and passion to get involved in the political system.

Rep. Gibson asked Mr. Dabakis if it would be correct to paraphrase his response as saying that yes, people do still have the right to vote. However, because they feel like their vote is worthless, they choose not to exercise their right to vote. Mr. Dabakis said that was close.

**MOTION:** Speaker Lockhart moved to adopt the "Sumsion\_06\_Modified\_A" as the Committee's recommended base map.

Rep. King said he appreciates the changes that have been made to the "Sumsion\_06\_Modified\_A" map, but would like more time to look at it.

Sen. McAdams said that he is concerned with the motion because the Committee and public have not had time to look at the plan before weighing in. He said he would like to keep options open, and would like the

Committee to narrow the congressional maps down to two plans. He said he supported the "Congressional - Garber D" as a second choice.

Rep. Ipson spoke in favor of the motion. He said that the "Sumsion\_06\_Modified\_A" map addresses the issues of rural Utah and brings the entire state together.

Speaker Lockhart said that if the Committee narrowed down their recommendation to a single map today, the public would have more time to comment. She said if they take two maps into consideration, the public would have less opportunity to know the direction the Committee is going with Congressional maps, and would have less time to comment before the special session.

The Committee voted on Speaker Lockhart's motion to move "Sumsion\_06\_Modified\_A" as the Committee recommended base map for Congress. The motion passed with Sen. McAdams voting in opposition and Sen. Davis and Rep. Barrus absent for the vote.

**MOTION:** Rep. Ipson moved to recess until 1:30 p.m. The motion passed unanimously with Sen. Davis and Rep. Barrus absent for the vote.

The Committee recessed at 12:12 p.m. and reconvened at 1:42 p.m.

Sen. McAdams said that during lunch he made minor changes to some West Valley City boundaries in the "Okerlund Draft 4 of a Potential Senate Plan" in response to suggestions Mr. Smith made earlier in this meeting. Sen. McAdams explained these changes.

**MOTION:** Sen. McAdams moved to adopt the minor changes in West Valley City to the Senate base map. The motion passed unanimously with Rep. Barrus absent for the vote.

**MOTION:** Sen. Van Tassell moved to approve "Okerlund Draft 4 of a Potential Senate Plan" as the Committee's recommended Senate plan. The motion passed unanimously with Rep. Barrus absent for the vote.

Rep. Newbold explained the changes she had made to the Salt Lake County portion of the "House Draft - 9-26-2011" plan. Committee staff distributed a map showing Rep. Newbold's changes to the House plan.

Rep. King said that he appreciates the work that Rep. Newbold and Rep. Kiser made to the House plan and said that he supports the changes.

**MOTION:** Rep. Hendrickson moved to adopt the changes to the "House Draft - 9-26-2011" base map as explained by Rep. Newbold. The motion passed unanimously with Rep. Barrus absent for the vote.

Chair Okerlund said that the Wednesday, September 28, 2011 Redistricting meeting would be cancelled and would be rescheduled to Thursday, September 29, 2011 at 10:00.

### **3. Adjourn**

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**MOTION:** Sen. Van Tassell moved to adjourn the meeting. The motion passed unanimously with Rep. Barrus absent for the vote.

Chair Okerlund adjourned the meeting at 2:00 p.m.