

**MINUTES OF THE
REDISTRICTING COMMITTEE**

Thursday, September 29, 2011 – 10:00 a.m.– Room 445 State Capitol

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. 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

Staff Present:

Mr. John Q. Cannon, Managing Policy Analyst
Mr. Joseph T. Wade, Policy Analyst
Mr. Leif G. Elder, Policy Analyst
Ms. Allison M. Nicholson, Policy Analyst
Mr. John L. Fellows, 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 Sumsion called the meeting to order at 10:26 a.m. He said that Rep. Barrus was participating in this meeting remotely.

MOTION: Rep. King moved to approved the minutes of the September 27, 2011 Redistricting Committee meeting with the modifications of removing the second sentence on the last full paragraph on page 5 that begins with "he said. . .". The motion passed unanimously.

2. Redistricting Plans - Committee Discussion and Action

SENATE PLANS

Chair Okerlund distributed and explained draft bill "Utah State Senate Boundaries and Election Designation" (2011S3-0030/006). He explained that the bill establishes the Senate boundaries and the election dates. He responded to questions from the Committee.

MOTION: Sen. Van Tassell moved to approve as a Committee bill "Utah State Senate Boundaries and Election Designation" with the Senate boundaries as reflected in "Okerlund Draft 4 of a Potential Senate Plan." The motion passed unanimously.

SCHOOL BOARD PLANS

Ms. Nicholson explained the minor technical changes that staff made to the Committee's School Board plan and said that the modified version was labeled "Sumsion 8 Boundary Changes." She responded to questions from the Committee. Mr. Wade clarified some of the census boundaries.

Mr. Fellows explained the "State Board of Education Boundaries and Election Designation" (2011S3-

0029/005) draft bill.

MOTION: Chair Sumsion moved to approve as a Committee bill "State Board of Education Boundaries and Election Designation" with the technical changes to the school boundaries as reflected in "Sumsion 8 Boundary Changes." The motion passed unanimously.

HOUSE PLANS

Chair Sumsion distributed "House Draft 09-29-2011" and explained some changes that were made in Lehi, Springville, and Provo. Speaker Lockhart explained changes made to Orem and Lindon on the House map. She also said that the Utah County Delegation was planning on meeting within the next couple days and may have a few minor recommended changes to the House map. Rep. Froerer explained some changes made to the Ogden city portion of the map. Rep. Ipson explained changes made to districts 70 & 75 in the Washington County portion on the House map. Rep. Newbold explained changes made to Salt Lake County and showed two versions of Salt Lake County, "Salt Lake County Option A" and "Salt Lake County Option B" of the "House Draft 09-29-2011." She recommended adopting "Salt Lake County Option A," and said that additional changes would still need to be made to district 39.

Rep. Barrus explained changes he made in Davis County in the "House Draft 09-29-2011" map. Mr. Elder showed the changes Rep. Barrus made in Davis County to get the deviations lower.

Rep. Brown explained changes made to the House map in the rural areas to keep cities in the same district as well as to lower population deviations.

Speaker Lockhart asked if the district numbering of the districts was final when the Committee voted on a bill. Speaker Sumsion said that the district numbers may be changed a little.

Mr. Bob Rice, Syracuse City Manager, said that he is concerned that Syracuse City is divided into four districts in the current proposed House map. He asked the Committee to reconsider the division in Syracuse.

Mr. Glenn Wright, Fair Boundaries, Summit County resident, said that he liked the changes that have been made to Sanpete and Carbon County in the revised "House Draft 09-29-2011" plan. He also said that he does not like that Summit County is divided in the current plan.

Mr. James Humphreys, Weber County resident, suggested changes to several boundaries of the House map in northern Utah.

MOTION: Rep. Newbold moved to approve the "House Draft 09-29-2011" including "Salt Lake County Option A," with the direction to staff to change district numbers to reflect current district numbers as much as possible, and to authorize technical changes made by staff. The motion passed unanimously.

MOTION: Chair Sumsion motioned to approve as a Committee bill "Utah State House Boundaries Designation" (2011S3-0031/005) with the House boundaries as reflected in the "House Draft 09-29-2011" map. The motion passed unanimously.

Mr. Cannon explained the process for the redistricting bills. He said that there would be a paper component of the bill language with a file attached containing an electronic file that reflects the district boundaries. He said that all of the proposed maps would be available on RedistrictUtah.com. He also said that computers would be set up in the Capitol to allow for public access to view the plans during session. Mr. Cannon then said that changes to the maps during session would be adopted by substitute. He said that this process would allow for greater public access to view the map boundaries.

CONGRESSIONAL PLANS

Rep. King asked if the public would have the opportunity to make comment on congressional maps. Chair Sumsion said that there would be time for public comment on congressional maps.

Mr. David Irvine, Utah Citizens' Counsel, said that it was clear to him that Salt Lake County's population was so large that it would have to be divided between at least two congressional districts, but said he could see no reason to divide Salt Lake County more than once. He said that the currently drawn congressional map essentially disenfranchises the residents of Salt Lake County.

President Waddoups said that the public comments he has received from Salt Lake County residents in areas such as West Jordan and Taylorsville indicate that they felt like they had more in common with rural areas and wanted congressional representatives that could represent the interests in the state that would impact them. President Waddoups asked Mr. Irvine why he thought Salt Lake County residents had more in common with Salt Lake City than with Tooele or other rural counties when it came to congressional representation. Mr. Irvine responded that the Wasatch front has some of the most urban areas in the state of Utah and said that the interests of the people in the Wasatch front can be substantially different from people living in rural areas.

Mr. Irvine responded to additional questions from the Committee.

Mr. Dennis Webb, Holladay City Mayor, said that he is dissatisfied with the current congressional proposal because of the way it divides Holladay City. He said that many issues directly affect his community that do not affect the rural communities. He gave an example of the Federal government providing a grant for the Holiday Village Center project and said that without that congressional representation, they would not have been able to obtain those funds. He responded to questions from the Committee.

Sen. Pat Jones, Senate District 4, expressed her concern about the current proposed congressional plan and said that the congressional representatives are supposed to represent people of common interests at the federal level. She asked the committee to keep their options open with the Congressional map. She said that it was not a Republican vs. Democrat issue, but an issue that affects every citizen. She said that everyone deserves to have representation by someone who has a common interest.

Ms. Rochelle Dolim, Sandy resident, said that there are many differences between urban and rural issues and said that it is important that her representatives are familiar with the issues in her community. She said that a pizza slice approach to congressional redistricting does not make sense because it would be difficult for a representative to understand and have a passion for local issues.

Mr. Wright discussed and distributed a handout showing the metrics of several congressional plans

including "Sumsion_06_A" congressional plan. He also said that Fair Boundaries had legislation to establish an advisory commission to conduct the Redistricting process for redistricting in the next ten years and he advocated adoption of this legislation. He responded to questions from the Committee.

Ms. Jenn Gonnely, League of Women Voters, listed redistricting standards that the League of Women Voters supports. She said that the League would continue to advocate for a citizens redistricting council to be organized. She said that the League is concerned that voter turnout is so low in Utah. She asked the Committee to re-look at the proposed congressional map and make changes. She also said that the League does not support a particular congressional map and didn't submit any maps for consideration.

Rep. King asked Ms. Gonnely if the League thought that having a rural/urban mix would increase voter turnout. Ms. Gonnely responded that the League members feel like a rural/urban mix is not compact and does not put people of common interests together.

Mr. Dimitri Moumoulidis, Salt Lake County citizen, said that religion is a key defining factor of Utah's communities with Utah's strong LDS presence. He said that over 90% of the Legislature and 100% of Utah's federal delegation is LDS, while only 60% of the population is LDS. He said this creates a situation where a large percentage of Utah's do not feel like they are represented. He said that the current proposed "Sumsion_06_Modified Version A" splits counties that are primarily non-LDS instead of being grouped similarly as they are under the current map. He responded to questions from the Committee.

Mr. Humphreys, Weber County resident, said he supports the "Sumsion_06_modified_A" plan because it gives Utah both urban and rural congressional representation. He said that Nevada has the same number of congressional representatives as Utah and said that Nevada's rural and urban representatives are frequently at odds and vote against each other. He said that Utah has too few congressional representatives to afford to have a divided delegation.

Ms. Kelli Lundgren, Represent Me Utah, asked the Committee if any political or partisan data was considered in drawing maps.

Mr. Cannon said that there is no political data included on the redistricting computers at the capitol.

Chair Sumsion said he did not have any political data on the computer he used for redistricting.

Ms. Lundgren, said she was concerned about the "Congressional: Sumsion_06_Modified_A" plan because it was introduced at the last minute and did not consider keeping common interests together. She also said going after federal lands is a political community of interest and is not a redistricting process.

Mr. King said that he has had political data that was given to him unsolicited from outside sources.

Speaker Lockhart said that leaders of political parties are doing political analysis and have provided political data to some Committee members, but it is the organizations, not the Committee or Legislature creating the political information.

Mr. John Hansen, Sandy resident, said that he was concerned about the "Congressional: Sumsion_06_Modified_A" map because it was not considered throughout the state. He also said that the

Committee needed to clarify how they were defining rural cities. He said that Salt Lake City should be represented by the majority of Salt Lake County. He also said that the capitol city of Utah should be placed with what the majority of the city wants, not the minority. He made suggestions on how to change the map to better represent the citizens in Salt Lake City. He also discussed a map he created on RedistrictUtah.com. He responded to questions from the Committee.

Mr. Fellows clarified that the classic definition of disenfranchisement is that people are unable to vote. He said that there is nothing that the Redistricting Committee has done that prevents any citizen from voting in an election. He also explained ways that people can get involved in the political process. He said that the American political system is set up for elected officials to represent all people whether or not that person voted for them.

MOTION: Rep. King moved to adopt "U.S. Congressional Plan I - Davis I" as the replacement congressional map.

Rep. King distributed and discussed "U.S. Congressional Plan -- Davis Plan I." He said that because over 75% of Utah's population lives in Salt Lake, Davis, and Utah Counties, it made sense for those areas to have congressional representation in proportion to that population. Rep. King said that it is important that rural Utah's voice is heard, and said that this proposed map would give rural Utah a voice. He said that Utah is not primarily a rural state, but is more urban. He said that the proposed map is compact and honors the population deviation.

President Waddoups said that he feels like he has been taken advantage of with this map introduced after the Committee had already approved a congressional base map. He said that if the Committee was going to go back to putting different maps on the table, then other maps should also be considered.

Sen. McAdams said that he heard throughout the meetings in Utah that people want to keep communities of interest together. He said that Salt Lake County is a community of interest and that the "U.S. Congressional Plan -- Davis Plan I" would keep the communities of interest in Salt Lake City together in a logical way.

SUBSTITUTE MOTION: Rep. Ipson moved to adopt "Sumsion_06_Modified_A" as the Committee plan.

Rep. Ipson said that the "U.S. Congressional Plan - Davis Plan I" would be logistically impossible for one person to cover that much land in Utah. He said that the "Sumsion_06_Modified_A" plan better serves the people of Utah in a broader sense.

Sen. Davis said that Utah is the seventh most urbanized state in the nation. He said that putting all the rural areas in Utah together would give rural Utah a strong united voice.

Chair Sumsion discussed a plan he had introduced in a previous meeting, "Sumsion_05" congressional maps. He said that many public comments focused on increasing voter turnout. He said that this plan would provide competitive seats, which could help increased voter turnout.

Chair Okerlund said that he supported the substitute motion and said that the Committee made an informed and unified decision when they supported the "Sumsion_06_Modified_A" plan.

Rep. King said that the vote on the "Sumsion_06_Modified_A" plan from his perspective was to move the discussion forward. He said that since he has had time to review the plan, he sees deficiencies in the plan and believes that the "U.S. Congressional Plan - Davis I" is a better plan. He said that having rural Utah drive the congressional boundaries is allowing the tail to wag the dog, when the majority of the population lives along the Wasatch Front.

The committee voted on Rep. Ipson's substitute motion to re-adopt "Sumsion_06_Modified_A" as the Committee plan. The motion passed with Sen. Davis, Sen. McAdams, Rep. King, Rep. Watkins, and Rep. Hendrickson voting in opposition.

MOTION: Chair Okerlund moved to approve as a Committee bill the "Congressional Boundaries Designation" bill (2011S3-0028/005) with congressional boundaries as reflected in the "Sumsion_06_Modified_A," and to allow for staff to make technical changes. The motion passed with Sen. Davis, Sen. McAdams, Rep. King, and Rep. Watkins voting in opposition.

Chair Okerlund thanked the Committee and staff for their work on the Redistricting Committee. He also thanked the public for their involvement in the redistricting process.

Chair Sumsion thanked the public for their involvement in the redistricting process. He said that serving on the Committee has been a sacrifice of personal time for the Committee.

Sen. McAdams said that while he is frustrated with the outcome of this meeting, he wants the public to know that the Committee respects each other despite differences of opinions.

Sen. VanTassell thanked the chairs for their efforts in leading this Committee.

Rep. Hendrickson also thanked the staff and chairs for their work on this committee.

Sen. Davis thanked the chairs for the job they have done to allow the minority party to have full participation in the redistricting process.

3. Adjourn

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

Chair Sumsion adjourned the meeting at 1:04 p.m.