

**MINUTES OF THE
REDISTRICTING COMMITTEE**

Tuesday, October 4, 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. Stuart C. Reid
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
Rep. Christine F. Watkins
Rep. R. Curt Webb

Staff Present:

Mr. John Q. Cannon, Managing Policy Analyst
Mr. Mark D. Andrews, Policy Analyst
Mr. Leif G. Elder, 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 Okerlund called the meeting to order at 10:20 a.m.

MOTION: Sen. Davis moved to approved the minutes of the September 29, 2011 Redistricting Committee meeting. The motion passed unanimously with Chair Sumsion absent for the vote.

2. Redistricting Plans - Committee Discussion and Action

Sen. McAdams distributed and discussed his congressional map "McAdams Compromise Competitive Map." He said that this plan was a compromise, would create competitive districts, and took into account public input.

Sen. Pat Jones, Senate District 4, said that she liked Sen. McAdams map because it makes logical breaks between municipalities and better divided Holladay than "Congressional: Sumsion_06_Modified A."

Speaker Lockhart said that Sen. McAdams map split up Utah County more than the "Congressional: Sumsion_06_Modified_A" plan.

Sen. McAdams said that the map could be re-looked at and changes made to Utah County if needed.

Ms. Kelli Lundgren, Represent Me Utah, said that compromise is essential in redistricting and said that the "McAdams Compromise Competitive Map" does a good job compromising. She also asked for the public to have a few days to view this map before moving forward.

Mr. Ken Froehle, Represent Me Utah, said that Sen. McAdams' map is the best compromise he's seen yet.

Mr. Chris Sloan, Tooele County Republican Party, said that he was concerned that the "McAdams

Compromise Competitive Map" does not keep Tooele county in the same district as Hill Air Force Base. He responded to questions from the Committee.

Rep. King said that he does not like all aspects of Sen McAdam's map, but said that he understands that a compromise is needed.

MOTION: Rep. King moved to adopt "McAdams Compromise Competitive Map" for further discussion as one of the maps moved forward for consideration.

Sen. Davis asked chair Okerlund if the Committee wanted to adopt a few maps today or listen to the different options before voting on an individual maps.

Rep. Gibson said he would like to see the other maps in consideration today before voting on this motion.

Rep. Hendrickson said he wanted to vote on individual maps, and said that since the house is going to caucus soon, the Committee could forward the merits of each bill individually.

MOTION: Sen. Reid moved previous question. The motion for previous question passed unanimously.

The Committee voted on Rep. King's motion. The motion failed with Sen. Davis, Sen. McAdams, Chair Okerlund, Sen Reid, Sen. Van Tassell, President Waddoups, Rep. Hendrickson, Rep. King, and Rep. Watkins voting in favor.

Rep. Ipson distributed and discussed his "Congress: Ipson Update to Sumsion_06_A." He said it was almost a mirror image from the "Congressional - Sumsion_06_Modified_A."

Sen. Jones said that she is concerned with the "Congress: Ipson Update to Sumsion_06_A" map because of the way Holladay is divided in that plan. She responded to questions from the Committee.

Mr. Steve Hiatt, Kaysville City Mayor, said that the "Congressional Sumsion_06_Modified_A" map keeps Kaysville together, but does not include Fruit Heights. He asked to keep Kaysville and Fruit Heights in the same congressional district.

Ms. Lundgren asked the Committee to give the public a couple days to look at the newly proposed maps before taking final action.

Mr. Anthony Kaye, Utah Democratic Lawyers Council, said that the "Congress: Ipson Update to Sumsion_06_A" map, the current base map, and maps like them are unconstitutional because they potentially creates a basis for litigation against representatives who advocate for them. He said these maps violate the 1st and 14th amendments because they are drawn for partisan gerrymandering. He also said that he was concerned about a Salt Lake Tribune article he read that said that the Committee's General Counsel advised members of the committee to delete their e-mails.

Mr. Fellows responded that the Legislature is governed by the Government Records Access and Management Act and said that the current law views e-mails and text messages as temporary messages.

He said that under the disposition schedule, e-mail could be deleted when the use or need for the records has expired. Mr. Fellows asked Mr. Kaye if the Democratic party had submitted redistricting a plan to address their redistricting concerns. Mr. Kaye said that the Democratic party had not submitted any plans.

President Waddoups said that he only deletes records once they have served the purpose for which they were intended.

Mr. Kaye responded to questions from the Committee.

MOTION: Rep. Ipson moved adopt to adopt "Congress: Ipson Update to Sumsion_06_A" plan for further discussion as one of the maps moved forward for consideration. The motion failed with Rep. Barrus, Rep. Brown, Rep. Gibson, Rep. Hendrickson, Rep. Ipson, Rep. Kiser, Speaker Lockhart, Rep. Newbold, Chair Sumsion, and Rep. Webb voting in favor.

Chair Okerlund said that the Committee would not pass forward additional maps to the Legislature for further consideration, but said that maps could be introduced on the floor from individual legislators.

Rep. Webb asked for clarification if "Congressional: Sumsion_6_Modified_A" passed in the House this morning, and Chair Okerlund confirmed that it did.

Speaker Lockhart asked for clarification on some areas of the "Congressional: Sumsion_6_Modified_A" map.

3. Adjourn

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously.

Chair Okerlund adjourned the meeting at 11:10 a.m.