

**MINUTES OF THE
REDISTRICTING COMMITTEE
Thursday, September 13, 2001 – 7:00 a.m. S Room 129 State Capitol**

Members Present:

Sen. Michael G. Waddoups, Senate Chair
Rep. Gerry A. Adair, House Chair
Sen. Ron Allen
Sen. Gene Davis
Sen. Beverly Evans
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

Staff Present:

Mr. Mark J Allred, 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. Joseph T. Wade, Research Analyst
Ms. Cassandra Bauman, Legislative Secretary

Note: A list of others present and a copy of materials can be found at <http://www.image.le.state.ut.us/imaging/history.asp> or contact the Office of Legislative Research and General Counsel.

1. Call to Order

Chair Waddoups called the meeting to order at 7:23 a.m.

2. Committee Business

3. Continuation of Discussion of Congressional, Senate, House, and School Board Plans

State School Boards Plan:

MOTION: Rep. Pace moved to adopt State School Board Plan A.1. The motion passed unanimously.

Senate Districts Plan:

MOTION: Sen. Evans moved to adopt Senate Plan 09-13-01.

Sen. Evans explained the amendments to the plan. She indicated that the amendments addressed prior concerns that had been brought forth in the last redistricting meeting as well as the amendments suggested during Wednesday caucus.

Sen. Allen spoke in opposition of the proposed plan. He indicated that Tooele County may need more than one senate district because of the rapid populations growth. He stated that the way Tooele County is divided presents some concerns.

Rep. Gowans spoke in opposition of the proposed plan. He indicated that Senate District 13 is divided in such a way that the new growth is separated from the older parts of the city.

Rep. Arent expressed her concern for public input not being available on the presented senate plan. She indicated that the plan was not available on the Internet for public comment. Sen. Valentine stated that the plan was based on public input and that the public will have time to give more input after the plan has been adopted to take into Special Session and placed on the Internet.

Rep. Shurtliff expressed concern for the mountain range in Senate Districts 19. She stated that it takes a portion of Ogden out of Senate District 18.

Sen. Leonard M. Blackham, Senate District 28, spoke in favor of the proposed plan. He explained that the plan is the best to meet the changing growth patterns in Utah. He stated that communities of interest have been maintained as much as possible. He indicated that the plan will serve the people well.

Sen. Bill Hickman, Senate District 29, spoke in favor of the proposed plan. He expressed belief that the citizens will be well-represented in southeastern and southwestern Utah. He indicated that the metropolitan area may need some amending, but also indicated that it would take great difficulty. He stated that rural Utah is happy about the plan.

Mr. James Evans stated that the committee has gone beyond the call of duty to accommodate everyone's interests and address complaints of unfairness. He indicated that this accommodation has started to affect other political interests. He referenced a Supreme Court ruling, *Davis v. Bandemer*, regarding limiting political influences.

Mr. John Solomon, Salt Lake County Republican Party Chair, expressed concern for the committee being overly influenced in its decisions in the redistricting process. He explained that the effect of the plan will continue for 10 years and, hence, expressed concern for incumbent protection.

Mr. Robert Gallegos, RAS PAC, stated that the minority community or any city being divided presents concern. He expressed that the voice of small communities of interest, such as a city or the minority community, is being silenced with such divisions.

Chair Waddoups explained that the plan will be further reviewed to obtain a closer deviation.

The motion passed with Sen. Allen, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition, and Rep. Bigelow absent for the vote.

Three-Member Congressional Districts Plan:

MOTION: Rep. Adair moved to adopt Congressional Proposal C.5.2. He explained the amendments to the C.5 base plan.

Rep. Arent spoke in opposition of the plan. She stated that Salt Lake County is being divided more than it needs to. Rep. Shurtliff stated that the wishes of rural Utah are ignored in the plan.

Mr. Douglas Grassi, Beer Drinker's Association, expressed the concern for St. George being combined with Murray.

Mr. Steven Epperson, Minister, South Valley Unitarian Universalists Society, expressed concern for the representation of historic integrity. He stated that rural community influence would be diluted if combined with an urban-majority district.

Ms. Nancy Coulam, Frate citizen, spoke in opposition of the plan. She stated that the issues within urban communities and rural communities are very different and urged the committee not to combine rural and urban communities.

Mr. Evans stated that elected Congressional representatives should have the capabilities to represent both rural and urban areas and it should not be a factor when drawing district lines.

Sen. Davis stated that Utah is the seventh most urbanized state in the nation. He explained that rural issues are entirely different than urban issues and both are equally important. He indicated that this issue must be considered.

SUBSTITUTE MOTION: Rep. Arent moved to adopt Democrat Congressional Plan, posted 08-29-01.

Rep. Adair spoke in opposition of the proposed plan.

Rep. Way spoke in opposition of the plan. He explained that the Second Congressional District should have a representative from Salt Lake County.

Sen. Davis spoke in favor of the plan. He explained that the cities with similar issues are represented in the democratic plan. He explained the importance of urban representation.

Rep. Bennion spoke in opposition of the plan. He indicated that 80 percent of the population in Utah lives along the Wasatch Front.

Sen. Waddoups spoke in opposition to the Democratic plan. He stated that west side representation is very important. He stated that Senate Plan C.5.2 creates the possibility of west side representation. He stated that unincorporated parts of Utah should be amended so that the west side may have some representation, if the Democratic plan is to be adopted.

Rep. Bryson stated that the representatives in Congress are expected to combine efforts and serve Utah as a whole. She stated that rural and urban issues need to be addressed by each congressional representative, whether that representative is from a rural or urban area.

Rep. Bush spoke in opposition of the plan. He stated that rural and urban areas should be combined.

Rep. Arent explained that two of the Congressional districts combine rural and urban areas. She stated that the Congressional representative needs to represent the particular area in his district.

The substitute motion failed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in favor.

Rep. Goodfellow expressed concern that public comment was not taken on the substitute motion. Sen. Waddoups stated that previous question was called and unanimous, therefore, debate was ended on the issue.

Rep. Pace stated that the deviation of Congressional Proposal C.5.2 is perfect. She stated that the principle for population equality within districts makes the issue of misplacing persons somewhat unavoidable.

Rep. Hatch stated that rural and urban areas have been well-represented in the past and are well-represented now. He indicated that rural and urban issues can both be addressed by one representative.

Rep. Way inquired about redistricting principles. Mr. John L. Fellows, Associate General Counsel, Office of Legislative Research and General Counsel, stated that population equality, continuity of districts, and compactness are the main redistricting principles.

Mr. Gallegos expressed concern for the division of Salt Lake City in Congressional Proposal C.5.2.

Rep. Adair stated that the C.5.2 plan does not take into consideration the principle of minimal disruption. He stated that minimal disruption is a principle for incumbent protection and that the committee did not adopt minimal disruption as a principle.

The original motion passed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Bennion, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition.

Four-Member Congressional Districts Plan:

MOTION: Rep. Adair moved to adopt Congressional Proposal TT.44.

SUBSTITUTE MOTION: Rep. Harper moved to amend Congressional Proposal TT.44. Staff distributed Congressional Proposal TT.44, Amendment 1. Rep. Harper explained the amendments to the proposal. The substitute motion passed with Sen. Allen, Sen. Davis, Rep. Biskupski, and Rep. Gowans voting in opposition, and Rep. Bryson absent for the vote.

Sen. Davis opposed the plan. He stated the importance of representation based on the location of constituents.

Rep. Pace stated that representing both rural and urban areas is advantageous. She expressed what a pleasure it is to be representing both areas.

Rep. Harper clarified that the deviations will be modified, if the plan is adopted.

MOTION: Rep. Adair moved to adopt Congressional Proposal TT.44, Amendment 1. The motion passed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition.

House Districts Plan:

MOTION: Rep. Adair moved to adopt House Plan A.4.

SUBSTITUTE MOTION: Rep. Harper moved to amend House Plan A.4. Staff distributed House Plan A.4, Amendment 9. Rep. Harper stated that the amendment affects Carbon, Emery, and Grand Counties. Committee discussion followed. The substitute motion passed with Sen. Allen, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition.

MOTION: Rep. Hatch moved to amend House Plan A.4. Staff distributed the proposed amendment. The motion passed unanimously.

MOTION: Rep. Goodfellow moved to amend House Plan A.4. Staff distributed House Plan A.4, Amendment 10. Rep. Goodfellow explained the amendments to House Plan A.4. He stated that two districts would not have a current incumbent. He stated that communities of interest in western Utah and on Capitol Hill are maintained.

Rep. Adair spoke in opposition to the amendment.

Rep. Ralph Becker, House District 24, stated that Capitol Hill is not included with Davis County and Rose Park has been substituted in its place. He explained that the rationale for redrawing the district lines is that the neighborhood of Capitol Hill feels a community of interest with Salt Lake City. He stated that many constituents felt that their identity was lost when combined with Davis County. He explained that the plan does not include Capitol Hill in its entirety, but it does include the core of Capitol Hill.

Rep. Arent stated that the amendment was not intended to affect the incumbent Republican representation in northern Utah. She further explained the amendments to House Plan A.4.

Rep. Harper inquired about the contiguity of District 49 with the district line running over the mountain range into Park City. He stated that the amendment splits Rose Park, against public wishes.

Rep. Bennion and Rep. Arent debated the rationale for the drawing of district lines considering: demographics, transit opportunities, compactness, contiguity, population equality, and incumbent protection.

Rep. Bigelow explained that house district proposals have almost infinite possibilities. He stated that two factors drive the redistricting process and the committee: (1) creating population equality within districts and (2) performing constitutional duties. He stated it is acceptable to disagree, but not acceptable to place

motives for drawing lines in a particular way. He asked the committee members to agree to disagree in a reasonable way.

The motion failed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Biskupski, Rep. Gowans, and Rep. Shurtliff voting in favor.

Rep. Shurtliff explained that five representatives in the three districts that combine incumbents are of the minority party. She expressed concern for losing minority representation.

Rep. Pace explained that the process of drawing plans has been very demanding. She stated that committee members who were not involved in the process of drawing the maps would not understand the challenge of drawing districts that were fair and concise in population.

Mr. Gallegos expressed concern for Rose Park being combined with Davis County. He requested it be maintained in Salt Lake County districts. Rep. Bennion stated that House Plan A.4 includes Rose Park with Salt Lake County districts.

Chair Waddoups indicated that House Plan A needed further revisions so that the plan follows deviations in .4 the guidelines established by the committee. He stated that committee members should work on the plan before the plan is proposed in Special Session.

MOTION: Rep. Adair moved to adopt House Plan A.4, as amended. The motion passed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition.

4. Other Committee Business

Chair Waddoups expressed appreciation for staff's assistance in the redistricting process and the extra time spent working on plans. He also expressed appreciation for the public input. He stated that the committee will meet during the Special Session to update members on amendments and action taken by the Legislature.

Chair Adair expressed appreciation for the media's assistance in the redistricting process.

5. Adjourn

MOTION: Rep. Adair moved to adjourn the meeting. The motion passed unanimously. Chair Waddoups adjourned the meeting at 11:53 a.m.