

**MINUTES OF THE  
REDISTRICTING COMMITTEE  
Thursday, September 6, 2001 – 9:00 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. Beverly Evans  
Sen. Gene Davis  
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. John Q. Cannon, Research Analyst  
Mr. Jerry D. Howe, Research Analyst  
Mr. Richard C. North, Research Analyst  
Mr. Joseph T. Wade, Research Analyst  
Ms. Alicia Gambles, Legislative Secretary  
Ms. Jennifer Markham, 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 9:25 a.m.

**2. Committee Business**

**MOTION:** Rep. Biskupski moved to adopt the amendment to the minutes of the August 9, 2001 meeting as distributed. The motion passed unanimously with Sen. Evans absent for the vote.

**MOTION:** Rep. Adair moved to approve the minutes of the August 9, 2001 meeting. The motion passed unanimously with Sen. Evans absent for the vote.

Rep. Arent expressed concern for voting on maps that were not available for review before the meeting.

**3. School Board Plans**

Chair Waddoups asked committee members if they would like to amend the base school board plan. Rep. Harper indicated that an amendment to the plan is available, but the School Board has not seen the plan. He explained that voting on the plan should be held off until the plan has been reviewed. Rep. Harper presented School Board Base Plan, Amendment A1. Committee discussion followed.

**4. Senate District Plans**

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Chair Waddoups indicated that amendments to Senate Plan 8-09-01 are incorporated into Senate Plan 8-30-01 and it is available on the Internet. Rep. Shurtliff indicated that the plan presented uncomfortable feelings and that the plan not be considered until further information is available. Committee discussion followed.

**MOTION:** Sen. Davis moved to adopt Senate Plan 8-30-01 as a base plan for the committee, indicating that the plan would be a work in progress. The motion passed with Rep. Arent, Rep. Biskupski, and Rep. Shurtliff voting in opposition.

Chair Waddoups indicated the colored portions of the Salt Lake County and Surrounding Areas Senate Plan represent the amendments. Sen. Davis requested to suspend adoption of the plan until Sen. Hale had reviewed the plan and provided feedback to the committee. Chair Waddoups indicated that a request was made to keep the Avenues in Salt Lake County together, because it is a community of interest. He indicated also that his plan represents that request.

Committee members reviewed the amended plans in the Salt Lake County and Surrounding Areas Senate Plan for each individual district.

**MOTION:** Sen. Valentine moved to adopt Senate District 4, as amended in the Salt Lake County and Surrounding Areas Senate Plan. The motion passed unanimously.

**MOTION:** Rep. Bryson moved to adopt Senate District 10, as amended in the Salt Lake County and Surrounding Areas Senate Plan. The motion passed with Rep. Arent and Rep. Biskupski voting in opposition and Sen. Davis absent for the vote.

Rep. Arent inquired about the north part of District 8 of the proposed plan. Chair Waddoups explained the location of the lines, but indicated he didn't know the reasons they were drawn that way. Rep. Arent indicated her belief that they were drawn to cut someone out of a seat.

**MOTION:** Sen. Evans moved to adopt Senate District 8, as amended in the Salt Lake County and Surrounding Areas Senate Plan. The motion passed with Rep. Arent, Rep. Biskupski, Rep. Gowans, and Rep. Shurtliff voting in opposition and Sen. Davis absent for the vote.

**MOTION:** Rep. Harper moved to adopt Senate District 3, as amended in the Salt Lake County and Surrounding Areas Senate Plan. The motion passed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Bennion, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition.

Rep. Arent expressed dissatisfaction with the process of voting on the presented plans at the current time. Chair Waddoups indicated that refinement of the plans is possible in future meetings.

Sen. Davis requested that the committee postpone voting on Senate District 9 until Sen. Hale has been contacted.

Chair Waddoups explained that the amendments to Senate District 1 mostly affect the Avenues and that the amendments honor requests to keep the community of interests together.

Sen. Davis inquired whether two incumbents would be located in the same district with the current plan. Sen. Allen stated that the second incumbent added to the district is within the district boundaries by three streets, and indicated it was an error in the map.

Ms. Beverly Cooper, Capitol Hill resident, indicated that an urban Salt Lake City neighborhood combined with Davis County would not maintain the principle of commonality within districts.

Ms. Polly Hart, Capitol Hill resident, expressed dissatisfaction with the district lines as drawn in the proposed plan.

Mr. Tom Rogan, member of the Salt Lake City Council, suggested that the committee be mindful of practical, psychological, and political considerations in creating plans.

Ms. Jean C. Willis, Avenues resident, expressed dissatisfaction with drawing the Davis County lines.

Sen. Paula Julander, Senate District 1, expressed appreciation for Chair Waddoups' efforts to keep the Avenue community together. She suggested the committee review Senate Districts 1 and 23 to balance the population differences. She thanked the committee for any possible efforts to keep Davis County residents and Salt Lake City residents separate.

Rep. Biskupski stated that natural boundaries, such as mountains and county lines, are being overlooked. She indicated that many districts are organized so that communities of interest are ignored. Chair Waddoups indicated that the population shifts override.

Sen. Davis requested voting on Senate Districts 1, 7, and 23 be postponed.

**MOTION:** Rep. Harper moved to adopt Senate District 5, as amended in the Salt Lake County and Surrounding Areas Senate Plan. The motion passed with Rep. Arent and Rep. Biskupski voting in opposition and Sen. Davis absent for the vote.

Sen. Valentine requested the committee postpone voting on Senate Districts 13 and 17 until further studied.

Chair Waddoups presented the Cedar City Proposal. Rep. Way explained his amendment, which affects district lines in Southern Utah.

Mr. Dixie Leavitt, former Utah Senator and Cedar City resident, presented a proposal for Southern Utah districts. He indicated that San Juan and Grand Counties requested combining with counties possessing commonalities of interest. He stated that the proposed plan contains well-balanced population in the districts.

Congressman Howard Nielsen spoke in favor of the proposed plan. He expressed preference that Tooele County and Salt Lake County be kept separate. He stated that Sanpete County and Juab County combine well. He indicated that this plan would possibly remove three senators from their current districts, but solves other problems.

Sen. Allen concurred that the proposed plan solves various problems. He stated the district lines containing Sanpete County in the proposed plan would represent only 27 percent of the population in an area that has possessed a senator for 75 years. He requested hearing from representatives before amending the boundaries, which would eliminate the senate seat it has possessed for such a time.

Sen. Hickman stated that the preference is the original plan that was presented last week. He indicated that an attempt to solve some problems between Carbon and Sanpete Counties is needed.

**MOTION:** Rep. Harper moved to adopt the proposed plan (proposed by Chair Waddoups and Mr. Dixie Leavitt) as an amendment to the base map and direct staff to review Senate Districts 13 and 17, specifically the Utah County area. Chair Waddoups requested that Rep. Harper hold his motion until further proposals have been discussed.

Sen. Allen presented the plan for Senate Districts 27, 28, and 29. He indicated that transition for senators within their prospective districts is represented in the proposal. He stated that counties that have been together traditionally in the past were considered as well. Sen. Davis indicated that Grand, San Juan, Carbon, and Emery Counties are in the same Association of Governments.

Mr. Leavitt emphasized that Kane and Garfield Counties are natural to Senate District 28, and it is not represented in the proposed plan.

**MOTION:** Rep. Harper placed his motion to adopt the proposed plan (by Chair Waddoups and Mr. Dixie Leavitt) as an amendment to the base map and direct staff to review Senate Districts 13 and 17, specifically the Utah County area. The motion passed with Sen. Allen, Sen. Davis, Rep. Arent, Rep. Goodfellow, and Rep. Gowans voting in opposition.

Former Congressman Nielsen presented plans for Senate Districts 26 and 27. Congressman Nielsen explained the benefits for creating senate districts in the manner that the plan proposes. Sen. Valentine requested that the plans be made available on the state computer for committee members to review deviations and also for those plans to be made public on the Internet.

## **5. House District Plans**

Rep. Adair provided background regarding House Plan A.4. He suggested numbering on a serpentine basis. He indicated that house numbers would be the same until approaching Salt Lake.

Rep. Arent expressed dissatisfaction with house working groups. She stated that many groups did not meet and draw maps as a group. Rep. Adair stated that the chairs of the working groups were instructed to meet and to include members of the minority party.

Rep. Shurtliff expressed concern for not being included in a working group or allowed to provide input. Rep. Adair responded that Rep. Shurtliff was not assigned to a working group, but that he had personally requested her to provide input to the house working group committee.

Rep. Pace presented House Plan A.4 Northern Counties (Tooele, Box Elder, Cache, and Rich). She provided background leading to the presented plan, including concerns that were addressed. Committee discussion followed.

**MOTION:** Rep. Adair moved to adopt Northern Counties of House Plan A.4 as a base plan. The motion passed unanimously with Sen. Davis, Rep. Bennion, and Rep. Bryson absent for the vote.

Rep. Bush introduced House Plan A.4 Weber and Davis Counties and provided background. He stated that many districts were overpopulated and this plan represents a closer population balance within districts.

Rep. Arent stated that Morgan and Weber have a community of interest and inquired the reason for separating those counties. Rep. Adair stated that the mountain range provided a natural division for the districts. He explained that the attempt to keep one person - one vote concept, and equal population within each district required some possible communities of interest to be divided. Rep. Arent indicated that communities of interest should be maintained whenever possible and explained the importance.

**MOTION:** Rep. Adair moved to adopt Weber and Davis Counties of House Plan A.4, as a tentative base plan, allowing amendments to be made. The motion passed with Sen. Allen, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition, and Sen. Davis absent for the vote.

The committee recessed for lunch.

Chair Waddoups requested input from the committee for dates to continue discussion.

Rep. Pace suggested elimination of maps that do not have potential, in an effort to focus on plans that would be beneficial for finalization.

**MOTION:** Sen. Evans moved that the committee work hard to accomplish as much as possible by 6:00 p.m. and meet Monday, September 10, 2001 to prepare for caucus on Wednesday, September 12, 2001. The motion passed in the Senate and failed in the House.

Rep. Arent suggested that the committee continue to work as late as needed, possibly meet Friday, meet Monday, and again after interim meetings on Thursday or Friday.

**MOTION:** Sen. Evans moved that the committee continue discussion as late as needed, meet Monday to finalize a plan to submit to caucuses on Wednesday, and schedule a meeting on Thursday, September 13, 2001 or Friday, September 14, 2001.

**SUBSTITUTE MOTION:** Rep. Bennion moved to continue discussion as late as needed, meet Friday, September 7, 2001 at 1:00 p.m., and Monday if necessary. The motion failed with Rep. Bennion and Rep. Bush voting in favor.

The original motion passed with Rep. Bennion and Rep. Harper voting in opposition.

Ms. Pat Nielsen distributed a statement from the LWV (League of Women Voters). She stated that the LWV supports the basic criteria for reapportionment and redistricting as standards of each citizen's right to vote, the equal value of the vote, and the effective representation regardless of residing location for each citizen. She stated that the LWV does not support a specific plan, only that the criteria presented in the statement be used as a benchmark in redistricting.

Rep. Bryson commented that mapping did not limit committee members to assigned areas, but invited the members to assist in all plans.

Rep. Way presented the House Plan A.4 Utah County and provided background on the redistricting of Utah County. Committee discussion followed.

**MOTION:** Rep. Adair moved to adopt House Plan A.4 Utah County as a base plan. The motion passed with Sen. Valentine, Rep. Arent, and Rep. Biskupski voting in opposition.

Rep. Hatch presented House Plan A.4 Southern Counties and explained district compilation.

Rep. Seitz presented House Plan A.3, Amendment 2 and indicated one amendment would include the Emery County population with Carbon County. Committee discussion followed.

Rep. Gowans inquired whether the plan would affect Utah County population. Rep. Bryson suggested reviewing the plan to identify whether or not Utah County is affected. Rep. Arent suggested postponing voting on the plan until the persons affected have been contacted.

Rep. Harper presented House Plan A.3, Amendment and indicated its effects on the original plan. He stated that one additional city was being divided. Committee discussion followed.

**MOTION:** Rep. Seitz moved to adopt the original House Plan A.4 Southern Counties as a base plan and make amendments at a later date. The motion passed with Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition.

Rep. Adair expressed the importance of adopting base plans. He stated that amendments can be added at any time necessary.

Rep. Bigelow presented House Plan A.4 Salt Lake County and indicated that municipal boundaries were initially considered. He explained that the boundaries worked while considering the content of each boundary, yet the surrounding portions of the municipalities appeared as if gerrymandered. He explained

that significant changes for Salt Lake County are highly necessary. He stated that the plans for Salt Lake County have significant problems that need to be addressed and explained that it is a difficult job.

Rep. Goodfellow questioned the quantity of incumbents in each district in the proposed plan. Rep. Bigelow responded that House District 46 does not have a sitting representative in the district. He stated that information regarding addresses of incumbents is not available and that there may be some other districts that do not have incumbents while others have several.

Rep. Bigelow explained that boundaries within a city that might be altered would not necessarily mean splitting up a community of interest. He emphasized that redrawn districts can focus on the commonalities or differences of its people. Rep. Bigelow stated that minority communities were not considered in drawing the plan. He stated that the information was not available.

Rep. Goodfellow inquired whether racial minority factors should be considered when redistricting.

Mr. John L. Fellows, Associate General Counsel, Office of Legislative Research and General Counsel, explained the Voting Rights Act. He stated that the Act requires states to draw majority-minority districts, which are districts that have a majority of voters who are members of a racial minority. He explained that Utah does not meet the threshold criteria that would require racial consideration when redistricting. He stated that racial gerrymandering is not allowed and, therefore, the committee cannot exclusively redistrict based on racial factors. He clarified that race may be taken into consideration.

Chair Waddoups explained that the redlines on the maps are current district lines. He stated that the colored portions of each map represent the amendments to the base plan.

Sen. Valentine stated that 2000 census data and public testimony are factors which contribute to the redrawing of district lines. He clarified that statistical data is not a factor, since it is not available.

**MOTION:** Rep. Way moved to adopt House Plan A.4 Salt Lake County as a base plan.

**SUBSTITUTE MOTION:** Rep. Biskupski moved to adopt the Democratic House Plan for Salt Lake County. The motion failed with Sen. Evans, Sen. Valentine, Sen. Waddoups, Rep. Adair, Rep. Bennion, Rep. Bigelow, Rep. Bryson, Rep. Bush, Rep. Harper, Rep. Hatch, Rep. Pace, Rep. Seitz, and Rep. Way voting in opposition and Sen. Allen, Sen. Davis, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in favor.

Rep. Biskupski stated that the plan considered redistricting with minimal disruption to communities of interest.

Sen. Harper stated that requirements of the census, demographics, and population require voting districts to be moved to where the people are located.

Rep. Bigelow stated that principles of the committee were not considered when drawing the Democratic plan and that other principles were considered. Rep. Biskupski explained that the plan responded to the public input.

Rep. Arent stated that population shifts, including required deviations, were considered when the Democratic plan was drawn. She also stated that it does not include any principles that were not allowed to be considered. She explained that the map follows the important issues which the committee is considering and that it also allows public input to be a factor. She indicated that the map can always be amended.

**SUBSTITUTE MOTION:** Rep. Goodfellow moved to defer adopting house plans until Monday. The motion failed with Sen. Allen, Sen. Davis, Sen. Waddoups, Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in favor.

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

Rep. Adair presented House Plan A.4 Summit County. He provided background on the plan.

**MOTION:** Rep. Adair moved to adopt House Plan A.4 Summit County as a base plan. The motion passed with Rep. Arent, Rep. Biskupski, Rep. Goodfellow, Rep. Gowans, and Rep. Shurtliff voting in opposition, and Sen. Evans and Rep. Way absent for the vote.

## **6. Congressional Plans**

Four-member Congressional Districts:

Mr. Richard C. North, Research Analyst, Office of Legislative Research and General Counsel, stated that there are currently nine four-member plans available.

Rep. Bennion distributed two proposals, "Congressional Redistricting Proposal: Utah 4" and "Congressional Redistricting Proposal: Utah 4-2." He explained the reapportionment principles used in drawing the district lines.

Chair Waddoups explained that Waddoups C4 is an amended version of Q.1 by Rep. Pace. He withdrew Waddoups C4 from consideration.

**MOTION:** Rep. Way moved to remove Q.1 from consideration. The motion failed with Rep. Way voting in favor.

Rep. Adair withdrew L.1 from consideration.

Rep. Arent requested that staff provide further description of plans when posting on the Internet. She suggested labeling congressional districts as four-member and three-member plans.

Three-member Congressional Districts:

Mr. North stated there are currently nine three-member plans available.

Mr. Douglas Grassi distributed three plans for committee consideration, "Congressional Redistricting Proposal: Grassi C1," "Congressional Redistricting Proposal: Grassi C2," and "Congressional Redistricting Proposal: Grassi C3." He explained that Salt Lake County is the only county divided and that West Valley City is the only city divided. He explained that C2 and C3 are deviations of C1.

**MOTION:** Sen. Davis moved to remove from consideration, three-member district plans that divide Salt Lake City. Committee discussion followed.

**SUBSTITUTE MOTION:** Rep. Way moved to eliminate all plans that do not include a rural-urban mix. The motion failed with Rep. Hatch and Rep. Way voting in favor.

The original motion failed with Sen. Allen, Sen. Davis, Sen. Waddoups, Rep. Adair, Rep. Arent, Rep. Bennion, Rep. Biskupski, Rep. Goodfellow, Rep. Harper, and Rep. Shurtliff voting in favor of the motion.

**MOTION:** Sen. Davis moved to adjourn the meeting. The motion failed with Sen. Allen, Sen. Davis, and Rep. Biskupski voting in favor.

Congressman Nielsen presented a three-member congressional district. Chair Waddoups requested that staff make the plan available on the Internet as soon as possible.

**MOTION:** Rep. Harper moved to set a deadline for committee to submit plans at 2:00 p.m. on Friday, September 7, 2001.

**SUBSTITUTE MOTION:** Rep. Bennion moved to set the deadline at 12:00 noon on Monday, September 10, 2001. Committee discussion followed. Rep. Bennion withdrew the motion.

The original motion passed unanimously with Sen. Davis and Rep. Hatch absent for the vote.

## **7. Other Committee Business**

Chair Waddoups explained the five phases of redistricting: denial, bargaining, anger, depression, and finally, acceptance.

## **8. Adjourn**

**MOTION:** Sen. Allen moved to adjourn the meeting. The motion passed with Sen. Davis and Rep. Hatch absent for the vote. Chair Waddoups adjourned the meeting at 6:18 p.m.

