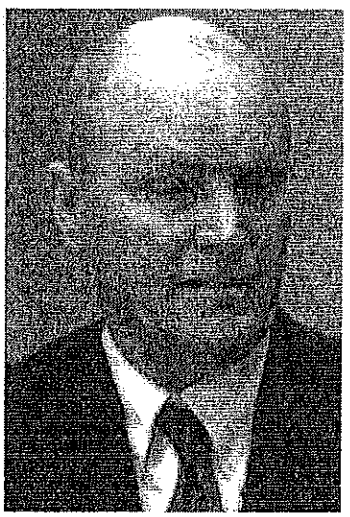
« So I Guess You're Proud To Be A Republican?

BREAKING LEAKED! Ut GOP Senator Admits Gerrymandering

Utah – BREAKING: PRIDEinUtah was just informed that during a meeting with the Senate Democratic Caucus this, Republican Senator Ralph Okerlund admitted that the GOP are drawing maps designed specifically to ensure Republican victory.



Republican Senator Ralph Okerlund

In what can only be described as a moment of conscience, the Communications Director for the Senate Dems, Emily Hollingshead, tells us that Republican Senator Ralph Okerlund admitted to the Senate Democrats the reason why the Republicans are only now releasing their final congressional map (which will undoubtably pass) is that they were fighting to find a way to ensure that each of the 4 congressional seats had a 62% Republican majority of voters.

Further leaks from inside the Legislature tell us that it was a directive of the Republican National Committee that each congressional map be gerrymandered into districts ensuring Republican victory so that Democratic Congressman Jim Matheson would be unable to continue serving. So much for the dog and pony show of "public input." The only thing that actually mattered was that they satisfied the RNC.

Finally. Out loud and proud, the Republican Power Brokers are admitting that they have zero interest in what's best for Utah, zero interest in the people of Utah, and 100% interest in making sure that they continue to hold domination over the state.

Whether you're a Republican, Independent or a Democrat, you should be furious. We do not elect our officials to be party hacks first, **we elect them to be Utahans first!**

The final public hearing will be tomorrow at 9am at the Utah State Capitol, all members of our great state should be there to tell these power-hungry partisans exactly what we think of them!

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Tags: congressional district, gerrymandering, gop, jim matheson, maps, ralph okerlund, redistricting, republicans, rnc, utah

This entry was posted on Thursday, October 6th, 2011 at 8:18 pm and is filed under Local In Utah. You can follow any responses to this entry through the RSS 2.0 feed. You can leave a response, or trackback from your own site.

« So I Guess You're Proud To Be A Republican?

4 Responses

1. JM Bell

   Told you. 😉

2. Ernie Gamonal

   Spread the word brother!

3. Scott

   Don't be so sensationalist without naming your source.

4. james

   Not shocked. Not surprised at all. Thanks for posting this so quickly. Cite some sources, please and if you can. This is important news and I want to share it with credibility.

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Website

Submit Comment

UTAH STATE SENATE BOUNDARIES AND ELECTION DESIGNATION

Approved as a committee bill

2011 THIRD SPECIAL SESSION

STATE OF UTAH

Okerlund

4 map

LONG TITLE

Redistricting Boundary Information:

The Utah State Senate district boundary information may be found at http://le.utah.gov.

Block assignment file security code: _____

General Description:

This bill, which includes this printed text and the electronic data affiliated with it, establishes new Utah State Senate district boundaries and makes other technical corrections.

Highlighted Provisions:

This bill:

- repeals current Utah State Senate district boundaries and establishes new Utah State Senate district boundaries;
- establishes election dates for each Utah State Senate district to ensure that Senate terms are staggered;
- establishes the block assignment file, which is part of this bill in electronic form, as the legal boundaries of Utah State Senate districts; and
- makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on January 1, 2012 for purposes of nominating and electing certain members of the Utah State Senate and on January 1, 2013 for all other purposes.

Utah Code Sections Affected:

AMENDS:

36-1-102, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5

36-1-103, as last amended by Laws of Utah 2011, Chapter 74

32 **36-1-103.2**, as enacted by Laws of Utah 2011, Chapter 74
33 **36-1-104**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 5
34 **36-1-105**, as last amended by Laws of Utah 2005, Chapter 169
35 ENACTS:
36 **36-1-101.1**, Utah Code Annotated 1953
37 **36-1-101.5**, Utah Code Annotated 1953
38 REPEALS:
39 **36-1-101**, as last amended by Laws of Utah 2011, Chapter 74
40 ---
41 *Be it enacted by the Legislature of the state of Utah:*
42 Section 1. Section **36-1-101.1** is enacted to read:
43 **36-1-101.1. Definitions.**
44 As used in this Section:
45 (1) "Census block" means any one of the 115, 406 individual geographic areas into
46 which the Bureau of the Census of the United States Department of Commerce has divided the
47 state of Utah, to each of which the Bureau of the Census has attached a discrete population
48 tabulation from the 2010 decennial census.
49 (2) "Senate block assignment file" means the electronic file that assigns each of Utah's
50 115, 406 census blocks to a particular Utah State Senate district.
51 Section 2. Section **36-1-101.5** is enacted to read:
52 **36-1-101.5. Utah State Senate -- District boundaries.**
53 (1) The Utah State Senate shall consist of 29 members, with one member to be elected
54 from each Utah State Senate district.
55 (2) The Legislature adopts the official census population figures and maps of the
56 Bureau of the Census of the United States Department of Commerce developed in connection
57 with the taking of the 2010 national decennial census as the official data for establishing Senate
58 district boundaries.
59 (3) (a) The Legislature enacts the numbers and boundaries of the Senate districts
60 designated in the Senate block assignment file that is the electronic component of the bill that
61 enacts this section.
62 (b) That Senate block assignment file, and the Senate district boundaries generated

63 from that Senate block assignment file, may be accessed via the Utah Legislature's website.
64 Section 3. Section **36-1-102** is amended to read:
65 **36-1-102. Election of senators -- Staggered terms.**
66 (1) Unless otherwise provided by law, each senator elected from Senate Districts [~~1, 6,~~
67 ~~8, 10, 13, 14, 16, 19, 20, 23, 24, 25, 27, and 29~~] 2, 3, 5, 9, 11, 12, 15, 17, 18, 21, 22, and 26 at
68 the [~~2000~~] 2010 General Election shall serve out the term of office for which he or she was
69 elected and shall represent the realigned district if he or she resides in that district.
70 (2) At the general election to be held in [~~2002~~] 2012, senators elected from Senate
71 Districts [~~2, 3, 4, 5, 7, 9, 11, 12, 15, 17, 18, 21, 22, 26, and 28~~] 1, 6, 7, 8, 10, 13, 14, 16, 19, 20,
72 23, 24, 25, 27, and 29 shall be elected to serve a term of office of four years.
73 (3) (a) Because the Senator from Senate District 28 was appointed to fill a mid-term
74 vacancy that occurred more than two years before the next regular general election, Subsection
75 20A-1-503(3) requires that the vacancy be filled for the unexpired term at the next general
76 election.
77 (b) Consequently:
78 (i) at the general election to be held in 2012, the Senator elected from Senate District
79 28 shall be elected to serve a term of office of two years; and
80 (ii) at the general election to be held in 2014, the Senator elected from Senate District
81 28 shall be elected to serve a term of office of four years.
82 (4) (a) If one of the incumbent Senators from new Senate District 4 files written notice
83 with the lieutenant governor by close of business on January 3, 2012 that the Senator will not
84 seek election to the Senate from that Senate District 4, that incumbent Senator may serve until
85 January 1, 2013 and the other incumbent Senator from District 4 shall serve out the term for
86 which the member was elected, which is until January 1, 2015.
87 (b) (i) If one of the incumbent Senators in Senate District 4 does not file the written
88 notice authorized by Subsection (4)(a), the lieutenant governor shall designate Senate District 4
89 as an office to be filled in the 2012 regular general election in the notice of election required by
90 Section 20A-5-101.
91 (ii) If the Subsection (4)(b)(i) contingency occurs:
92 (A) the Senator elected from Senate District 4 at the 2012 regular general election shall
93 be elected to serve a term of office of two years; and

94 (B) the Senator elected from Senate District 4 at the 2014 regular general election shall
95 be elected to serve a term of office of four years.
96 Section 4. Section **36-1-103** is amended to read:
97 **36-1-103. Senate districts -- Copies -- Legal boundaries.**
98 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the Senate
99 block assignment file enacted by the Legislature[~~, and any other relevant data,~~] with the
100 lieutenant governor's office.
101 (b) [~~Except as provided in Subsection (2), the~~] The legal boundaries of Senate districts
102 are contained in the [~~official maps~~] Senate block assignment file on file with the lieutenant
103 governor's office.
104 [~~(2) (a) Because of the new county boundary separating Salt Lake County and Utah~~
105 ~~County, the boundary separating Senate District 9 and Senate District 11 that followed the old~~
106 ~~county boundary is changed to follow the new county boundary eastward from the~~
107 ~~southwestern intersection to the point where the existing boundary of Senate District 9 turns~~
108 ~~north from the old county boundary.~~]
109 [~~(b) The following census blocks from the 2000 census are removed from Senate~~
110 ~~District 11 and placed into Senate District 14: Census Tract 010205, Blocks 1000, 1001, 3001,~~
111 ~~3003, and 3004.~~]
112 [~~(3) When questions of interpretation of Senate district boundaries arise, the official~~
113 ~~maps on file in the lieutenant governor's office shall serve as the indication of the legislative~~
114 ~~intent in drawing the Senate district boundaries.~~]
115 [~~(4) Maps identifying the boundaries for Senate districts may be viewed on the Internet~~
116 ~~at the lieutenant governor's website.~~]
117 (2) (a) The lieutenant governor shall:
118 (i) generate maps of each Utah State Senate district from the Senate block assignment
119 file; and
120 (ii) ensure that those maps are available for viewing on the lieutenant governor's
121 website.
122 (b) If there is any inconsistency between the maps and the Senate block assignment
123 file, the Senate block assignment file is controlling.
124 Section 5. Section **36-1-103.2** is amended to read:

125 **36-1-103.2. County clerk, Automated Geographic Reference Center, and**
126 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**
127 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the Senate
128 block assignment file for the clerk's county from the lieutenant governor's office.
129 (2) (a) A county clerk may create one or more county maps that identify the boundaries
130 of Senate districts as [~~shown on the official maps~~] generated from the Senate block assignment
131 file.
132 (b) Before publishing or distributing any map or data created by the county clerk that
133 identifies the boundaries of Senate districts within the county, the clerk shall submit the county
134 map and data to the lieutenant governor and to the Automated Geographic Reference Center for
135 review.
136 (c) Within 30 days after receipt of a county map and data from a county clerk, the
137 Automated Geographic Reference Center shall:
138 (i) review the county map and data to evaluate if the county map and data accurately
139 reflect the boundaries of Senate districts established by the Legislature in the [~~official maps~~]
140 Senate block assignment file;
141 (ii) determine whether the county map and data are correct or incorrect; and
142 (iii) communicate those findings to the lieutenant governor.
143 (d) The lieutenant governor shall either notify the county clerk that the county map and
144 data are correct or notify the county clerk that the county map and data are incorrect.
145 (e) If the county clerk receives notice from the lieutenant governor that the county map
146 and data submitted are incorrect, the county clerk shall:
147 (i) make the corrections necessary to conform the county map and data to the [~~official~~
148 ~~maps~~] Senate block assignment file; and
149 (ii) resubmit the corrected county map and data to the lieutenant governor and to the
150 Automated Geographic Reference Center for a new review under this Subsection (2).
151 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
152 establish voting precincts and polling places within each Senate district according to the
153 procedures and requirements of Section 20A-5-303.
154 (b) Within five working days after approval of voting precincts and polling places by
155 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a

156 voting precinct map identifying the boundaries of each voting precinct within the county to the
157 lieutenant governor and to the Automated Geographic Reference Center for review.
158 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the
159 Automated Geographic Reference Center shall:
160 (i) review the voting precinct map to evaluate if the [~~county~~] voting precinct map
161 accurately reflects the boundaries of Senate districts established by the Legislature in the
162 [~~official maps~~] Senate block assignment file;
163 (ii) determine whether the voting precinct map is correct or incorrect; and
164 (iii) communicate those findings to the lieutenant governor.
165 (d) The lieutenant governor shall either notify the county clerk that the voting precinct
166 map is correct or notify the county clerk that the map is incorrect.
167 (e) If the county clerk receives notice from the lieutenant governor that the voting
168 precinct map is incorrect, the county clerk shall:
169 (i) make the corrections necessary to conform the voting precinct map to the [~~official~~
170 ~~maps~~] Senate block assignment file; and
171 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the
172 Automated Geographic Reference Center for a new review under this Subsection (3).
173 Section 6. Section **36-1-104** is amended to read:
174 **36-1-104. Omissions from maps -- How resolved.**
175 (1) If any area of the state is omitted from a Utah State Senate district in the [~~maps~~]
176 Senate block assignment file enacted by the Legislature, the county clerk of the affected
177 county, upon discovery of the omission, shall attach the area to the appropriate Senate district
178 according to the requirements of Subsections (2) and (3).
179 (2) If the omitted area is surrounded by a single Senate district, the county clerk shall
180 attach the area [~~shall be attached~~] to that district.
181 (3) If the omitted area is contiguous to two or more Senate districts, the the county
182 clerk shall attach the area [~~shall be attached~~] to the district that has the least population, as
183 determined by the official census population figures and maps [~~of the Bureau of the Census of~~
184 ~~the United States Department of Commerce developed in connection with the taking of the~~
185 ~~2000 2010 national decennial census~~] described in Subsection 36-1-101.5(2).
186 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the

187 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~
188 ~~filed with the lieutenant governor~~] this section.
189 Section 7. Section **36-1-105** is amended to read:
190 **36-1-105. Uncertain boundaries -- How resolved.**
191 (1) As used in this section, "affected party" means:
192 (a) a senator whose Utah State Senate district boundary is uncertain because the
193 [~~identifying feature~~] boundary in the Senate block assignment file used to establish the Senate
194 district boundary has been removed, modified, or is unable to be identified or who is uncertain
195 about whether or not [~~he~~] the Senator or another person resides in a particular Senate district;
196 (b) a candidate for senator whose Senate district boundary is uncertain because the
197 [~~identifying feature~~] boundary in the Senate block assignment file used to establish the Senate
198 district boundary has been removed, modified, or is unable to be identified or who is uncertain
199 about whether or not [~~he~~] the candidate or another person resides in a particular Senate district;
200 or
201 (c) a person who is uncertain about which Senate district contains the person's
202 residence because the [~~identifying feature~~] boundary in the Senate block assignment file used to
203 establish the Senate district boundary has been removed, modified, or is unable to be identified.
204 (2) (a) An affected party may file a written request petitioning the lieutenant governor
205 to determine:
206 (i) the precise location of the Senate district boundary;
207 (ii) the number of the Senate district in which a person resides; or
208 (iii) both Subsections (2)(a)(i) and (ii).
209 (b) In order to make the determination required by Subsection (2)(a), the lieutenant
210 governor shall review the [~~official maps~~] Senate block assignment file and obtain and review
211 other relevant data such as [~~census block and tract descriptions,~~] aerial photographs, aerial
212 maps, or other data about the area.
213 (c) Within five days of receipt of the request, the lieutenant governor shall review the
214 [~~maps~~] Senate block assignment file, obtain and review any relevant data, and make a
215 determination.
216 (d) When the lieutenant governor determines the location of the Senate district
217 boundary, the lieutenant governor shall:

218 (i) prepare a certification identifying the appropriate Senate district boundary and
219 attaching a map, if necessary; and
220 (ii) send a copy of the certification to:
221 (A) the affected party;
222 (B) the county clerk of the affected county; and
223 (C) the Automated Geographic Reference Center created under Section 63F-1-506.
224 (e) If the lieutenant governor determines the number of the Senate district in which a
225 particular person resides, the lieutenant governor shall send a letter identifying that district by
226 number to:
227 (i) the person;
228 (ii) the affected party who filed the petition, if different than the person whose Senate
229 district number was identified; and
230 (iii) the county clerk of the affected county.
231 Section 8. **Repealer.**
232 This bill repeals:
233 Section **36-1-101, Utah State Senate -- District boundaries.**
234 Section 9. **Effective date.**
235 This bill takes effect on January 1, 2012 for purposes of nominating and electing certain
236 members of the Utah State Senate and on January 1, 2013 for all other purposes.

Approved as Comm bill Option A Salt Lake County House Draft 9-29 2011

UTAH STATE HOUSE BOUNDARIES DESIGNATION

2011 THIRD SPECIAL SESSION

STATE OF UTAH

LONG TITLE

Redistricting Boundary Information:

The Utah State House district boundary information may be found at http://le.utah.gov.

Block assignment file security code:_____

General Description:

This bill, which includes this printed text and the electronic data affiliated with it, establishes new Utah State House district boundaries and makes other technical corrections.

Highlighted Provisions:

This bill:

- repeals current Utah State House boundaries and establishes new Utah State House boundaries;
- establishes the block assignment file that is part of this bill in electronic form as the legal boundaries of Utah State House districts; and
- makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on January 1, 2012 for purposes of nominating and electing members of the Utah State House and on January 1, 2013 for all other purposes.

Utah Code Sections Affected:

AMENDS:

36-1-202, as last amended by Laws of Utah 2011, Chapter 74

36-1-202.2, as enacted by Laws of Utah 2011, Chapter 74

36-1-203, as enacted by Laws of Utah 2001, Second Special Session, Chapter 1

36-1-204, as last amended by Laws of Utah 2005, Chapter 169

ENACTS:

36-1-201.1, Utah Code Annotated 1953

33 **36-1-201.5**, Utah Code Annotated 1953
34 REPEALS:
35 **36-1-201**, as last amended by Laws of Utah 2011, Chapter 74
36

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37 *Be it enacted by the Legislature of the state of Utah:*
38 Section 1. Section **36-1-201.1** is enacted to read:
39 **36-1-201.1. Definitions.**
40 As used in this Section:
41 (1) "Census block" means any one of the 115, 406 individual geographic areas into
42 which the Bureau of the Census of the United States Department of Commerce has divided the
43 state of Utah, to each of which the Bureau of the Census has attached a discrete population
44 tabulation from the 2010 decennial census.
45 (2) "House block assignment file" means the electronic file that assigns each of Utah's
46 115, 406 census blocks to a particular Utah House district.
47 Section 2. Section **36-1-201.5** is enacted to read:
48 **36-1-201.5. Utah House of Representatives -- House district boundaries.**
49 (1) The Utah House of Representatives shall consist of 75 members, with one member
50 to be elected from each Utah House of Representative district.
51 (2) The Legislature adopts the official census population figures and maps of the
52 Bureau of the Census of the United States Department of Commerce developed in connection
53 with the taking of the 2010 national decennial census as the official data for establishing House
54 district boundaries.
55 (3) (a) The Legislature enacts the numbers and boundaries of the House districts
56 designated by the House block assignment file that is the electronic component of the bill that
57 enacts this section.
58 (b) That House block assignment file, and the legislative boundaries generated from
59 that block assignment file, may be accessed via the Utah Legislature's website.
60 Section 3. Section **36-1-202** is amended to read:
61 **36-1-202. House districts -- Filing -- Legal boundaries.**
62 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the House block
63 assignment file enacted by the Legislature[~~, and any other relevant materials,~~] with the

64 lieutenant governor's office.

65 (b) [~~Except as provided in Subsection (2), the~~] The legal boundaries of House districts
66 are contained in the [~~official maps~~] House block assignment file on file with the lieutenant
67 governor's office.

68 [~~(2) (a) Because of the new county boundary separating Salt Lake County and Utah~~
69 ~~County, the boundary separating House District 51 and House District 27 that follows the old~~
70 ~~county boundary is changed to follow the new county boundary.~~]

71 [~~(b) The following census blocks from the 2000 census are removed from House~~
72 ~~District 27 and placed into House District 57: Census Tract 010205, Blocks 1000, 1001, 3001,~~
73 ~~3003, and 3004.~~]

74 [~~(3) When questions of interpretation of House district boundaries arise, the official~~
75 ~~maps on file in the lieutenant governor's office shall serve as the indication of the legislative~~
76 ~~intent in drawing the House district boundaries.~~]

77 [~~(4) Maps identifying the boundaries for House districts may be viewed on the Internet~~
78 ~~at the lieutenant governor's website.~~]

79 (2) (a) The lieutenant governor shall:

80 (i) generate maps of each House district from the House block assignment file; and

81 (ii) ensure that those maps are available for viewing on the lieutenant governor's
82 website.

83 (b) If there is any inconsistency between the maps and the House block assignment file,
84 the House block assignment file is controlling.

85 Section 4. Section **36-1-202.2** is amended to read:

86 **36-1-202.2. County clerk, Automated Geographic Reference Center, and**
87 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

88 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the House
89 block assignment file for the clerk's county from the lieutenant governor's office.

90 (2) (a) A county clerk may create one or more county maps that identify the boundaries
91 of House districts as [~~shown on the official maps~~] generated from the House block assignment
92 file.

93 (b) Before publishing or distributing any map or data created by the county clerk that
94 identifies the boundaries of House districts within the county, the clerk shall submit the county

95 map and data to the lieutenant governor and to the Automated Geographic Reference Center for
96 review.
97 (c) Within 30 days after receipt of a county map and data from a county clerk, the
98 Automated Geographic Reference Center shall:
99 (i) review the county map and data to evaluate if the county map and data accurately
100 reflect the boundaries of House districts established by the Legislature in the [~~official maps~~]
101 House block assignment file;
102 (ii) determine whether the county map and data are correct or incorrect; and
103 (iii) communicate those findings to the lieutenant governor.
104 (d) The lieutenant governor shall either notify the county clerk that the county map and
105 data are correct or notify the county clerk that the county map and data are incorrect.
106 (e) If the county clerk receives notice from the lieutenant governor that the county map
107 and data submitted are incorrect, the county clerk shall:
108 (i) make the corrections necessary to conform the county map and data to the [~~official~~
109 ~~maps~~] House block assignment file; and
110 (ii) resubmit the corrected county map and data to the lieutenant governor and to the
111 Automated Geographic Reference Center for a new review under this Subsection (2).
112 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
113 establish voting precincts and polling places within each House district according to the
114 procedures and requirements of Section 20A-5-303.
115 (b) Within five working days after approval of voting precincts and polling places by
116 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
117 voting precinct map identifying the boundaries of each voting precinct within the county to the
118 lieutenant governor and to the Automated Geographic Reference Center for review.
119 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the
120 Automated Geographic Reference Center shall:
121 (i) review the voting precinct map to evaluate if the county map accurately reflects the
122 boundaries of House districts established by the Legislature in the [~~official maps~~] House block
123 assignment file;
124 (ii) determine whether the voting precinct map is correct or incorrect; and
125 (iii) communicate those findings to the lieutenant governor.

126 (d) The lieutenant governor shall either notify the county clerk that the voting precinct
127 map is correct or notify the county clerk that the voting precinct map is incorrect.
128 (e) If the county clerk receives notice from the lieutenant governor that the voting
129 precinct map is incorrect, the county clerk shall:
130 (i) make the corrections necessary to conform the voting precinct map to the [~~official~~
131 ~~maps~~] House block assignment file; and
132 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the
133 Automated Geographic Reference Center for a new review under this Subsection (3).
134 Section 5. Section **36-1-203** is amended to read:
135 **36-1-203. Omissions from maps -- How resolved.**
136 (1) If any area of the state is omitted from a Utah House of Representatives district in
137 the [~~maps~~] House block assignment file enacted by the Legislature, the county clerk of the
138 affected county, upon discovery of the omission, shall attach the area to the appropriate House
139 district according to the requirements of Subsections (2) and (3).
140 (2) If the omitted area is surrounded by a single House district, the county clerk shall
141 attach the area [~~shall be attached~~] to that district.
142 (3) If the omitted area is contiguous to two or more House districts, the county clerk
143 shall attach the area [~~shall be attached~~] to the district that has the least population, as
144 determined by the official census population figures and maps [~~of the Bureau of the Census of~~
145 ~~the United States Department of Commerce developed in connection with the taking of the~~
146 ~~2000 2010 national decennial census~~] described in Subsection 36-1-201.5(2).
147 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the
148 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~
149 ~~filed with the lieutenant governor~~] this section.
150 Section 6. Section **36-1-204** is amended to read:
151 **36-1-204. Uncertain boundaries -- How resolved.**
152 (1) As used in this section, "affected party" means:
153 (a) a representative whose Utah House of Representatives district boundary is uncertain
154 because the [~~identifying feature~~] boundary in the House block assignment file used to establish
155 the House district boundary has been removed, modified, or is unable to be identified or who is
156 uncertain about whether or not [~~he~~] the representative or another person resides in a particular

157 House district;

158 (b) a candidate for representative whose House district boundary is uncertain because
159 the [~~identifying feature~~] boundary in the House block assignment file used to establish the
160 district boundary has been removed, modified, or is unable to be identified or who is uncertain
161 about whether or not [~~he~~] the candidate or another person resides in a particular House district;
162 or

163 (c) a person who is uncertain about which House district contains the person's
164 residence because the [~~identifying feature~~] boundary in the House block assignment file used to
165 establish the House district boundary has been removed, modified, or is unable to be identified.

166 (2) (a) An affected party may file a written request petitioning the lieutenant governor
167 to determine:

168 (i) the precise location of the House district boundary;

169 (ii) the number of the House district in which a person resides; or

170 (iii) both Subsections (2)(a)(i) and (ii).

171 (b) In order to make the determination required by Subsection (2)(a), the lieutenant
172 governor shall review the [~~official maps~~] House block assignment file and obtain and review
173 other relevant data such as [~~census block and tract descriptions,~~] aerial photographs, aerial
174 maps, or other data about the area.

175 (c) Within five days of receipt of the request, the lieutenant governor shall review the
176 [~~maps~~] House block assignment file, obtain and review any relevant data, and make a
177 determination.

178 (d) When the lieutenant governor determines the location of the House district
179 boundary, the lieutenant governor shall:

180 (i) prepare a certification identifying the appropriate House district boundary and
181 attaching a map, if necessary; and

182 (ii) send a copy of the certification to:

183 (A) the affected party;

184 (B) the county clerk of the affected county; and

185 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

186 (e) If the lieutenant governor determines the number of the House district in which a
187 particular person resides, the lieutenant governor shall send a letter identifying that district by

188 number to:
189 (i) the person;
190 (ii) the affected party who filed the petition, if different than the person whose House
191 district number was identified; and
192 (iii) the county clerk of the affected county.
193 Section 7. **Repealer.**
194 This bill repeals:
195 Section **36-1-201, Utah House of Representatives -- District boundaries.**
196 Section 8. **Effective date.**
197 This bill takes effect on January 1, 2012 for purposes of nominating and electing certain
198 members of the Utah State House and on January 1, 2013 for all other purposes.

passed as Committee Bill Session 8 Boundary Changes

STATE BOARD OF EDUCATION BOUNDARIES AND ELECTION DESIGNATION

2011 THIRD SPECIAL SESSION

STATE OF UTAH

LONG TITLE

Redistricting Boundary Information:

The State Board of Education district boundary information may be found at http://le.utah.gov.

Block assignment file security code: _____

General Description:

This bill, which includes this printed text and the electronic data affiliated with it, establishes new State Board of Education district boundaries and makes other technical corrections.

Highlighted Provisions:

This bill:

- repeals current State Board of Education district boundaries and establishes new State Board of Education district boundaries;
- establishes election dates for State Board of Education districts to ensure that State Board of Education terms are staggered;
- establishes the block assignment file, which is part of this bill in electronic form, as the legal boundaries of State Board of Education districts; and
- makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on January 1, 2012 for purposes of nominating and electing certain members of the State Board of Education and on January 1, 2013 for all other purposes.

Utah Code Sections Affected:

AMENDS:

20A-14-102, as last amended by Laws of Utah 2011, Chapter 74

32 **20A-14-102.1**, as enacted by Laws of Utah 2001, Second Special Session, Chapter 2
33 **20A-14-102.2**, as last amended by Laws of Utah 2005, Chapter 169
34 **20A-14-102.3**, as enacted by Laws of Utah 2011, Chapter 74
35 **20A-14-103**, as last amended by Laws of Utah 2011, Chapter 297
36 ENACTS:
37 **20A-14-101.1**, Utah Code Annotated 1953
38 **20A-14-101.5**, Utah Code Annotated 1953
39 REPEALS:
40 **20A-14-101**, as repealed and reenacted by Laws of Utah 2001, Second Special Session,
41 Chapter 2
42
43 *Be it enacted by the Legislature of the state of Utah:*
44 Section 1. Section **20A-14-101.1** is enacted to read:
45 **20A-14-101.1. Definitions.**
46 As used in this Section:
47 (1) "Board" means the State Board of Education.
48 (2) "Board block assignment file" means the electronic file that assigns each of Utah's
49 115, 406 census blocks to a particular State Board of Education district.
50 (3) "Census block" means any one of the 115, 406 individual geographic areas into
51 which the Bureau of the Census of the United States Department of Commerce has divided the
52 state of Utah, to each of which the Bureau of the Census has attached a discrete population
53 tabulation from the 2010 decennial census.
54 Section 2. Section **20A-14-101.5** is enacted to read:
55 **20A-14-101. State Board of Education -- Number of members -- State Board of**
56 **Education district boundaries.**
57 (1) The State Board of Education shall consist of 15 members, with one member to be
58 elected from each State Board of Education district.
59 (2) The Legislature adopts the official census population figures and maps of the
60 Bureau of the Census of the United States Department of Commerce developed in connection
61 with the taking of the 2010 national decennial census as the official data for establishing State
62 Board of Education district boundaries.

63 (3) (a) The Legislature enacts the numbers and boundaries of the State Board of
64 Education districts designated in the Board block assignment file that is the electronic
65 component of the bill that enacts this section.
66 (b) That Board block assignment file, and the State Board of Education district
67 boundaries generated from that Board block assignment file, may be accessed via the Utah
68 Legislature's website.
69 Section 3. Section **20A-14-102** is amended to read:
70 **20A-14-102. State Board of Education districts.**
71 (1) (a) The Legislature shall file [~~copies of the official maps~~] a copy of the Board block
72 assignment file enacted by the Legislature with the lieutenant governor's office.
73 (b) The legal boundaries of State Board of Education districts are contained in the
74 [~~official maps~~] Board block assignment file on file with the lieutenant governor's office.
75 [~~(2) When questions of interpretation of state board district boundaries arise, the~~
76 ~~official maps on file in the lieutenant governor's office shall serve as the indication of the~~
77 ~~legislative intent in drawing the state board district boundaries.~~]
78 [~~(3) Maps identifying the boundaries for state board districts may be viewed on the~~
79 ~~Internet at the lieutenant governor's website.~~]
80 (2) (a) The lieutenant governor shall:
81 (i) generate maps of each State Board of Education district from the Board block
82 assignment file; and
83 (ii) ensure that those maps are available for viewing on the lieutenant governor's
84 website.
85 (b) If there is any inconsistency between the maps and the Board block assignment file,
86 the Board block assignment file is controlling.
87 Section 4. Section **20A-14-102.1** is amended to read:
88 **20A-14-102.1. Omissions from maps -- How resolved.**
89 (1) If any area of the state is omitted from a State Board of Education district in the
90 [~~maps~~] Board block assignment file enacted by the Legislature, the county clerk of the affected
91 county, upon discovery of the omission, shall attach the area to the appropriate [~~state board~~]
92 State Board of Education district according to the requirements of Subsections (2) and (3).
93 (2) If the omitted area is surrounded by a [~~state board~~] single State Board of Education

94 district, the county clerk shall attach the area [~~shall be attached~~] to that district.
95 (3) If the omitted area is contiguous to two or more State Board of Education districts,
96 the county clerk shall attach the area [~~shall be attached~~] to the district that has the least
97 population, as determined by the official census population figures and maps described in
98 Subsection 20A-14-101.5(2).
99 (4) [~~Any attachment~~] The county clerk shall certify in writing and file with the
100 lieutenant governor any attachment made under [~~Subsection (1) shall be certified in writing and~~
101 ~~filed with the lieutenant governor~~] this section.
102 Section 5. Section **20A-14-102.2** is amended to read:
103 **20A-14-102.2. Uncertain boundaries -- How resolved.**
104 (1) As used in this section, "affected party" means:
105 (a) a state school board member whose [~~state school board~~] State Board of Education
106 district boundary is uncertain because the [~~identifying feature~~] boundary in the Board block
107 assignment file used to establish the district boundary has been removed, modified, or is unable
108 to be identified or who is uncertain about whether or not [~~he~~] the member or another person
109 resides in a particular [~~state board~~] State Board of Education district;
110 (b) a candidate for state school board whose [~~state board~~] State Board of Education
111 district boundary is uncertain because the [~~identifying feature~~] boundary in the Board block
112 assignment file used to establish the district boundary has been removed, modified, or is unable
113 to be identified or who is uncertain about whether or not [~~he~~] the candidate or another person
114 resides in a particular [~~state board~~] State Board of Education district; or
115 (c) a person who is uncertain about which [~~state board~~] State Board of Education
116 district contains the person's residence because the [~~identifying feature~~] boundary in the Board
117 block assignment file used to establish the State Board of Education district boundary has been
118 removed, modified, or is unable to be identified.
119 (2) (a) An affected party may file a written request petitioning the lieutenant governor
120 to determine:
121 (i) the precise location of the [~~state board~~] State Board of Education district boundary;
122 (ii) the number of the [~~state board~~] State Board of Education district in which a person
123 resides; or
124 (iii) both Subsections (2)(a)(i) and (ii).

125 (b) In order to make the determination required by Subsection (2)(a), the lieutenant
126 governor shall review the [~~official maps~~] Board block assignment file and obtain and review
127 other relevant data such as aerial photographs, aerial maps, or other data about the area.
128 (c) Within five days of receipt of the request, the lieutenant governor shall review the
129 [~~maps~~] Board block assignment file, obtain and review any relevant data, and make a
130 determination.
131 (d) If the lieutenant governor determines the precise location of the [~~state board~~] State
132 Board of Education district boundary, the lieutenant governor shall:
133 (i) prepare a certification identifying the appropriate State Board of Education district
134 boundary and attaching a map, if necessary; and
135 (ii) send a copy of the certification to:
136 (A) the affected party;
137 (B) the county clerk of the affected county; and
138 (C) the Automated Geographic Reference Center created under Section 63F-1-506.
139 (e) If the lieutenant governor determines the number of the [~~state board~~] State Board of
140 Education district in which a particular person resides, the lieutenant governor shall send a
141 letter identifying that district by number to:
142 (i) the person;
143 (ii) the affected party who filed the petition, if different than the person whose [~~state~~
144 ~~board~~] State Board of Education district number was identified; and
145 (iii) the county clerk of the affected county.
146 Section 6. Section **20A-14-102.3** is amended to read:
147 **20A-14-102.3. County clerk, Automated Geographic Reference Center, and**
148 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**
149 (1) Each county clerk shall obtain [~~copies of the official maps~~] a copy of the Board
150 block assignment file for the clerk's county from the lieutenant governor's office.
151 (2) (a) A county clerk may create one or more county maps that identify the boundaries
152 of [~~state board~~] State Board of Education districts as [~~shown on the official maps~~] generated
153 from the Board block assignment file.
154 (b) Before publishing or distributing any map or data created by the county clerk that
155 identifies the boundaries of [~~state board~~] State Board of Education districts within the county,

156 the clerk shall submit the county map and data to the lieutenant governor and to the Automated
157 Geographic Reference Center for review.
158 (c) Within 30 days after receipt of a county map and data from a county clerk, the
159 Automated Geographic Reference Center shall:
160 (i) review the county map and data to evaluate if the county map and data accurately
161 reflect the boundaries of [~~state board~~] State Board of Education districts established by the
162 Legislature in the [~~official maps~~] Board block assignment file;
163 (ii) determine whether the county map and data are correct or incorrect; and
164 (iii) communicate those findings to the lieutenant governor.
165 (d) The lieutenant governor shall either notify the county clerk that the county map and
166 data are correct or inform the county clerk that the county map and data are incorrect.
167 (e) If the county clerk receives notice from the lieutenant governor that the county map
168 and data submitted are incorrect, the county clerk shall:
169 (i) make the corrections necessary to conform the county map and data to the [~~official~~
170 ~~maps~~] Board block assignment file; and
171 (ii) resubmit the corrected county map and data to the lieutenant governor for a new
172 review under this Subsection (2).
173 (3) (a) Subject to the requirements of this Subsection (3), each county clerk shall
174 establish voting precincts and polling places within each [~~state board~~] State Board of Education
175 district according to the procedures and requirements of Section 20A-5-303.
176 (b) Within five working days after approval of voting precincts and polling places by
177 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
178 voting precinct map identifying the boundaries of each voting precinct within the county to the
179 lieutenant governor and to the Automated Geographic Reference Center for review.
180 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the
181 Automated Geographic Reference Center shall:
182 (i) review the voting precinct map to evaluate if the [~~county~~] voting precinct map
183 accurately reflects the boundaries of [~~state board~~] State Board of Education districts established
184 by the Legislature in the [~~official maps~~] Board block assignment file;
185 (ii) determine whether the voting precinct map is correct or incorrect; and
186 (iii) communicate those findings to the lieutenant governor.

187 (d) The lieutenant governor shall either notify the county clerk that the voting precinct
188 map is correct or notify the county clerk that the voting precinct map is incorrect.
189 (e) If the county clerk receives notice from the lieutenant governor that the voting
190 precinct map is incorrect, the county clerk shall:
191 (i) make the corrections necessary to conform the voting precinct map to the [~~official~~
192 ~~maps~~] Board block assignment file; and
193 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the
194 Automated Geographic Reference Center for a new review under this Subsection (3).
195 Section 7. Section **20A-14-103** is amended to read:
196 **20A-14-103. State Board of Education members -- When elected -- Qualifications**
197 **-- Avoiding conflicts of interest.**
198 [~~(1) (a) In 2002 and every four years thereafter, one member each shall be elected from~~
199 ~~new Districts 2, 3, 5, 6, 9, 10, 14, and 15 to serve a four-year term.~~]
200 [~~(b) In 2004 and every four years thereafter, one member each shall be elected from~~
201 ~~new Districts 4, 7, 8, 11, 12, and 13 to serve a four-year term.~~]
202 [~~(c) (i) Because of the combination of certain former districts, the state school board~~
203 ~~members elected from old Districts 2 and 4 who will reside in new District 1 may not serve out~~
204 ~~the term for which they were elected, but shall stand for election in 2002 for a term of office of~~
205 ~~four years from the realigned district in which each resides.~~]
206 [~~(ii) If one of the incumbent state school board members from new District 1 indicates~~
207 ~~in writing to the lieutenant governor that the school board member will not seek reelection, that~~
208 ~~incumbent state school board member may serve until January 1, 2003 and the other incumbent~~
209 ~~state school board member shall serve out the term for which the member was elected, which is~~
210 ~~until January 1, 2005.~~]
211 (1) (a) Unless otherwise provided by law, each State Board of Education member
212 elected from a State Board of Education District at the 2010 general election shall:
213 (i) serve out the term of office for which that member was elected; and
214 (ii) represent the realigned district if the member resides in that district.
215 (b) At the general election to be held in 2012, a State Board of Education member
216 elected from State Board of Education Districts 4, 7, 8, 10, 11, 12, 13, and 15 shall be elected
217 to serve a term of office of four years.

218 (c) In order to ensure that the terms of approximately half of the State Board of
219 Education members expire every two years:
220 (i) at the general election to be held in 2012, the State Board of Education member
221 elected from State Board of Education District 1 shall be elected to serve a term of office of
222 two years; and
223 (ii) at the general election to be held in 2014, the State Board of Education member
224 elected from State Board of Education District 1 shall be elected to serve a term of office of
225 four years.
226 (2) (a) A person seeking election to the [~~state school board~~] State Board of Education
227 shall have been a resident of the [~~state school board~~] State Board of Education district in which
228 the person is seeking election for at least one year as of the date of the election.
229 (b) A person who has resided within the [~~state school board~~] State Board of Education
230 district, as the boundaries of the district exist on the date of the election, for one year
231 immediately preceding the date of the election shall be considered to have met the requirements
232 of this Subsection (2).
233 (3) A State Board of Education member shall:
234 (a) be and remain a registered voter in the [~~state board~~] State Board of Education
235 district from which the member was elected or appointed; and
236 (b) maintain the member's primary residence within the [~~state board~~] State Board of
237 Education district from which the member was elected or appointed during the member's term
238 of office.
239 (4) A [~~member of the~~] State Board of Education member may not, during the member's
240 term of office, also serve as an employee of:
241 (a) the [~~board~~] State Board of Education;
242 (b) the Utah State Office of Education; or
243 (c) the Utah State Office of Rehabilitation.
244 Section 8. **Repealer.**
245 This bill repeals:
246 Section **20A-14-101, State Board of Education -- Number of members -- District**
247 **boundaries.**
248 Section 9. **Effective date.**

249 This bill takes effect on January 1, 2012 for purposes of nominating and electing certain
250 members of the State Board of Education and on January 1, 2013 for all other purposes.

What the Prison Policy Initiative will be providing to support data users:

Our goal is to help advocates steer line drawers to avoid prison-based gerrymandering. We intend to give you the tools to be able to answer in detail these questions:

- Do the proposed districts contain large correctional facilities?
- What kinds of correctional facilities are in those districts?

November 2010-May 2011: Guidance on preparing your data systems for the Advanced Group Quarters table, and, where necessary, proceeding without it, including:

- Analyzing geography, including anticipating where prisons were counted and whether non-prison populations were likely counted there.
- What and where the Census Bureau counted correctional facilities in your state in 2000
- Historical corrections data from 2000, and hopefully soon, 2005 and 2010, to match with the federal Census.
- Guidance on how different types of correctional facilities in your state should be handled (i.e. jails differently than state or federal prisons?)
- Referrals to consultants who have the necessary skills to help, including:
    - Patty Becker <pbecker@umich.edu>, APB Associates
    - Bill Cooper (FairPlan2020, http://www.fairvote2020.org/ bcooper@msn.com)
    - Anthony Fairfax (CensusChannel LLC, http://www.censuschannel.com, fairfax@censuschannel.com)
    - Howard Simkowitz < hsimkowitz@caliper.com >, (Caliper)

Early May 2011: Hopefully within hours of the Census Bureau's release we intend to release several things that will make it much easier to use the Advance Group Quarters Table:

- A version of the PL94-171 total population table adjusted to show the total populations without any correctional facilities. This will be available in both ESRI shapefile and a tabular form.
- ESRI shapefiles with the advanced group quarters table for each state.
- An online tool powered by Google Maps that shows the correctional facilities as counted by the Census in each county, and links to the same data (often annotated by the Prison Policy Initiative) from 2000. Non-technical users have found this tool extremely easy to use, and some technical users prefer it over using GIS software.

Late May 2011 and afterwards:

- We'll be applying annotations to Census 2010 correctional counts to identify facilities by name and type.
- We'll be providing adjusted race/ethnicity calculations by counties or providing guidance on how you can calculate them yourself on an as needed basis.

http://www.prisonersofthecensus.org/technicalsolutions.html
http://www.prisonersofthecensus.org/legislation.html
http://www.prisonersofthecensus.org/50states/UT.html

DESERET NEWS
THURSDAY, APRIL 21, 2011

editorial

Keeping redistricting in perspective

BY J. ROBERT LATHAM

When the Utah Legislative Redistricting Committee holds its first meeting on Monday, April 25, it will continue a process so anti-competitive that in 2010, Utah Democrats opted not to field a candidate in one out of five races for the state house of representatives.

myview

And those Democratic candidates who did contest state house races in the last election won 36 percent of the vote, but only 27 percent of the seats.

But also in 2010, Utah Democrats received more seats (46 percent) than votes (41 percent) in contested state senate elections.

These distorted results are common in plurality voting systems, which declare as the winner the candidate receiving the most votes, but not necessarily a majority of votes.

Many Utahns favor the creation of an independent redistricting commission to address these irregularities.

But achieving both a competitive and representative process requires outside-the-box thinking. All that independent redistricting commissions do is offer differently-shaped boxes.

Proportional representation is a gerrymander-proof electoral method used by most of the world's elected governments that looks beyond the box known as the single-member district.

The method creates a closer fit between voter preferences and electoral outcomes than does our current winner-take-all scheme. A party that won 55 percent of the vote would earn a similar share of the seats. A party that won 15 percent of the vote would also receive proportionate representation.

In 2003, the Texas legislature's "reredistricting" reminded us that the rules governing elections can be changed, and more often than once a decade. But despite the fact that most Utahns aren't registered with either incumbent political party, the electoral reform movement here has been slow to build.

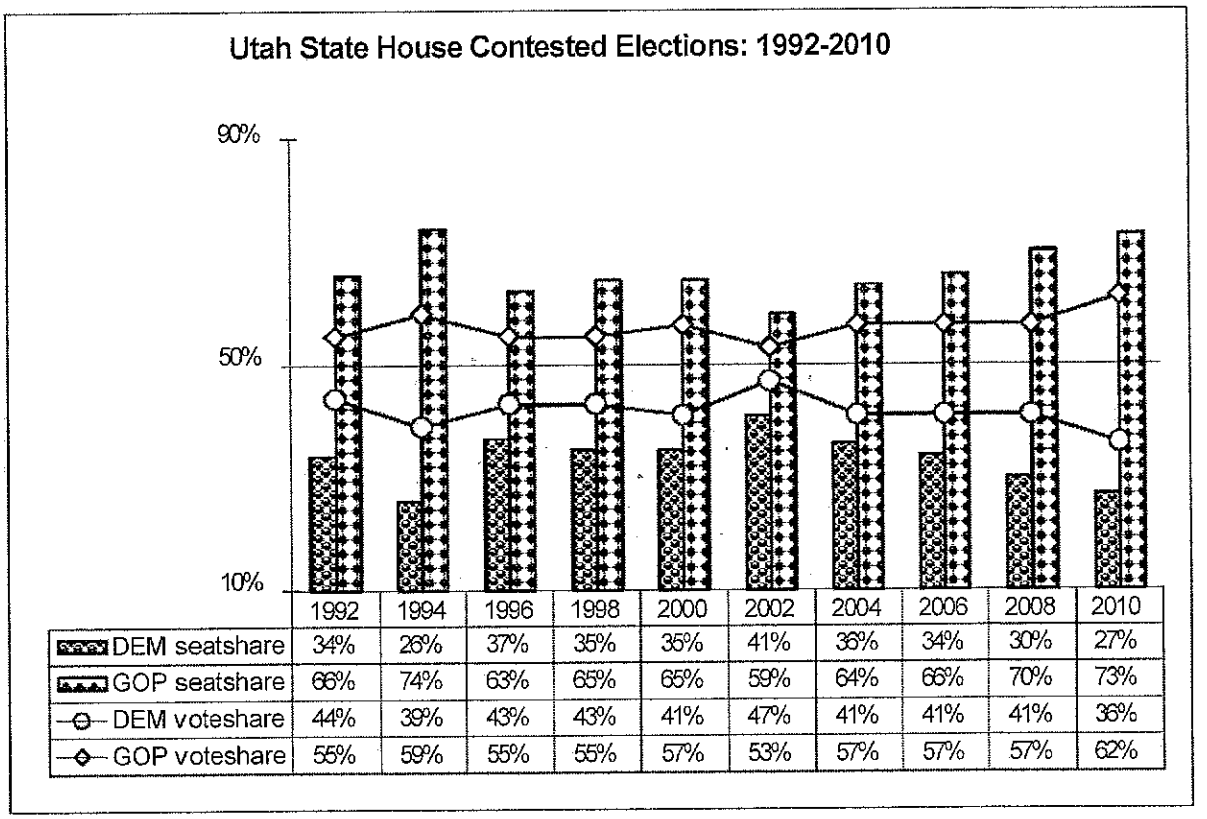
Support for more inclusive electoral systems in Utah among local Democratic leaders seems to stop at the count of two. Elected Republicans appear content to capitalize on the loyal opposition's timidity, and further consolidate power.

To effect real change, we can withdraw consent from those who claim to govern us. Utahns did this recently while demanding repeal of HB477 to preserve public access to government records. Participants in the Arab Spring across the globe are doing the same.

As the bipartisan cartel lays down its designs for another decade's worth of manipulated elections, we can justifiably question the legitimacy of a government that persists in cheating its constituents out of fair representation.

J. Robert Latham is a Salt Lake area attorney and long-time Libertarian observer of and participant in Utah politics.

Figure 1

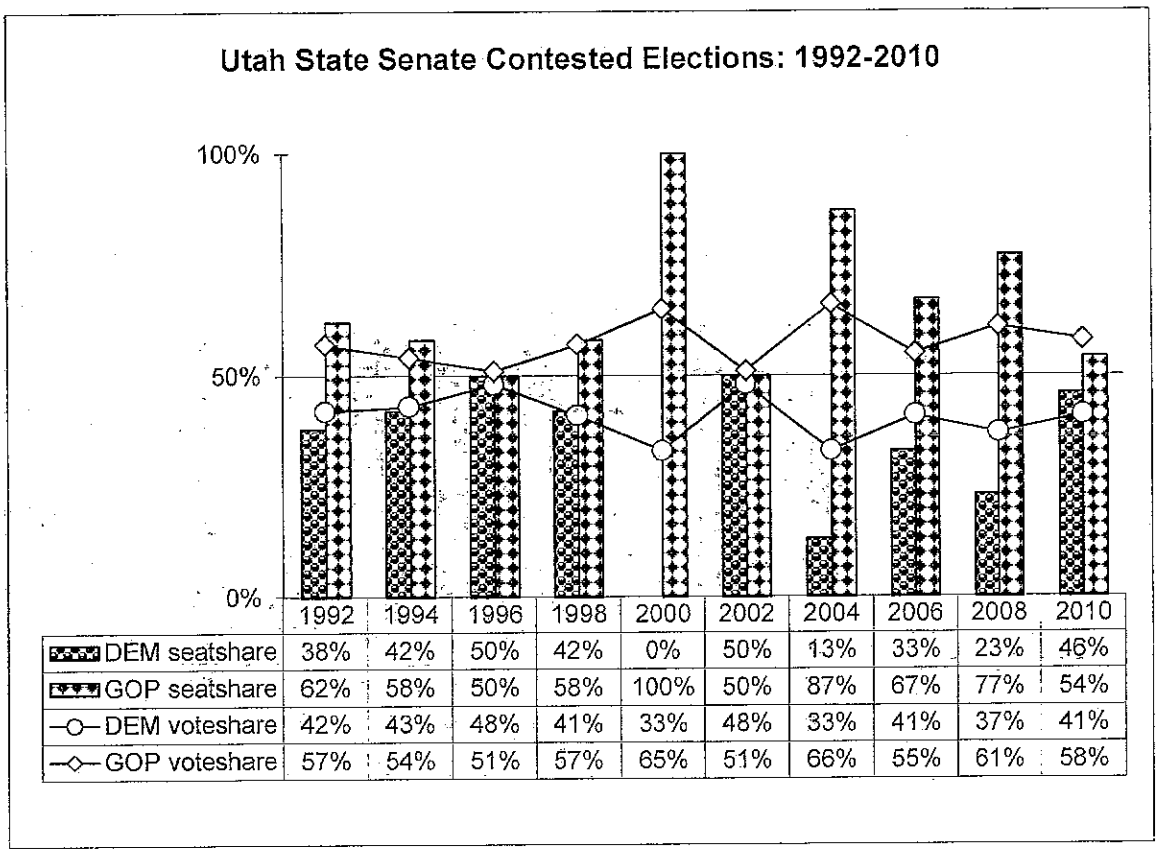


	1992	1994	1996	1998	2000	2002	2004	2006	2008	2010
DEM seatshare	34%	26%	37%	35%	35%	41%	36%	34%	30%	27%
GOP seatshare	66%	74%	63%	65%	65%	59%	64%	66%	70%	73%
DEM voteshare	44%	39%	43%	43%	41%	47%	41%	41%	41%	36%
GOP voteshare	55%	59%	55%	55%	57%	53%	57%	57%	57%	62%

In 2010, Utah Democrats received five fewer seats in all races (both contested and uncontested) for the Utah House of Representatives under the winner-take-all, single member district electoral system than had the seats been allocated proportionally according to votes received. (Utah Democrats won 16 of 59 (27.1%) state house seats. Thirty-six percent of 59 is 21.2.)

Source: State of Utah Elections Office

Figure 2

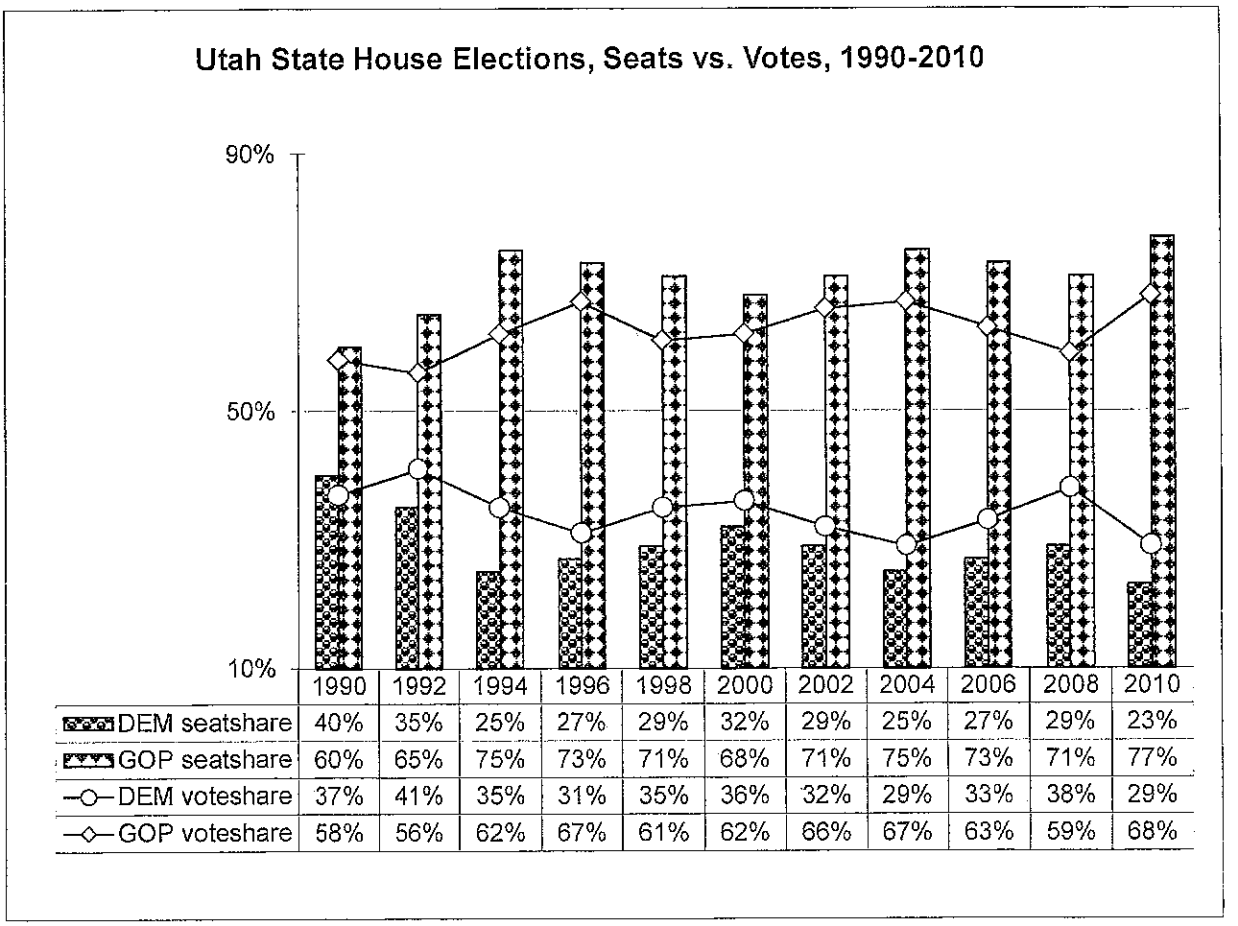


	1992	1994	1996	1998	2000	2002	2004	2006	2008	2010
DEM seatshare	38%	42%	50%	42%	0%	50%	13%	33%	23%	46%
GOP seatshare	62%	58%	50%	58%	100%	50%	87%	67%	77%	54%
DEM voteshare	42%	43%	48%	41%	33%	48%	33%	41%	37%	41%
GOP voteshare	57%	54%	51%	57%	65%	51%	66%	55%	61%	58%

In 2010, Utah Democrats received one more seat in contested races for the Utah House of Representatives under the winner-take-all, single member district electoral system than had the seats been allocated proportionally according to votes received. (Utah Democrats won 6 of 13 (46%) contested state senate races. Forty-one percent of 13 is 5.3.)

Source: State of Utah Elections Office

Figure 3

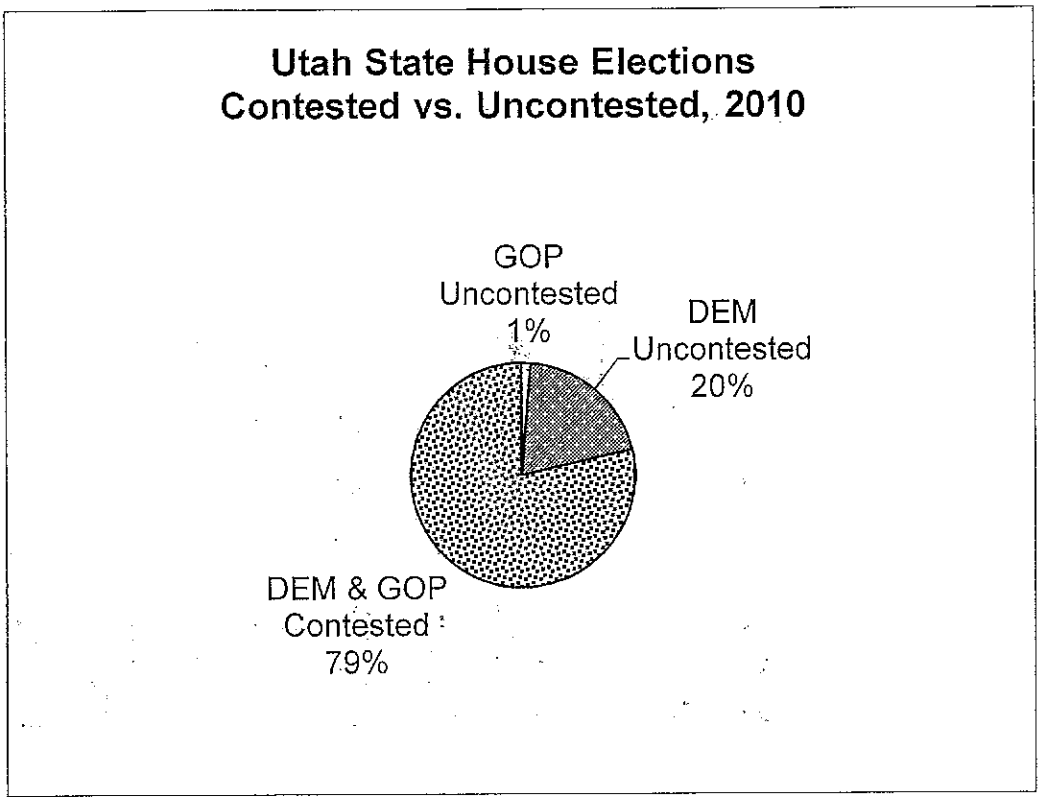


	1990	1992	1994	1996	1998	2000	2002	2004	2006	2008	2010
DEM seatshare	40%	35%	25%	27%	29%	32%	29%	25%	27%	29%	23%
GOP seatshare	60%	65%	75%	73%	71%	68%	71%	75%	73%	71%	77%
DEM voteshare	37%	41%	35%	31%	35%	36%	32%	29%	33%	38%	29%
GOP voteshare	58%	56%	62%	67%	61%	62%	66%	67%	63%	59%	68%

In 2010, Utah Democrats received four fewer seats in all races (both contested and uncontested) for the Utah House of Representatives under the winner-take-all, single member district electoral system than had the seats been allocated proportionally according to votes received. (Utah Democrats won 17 of 75 (22.6%) state house seats. Twenty-nine percent of 75 is 21.75.)

Source: State of Utah Elections Office

Figure 4



In 2010, Utah Democrats did not contest 15 out of 75 (20%) races for the Utah House of Representatives. Utah Republicans did not contest 1 out of 75 (1%) races for the Utah House of Representatives.

Source: State of Utah Elections Office

GERMANY:
The Original Mixed Member Proportional System

Michael Krennerich

After the use of the absolute-majority Two Round System (TRS) in the German Empire, and the use of a pure proportional representation system in the Weimar Republic, a new electoral system was established by the Parliamentary Council in 1949. The system was created by the Basic Law of the Federal Republic of Germany (i.e. the West German Constitution). It was thus a result of inter-party bargaining between democratic forces in West Germany. Like the Basic Law, it was orginally considered to be provisional, but has remained essentially unchanged since 1949.

The German electoral system is classified as a personalised proportional system *(Personalisierte Verhältniswahl)* or, as it is known in New Zealand and this handbook, as a Mixed Member Proportional (MMP) system. Its essence is the way in which it combines a personal vote in single-member districts with the principle of proportional representation.

Currently, the German parliament *(Bundestag)* has 656 seats, not including possible surplus seats (see below). Each voter has two votes. The first vote *(Erststimme)* is a personal vote, given to a particular (party) candidate in one of the 328 single-member constituencies. The second vote *(Zweitstimme)* is a party vote, given to a party list at the federal state level *(Landesliste)*. Candidates are allowed to compete in single-member districts as well as simultaneously for the party list. The candidates who achieve a plurality in the single-member districts are elected *(Direktmandate)*. However, the second vote determines how many representatives will be sent from each party to the Bundestag.

On the national level, all the second *(Zweitstimme)* votes for the parties are totalled. Only parties obtaining more than 5% of the votes at the national level or, alternatively, having three members elected directly in the single-member constituencies, are considered in the national allocation of list PR seats. The number of representatives from each party that has passed the legal threshold is calculated according to the Hare formula (see glossary – Annex B). Seats are then allocated within the 16 federal states *(Länder)*.

The number of seats won directly by a party in the single-member districts of a particular federal state are then substracted from the total number of seats allocated to that party's list. The remaining seats are assigned to the closed party list. Should a party win more *Direktmandate* seats in a particular federal state than the number of seats allocated to it by the second votes, these surplus seats *(Überhangmandate)* are

kept by that party. In such a case, the total number of seats in the Bundestag temporarily increases.

The German system is not, as sometimes supposed, a mixed system, but a PR system. It differs from pure proportional representation only in that the 5% threshold at national level excludes very small parties from parliamentary representation, and thanks to proportional representation a relatively wide range of social and political forces are represented in Parliament. Furthermore, the electoral system is to some extent open to social and political changes. In spite of the threshold, new political parties supported by a substantial part of the electorate have access to Parliament. Besides the Christian Democratic Union/Christian Social Union (CDU/CSU), Social Democratic Party (SPD) and Free Democratic Party (FDP), which have been in the *Bundestag* since 1949, a new Green Party (GRÜNE) gained seats in 1983 and 1987. After falling below the threshold in 1990, the Greens, in a coalition with Alliance '90, were able to return to Parliament in 1994. After German unification, even small East German parties gained parliamentary seats. In the all-German elections of 1990, the East German Alliance '90/Greens and the Party of Democratic Socialism (PDS) cleared the 5% threshold which was applied, separately in the territority of former East Germany and former West Germany, for that one election. Four years later, the PDS took advantage of the "alternative clause" by winning four of the required three *Direktmandate* seats.

The personal vote for a candidate in single-member constituencies aims to ensure a close relationship between voters and their representatives. In practice, however, the advantage of these districts should not be overestimated. In Germany, elections in the single-member districts are mainly based on party preferences and not on the personality of the candidates. The initial hopes that MMP would guarantee a close voter-representative relationship have consequently only partly materialized, despite efforts by representatives to establish strong links with their constituencies. Nevertheless, this constituency element within a PR system does at least help to bridge the gap between voters and representatives which is normally widened by ordinary closed-list PR systems.

Furthermore, the two-vote system enables voters to split their votes strategically between existing or possible coalition partners. In fact, vote-spliting is common among the supporters of smaller parties. Since candidates of smaller parties have little chance of winning a single-member district, their supporters frequently give their first vote to a constituency candidate from the larger coalition party. Similarly, supporters of bigger parties may "lend" their second vote to a minor party within the coalition, in order to ensure that it will pass the legal threshold. Thus, vote-splitting is strategically used by voters to support the coalition partner of "their" party or, at least, to indicate their coalition preferences.

By producing highly proportional outcomes, the electoral system makes manufactured majorities, where one party wins an absolute majority of the parliamentary seats on a minority of the popular votes, very unlikely. In fact, over the last five decades in Germany, manufactured majorities have never occured. Majority governments have usually been coalition governments, and any change of government has resulted from changes in the configuration of the coalition. German coalition governments are usually stable and regarded as legitimate by the electorate, and, because of a coalition's built-in incentives to co-operate, many Germans prefer a coalition government to a single-party government. The main checking function is fulfilled by an opposition which is fairly represented. It is important to note that the relationship between government and opposition in German politics is more consensual and co-operative than conflictual or hostile. This, however, is a result of history and political culture rather than of the electoral system *per se*.

To date, the MMP system has not shown any great drawbacks in Germany. It has lasted long enough to have a high level of institutionalized legitimacy; the basic principles of single-member districts and list PR representation have been left unaltered since 1949. However, some minor changes of the electoral system have taken place. Chief among these was the switch to two separate votes in 1953, before then the voter had only a single vote to apply to both district and national PR allocation.

Nevertheless, several attempts to reform the electoral system substantially have been made since 1949, and most intensely in the 1960s, when opponents of the PR system demanded the introduction of a FPTP system. This was partly due to political manoeuverings to enhance the position of the stronger parties, and partly based on a theoretical school of thought which favoured the British model; but all attempts were unsucessful. More recently, the electoral system has been criticized for producing too many surplus seats without compensating the disadvantaged parties in Parliament.

Dear Members of the Utah Redistricting Committee,

Thank you for receiving my testimony at your April 25, 2011 meeting. I am writing to elaborate on matters raised during some of our conversations after the meeting, and offer additional resources to you, your staff, and members of the public.

Suggested Amendment to Redistricting Principles to Allow Multi-seat Districts

I have been assured by a Redistricting Committee staff member that the software the committee will use **does support** multi-seat districts. The Redistricting Committee will have to adapt the third principle from 2001 ("Districts will be single member districts") to allow committee members, staff, and members of the public to advocate for multi-seat districts during the committee's process. If the committee is inclined to preserve the option of multi-seat districts, I suggest the following replacement language: "Congressional districts will be single member districts. Non-congressional districts may be either single member or multi-seat districts."

FairVoteUtah Plan

Following up on my testimony last week, I have proposed the following multi-member district redistricting plan for all non-congressional districts to be created by the Utah Legislature in 2011:

- Fifteen five-member districts for the 75-seat Utah House of Representatives (or an adjustment allowing multi-seat House districts to be nested within multi-seat Senate districts, for example, 29 three-member districts for an expanded 87-seat House of Representatives or 21 four-member districts for an expanded 84-seat House of Representatives)
- Seven three-member districts and two four-member districts for the 29-seat Utah Senate (or an adjustment allowing for equal nesting of multi-seat House districts, for example, seven four-member districts (28 Senate seats) or five five-member districts (25 Senate seats))
- Five three-member districts for the fifteen-seat Utah School Board.
- All elections with multi-member districts populate seats using the **single transferable vote** method.

So long as multi-seat districts are apportioned on the basis of population, they satisfy the "one person, one vote" rule. "Use of multi-member districts is constitutionally permissible, however, unless the districts are designed to or would 'minimize or cancel out the voting strength of racial or political elements of the voting population.'" *Burling v. Chandler*, 804 A.2d 471, 479 (N.H. 2002) (quoting *Fortson v. Dorsey*, 379 U.S. 433, 439 (1965)). The U.S. Supreme Court struck down a multi-member district plan that used the at-large method and diluted minority voting strength. *Thornburg v. Gingles*,

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478 U.S. 30, 47, 80 (1986). Thus, the use of the single transferable vote method to elect members to multi-seat districts is an important element of the FairVoteUtah plan.

Winning Thresholds under the Single Transferable Vote Method

I have attached a table illustrating the winning thresholds for hypothetical multi-seat district elections for state senate, state house, and state school board. For example, in a three-seat district, a candidate must receive at least 26 percent of the vote to be declared a winner. In a five-seat district, a candidate must receive at least 17.7 percent of the vote to be declared a winner. The table shows that the greater the number of seats in a district, the greater the number of voters who elect the winners (fewer "wasted votes").

Geographic Concentration

One concern expressed about multi-seat districts is the potential for the concentration of elected members in a small geographic area. For your reference, I have attached a map showing the geographic concentration of the current Members of the Utah House of Representatives.

Nesting House Districts within Senate Districts

One option for redistricting is to "nest" House districts within Senate districts, as several U.S. states have done. Nesting would allow fewer lines to be drawn. For your reference, an August 2007 article titled "The Implications of Nesting in California Redistricting" authored by Bruce E. Cain and Karin MacDonald for the Institute of Governmental Studies at the University of California at Berkeley summarizes some of the pros and cons of nesting districts, and is a free download available online at: http://swdb.berkeley.edu/resources/redistricting_research/Nesting_&_Redistricting.pdf.

Ireland's Example

Finally, I have attached the article *Ireland: The Archetypal Single Transferable Vote System* for your reference. The article is from *Electoral System Design: the International IDEA Handbook*, which is a free download available online at: http://www.idea.int/publications/esd/index.cfm.

I look forward to joining other Utahns at **FairVoteUtah.org** to follow your committee's process.

Thanking you again for your service,

J. Robert Latham

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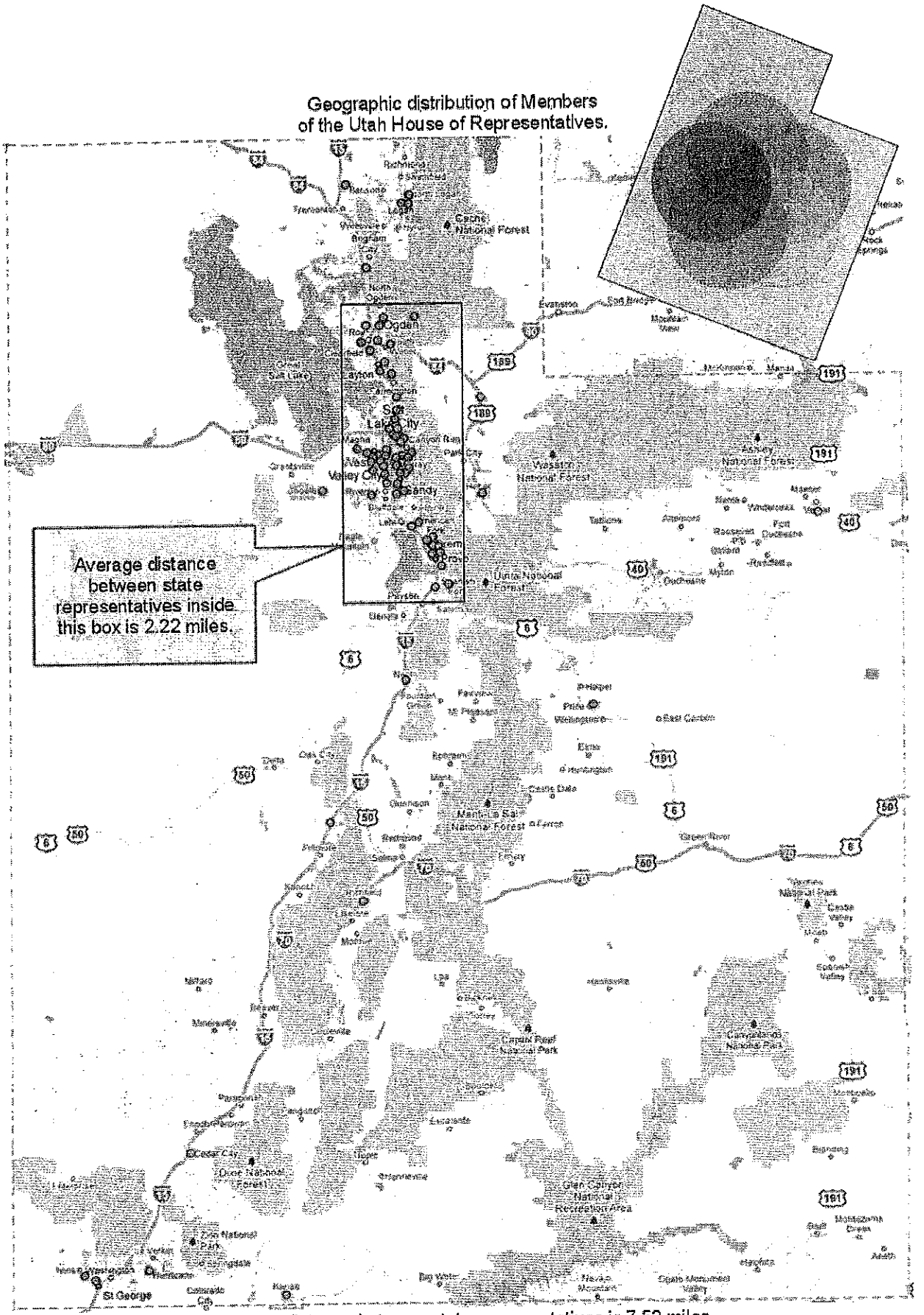
Winning thresholds under the Single Transferable Vote method

District size	Droop quota[1] $\left(\frac{100^{2}}{Seats+1}\right)+1$	Senate district population[3]	Winning senate threshold[4]	House district population[5]	Winning house threshold[6]
1	50% + 1	95,306	47,654	36,852	18,427
3	26%	285,918	74,339	110,556	28,746
4	21%	381,224	80,058	147,408	30,957
5	17.7%			184,260	32,615
29	3.3%	2,763,874	91,208		
75	1.3%			2,763,900	35,931

District size	Droop quota $\left(\frac{100^{7}}{Seats+1}\right)+1$	State School Board District population[8]	Winning State School Board threshold[9]
1	50% + 1	184,259	92,131
3	26%	552,777	143,723
15	6.3%	2,763,885	174,125

[1] The Droop quota is a mathematical formula used for the single transferable vote method to determine the smallest number of votes to elect enough candidates to fill all the seats being contested in an electoral district, while being just big enough to prevent any more being elected.
[2] 100 percent of the valid votes cast
[3] Ideal Utah Senate District population for a single member district is 95,306 residents.
[4] Assumes every resident votes
[5] Ideal Utah House District population for a single member district is 36,852 residents.
[6] Assumes every resident votes
[7] 100 percent of the valid votes cast
[8] Ideal Utah State School Board District population for a single member district is 184,259 residents.
[9] Assumes every resident votes

Geographic distribution of Members
of the Utah House of Representatives.



Average distance between state representatives is 7.52 miles.
Visit FairVoteUtah.org for more information.

IRELAND:
The Archetypal Single Transferable Vote System

Michael Gallagher

Ever since independence in 1922, the Republic of Ireland has used proportional representation by means of the Single Transferable Vote (STV). When the new Irish state came to adopt an electoral system, the indigenous political elite favoured some version of Proportional Representation (PR) because they believed it intrinsically fair, while the departing British also preferred it to First Past the Post (FPTP) so as to protect the representation of Protestants, who constituted about 5% of the population. The STV electoral system was specified in the current (1937) Constitution, and consequently cannot be amended without a referendum. Members of parliament are elected from districts returning either three, four or five representatives.

The system has consistently delivered a high degree of proportionality, and all parties, large and small, have been accurately represented in relation to their size, with the larger parties only slightly over-represented. For example, Fianna Fáil, the largest party at every election for over 60 years, has won on average 45% of the votes at post-war elections, and 48% of the seats, while the third party, Labour, has won an average of 12% of the votes and 11% of the seats.

As in most other countries, members of parliament are predominantly professional people, with very few working-class MPs. Women are also under-represented, although the figure as of early 1997, 14%, was the highest in the history of the state. The Republic of Ireland cannot be said to be ethnically divided, so the question of representation of ethnic groups does not arise. Moreover, contrary to initial expectations, Protestants have not sought separate political representation but have voted for the mainstream parties.

Voting is straightforward: electors merely indicate their favoured candidate by writing "1" beside that candidate's name on the ballot paper, and can go on to indicate their second, third, etc., choices in the same way. About two-thirds of voters see their first choice candidate elected, and on average around 20% of votes are wasted in the sense of not contributing to the final result.

The house of parliament elected by the people by means of STV, the Dáil, is of critical importance in Ireland's parliamentary system. To gain office, a government needs the support of a majority of members of the Dáil, and a government can be ejected from office if it fails to maintain that support.

Ireland has not experienced problems in the area of stable and effective governments. For many years, single-party government by the largest party, Fianna Fáil, was the norm, interrupted only occasionally by coalitions formed by the other two main

parties. More recently, a decline in Fianna Fáil's strength and the emergence of a number of smaller parties has led to coalition governments becoming the norm. Since 1989 each of the largest five parties, i.e. every party winning more than 2% of the votes at elections, has spent at least two years in government; and governments, once formed, tend to be reasonably durable, lasting on average for about three years. The Dáil's procedures are based on the Westminster model, which enables governments to enact their legislation with little real chance for the opposition to influence legislation.

In terms of accountability, it is relatively easy to throw governments out; at every election from 1973 to 1997 the outgoing government did not manage to be re-elected. Voters do have local representatives: the ratio of members of parliament to population is high (about one for every 20,000 people) and district magnitude is small (at most five representatives for each constituency), so members of parliament are usually well known to their constituents and are active representatives in their area. There is no provision for recall of elected members.

One criticism aimed at STV is that it helps promote intra-party fragmentation, but the Irish parties tend to be relatively cohesive despite the electoral competition among candidates of the same party. In Parliament, it is very rare for party representatives to break ranks from the party line on any issue. The political culture of Ireland is strongly influenced by that of Britain, and the "winner-take-all" attitude that characterizes Westminster-based governmental systems remains strong in Ireland, despite the PR electoral system.

The absence of ethnic cleavages, or any other deep divisions, in Irish society means that the incentives for parties to reach out beyond their own group cannot be tested. It is worth noting, though, that in Northern Ireland, which has deep divisions along ethnic, national and religious dimensions between Protestants and Catholics, and which also uses STV for many elections, most of the main parties draw support entirely from one or other of the two communities and do not see any incentive to try to win support from the other community. Indeed, parties aiming to draw support from both communities generally fare poorly.

The STV electoral system is supported because it is seen as fair, since it delivers proportional representation, and because of the power it gives voters to choose their parliamentary representatives by ranking all candidates in order of their choice, both between parties and within parties. Although most voters vote along party lines, it is not necessary to do so, and a significant number of voters vote along geographical lines; that is, they give their highest preferences to those candidates, regardless of party, from their own local area. Two referendums have been held, both instigated by the then-governing Fianna Fáil party, to replace STV with the British FPTP system. On both occasions the electorate voted to keep STV; the margin of victory was narrow in 1959, but wide in 1968.

Nevertheless, STV is criticised because of the intense competition that it generates between candidates, especially candidates of the same party. More members of parliament of Fianna Fáil, the largest party, are defeated by other Fianna Fáil candidates than by candidates of other parties. Thus a number of members of parliament argue that STV compels them to spend too much time responding to individual and community grievances from their constituents, which is necessary for electoral survival, and prevents them from spending enough time on national political and parliamentary matters, to the detriment of the national interest. It is also argued that an electoral system that weakens the close link between members of parliament and their constituents, and thus removes the electoral incentive to respond to demands for constituency work, might attract higher calibre people into politics.

Lawyer proposes 'fairer' voting system

Redistricting » "Proportional representation" would move away from winner-takes-all.

By LEE DAVIDSON
The Salt Lake Tribune

Attorney J. Robert Latham says Utah should borrow a system used by other countries that could realistically help elect some Democratic legislators in heavily Republican Utah County next year, or some Republicans in Democratic Salt Lake City — without crazy gerrymandering of political boundaries.

He presented the idea to the Legislature's new Redistricting Committee this week, which acknowledged it is at least legal.

The idea: "proportional representation."

Instead of using single-member districts where one winner takes all by perhaps winning just 50.1 percent of the vote, the system uses multimember districts instead. Parties would win a proportion of seats according to the percentage of the votes they win.

"Using multimember districts, say a five-member district, you might have Republicans get elected in Salt Lake City. They might win two" of the five seats by winning about 40 percent of the vote, Latham told the Redistricting Committee this week.

"You might get Democrats that are elected in downtown Provo," or at least one member, by winning about 20 percent of the vote in a five-member district in that area, he added.

Latham — a past Utah Libertarian Party chairman who has run for offices as a Libertarian and a Republican (in a heavily Democratic district) — said the system would give minor parties a fighting chance of electing someone.

J. Robert Latham » Wants a twist in the redistricting process based on the idea of 'proportional representation' as opposed to the current winner-takes-all approach.

"Multimember districts would also solve many of the problems they [lawmakers] say they are struggling with — such as dividing cities, counties or communities of interest" to make populations equal among many small districts. Multimember districts would be larger geographically, and less likely to divide such areas.

John Fellows, general counsel to the Redistricting Committee, told members that U.S. courts have allowed multimember districts, but has given them less legal support than single-member districts.

He said a concern is they could allow all lawmakers in a district to come from one small area within it, and not give broad geographical representation.

But Latham said proportional voting has benefits that could outweigh that. For example, Democrats voting in a heavily Republican district would feel that their vote still counts if it helps elect at least one representative — so it would increase voter turnout and registration.

Latham is not alone in pushing such a system. Fair Vote, a national group, has pushed the idea for years — and Latham has worked with that group. He said it is used by many countries, and U.S. diplomats have pushed the system in such countries as Iraq and Afghanistan.

"I have heard from soldiers returning from conflict zones saying, 'Why are we fighting for these more representative governments in Iraq and Afghanistan, and yet we don't have that same kind of representative government here at home?' " Latham said in an interview.

He said he and others hope to lobby Redistricting Committee members before its meeting next week — where it is expected to decide such things as how many and what type of districts to create.

He created a website, fairvoteutah.org, with videos to explain how sometimes-complicated proportional voting systems work.

But Latham was blunt about his chances when he told the committee this week, "My expectations for this process, frankly, are fairly low. But I really hope that you'll surprise me." He said it may take another decade for the idea to catch fire.

But Rep. Ken Sumsion, R-American Fork, House chairman of the committee, gave him a sliver of hope. He told Latham, "This gives us something to look at. And it's something I've never thought about."

REDISTRICTING:

Legal Guidelines For Drawing Plans That Will Stand Up In Court

OLRGC

Office of Legislative Research and General Counsel

LEGAL
FOUR ELEMENTS

- Population
- Race
- Partisan Gerrymandering
- Redistricting Principles

OLRGC

LEGAL
POPULATION REQUIREMENTS

General Rule – "[t]he conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth, and Nineteenth Amendments can mean only one thing – one person, one vote." *Gray v. Sanders, 372 U.S. 368, 381 (1963)*

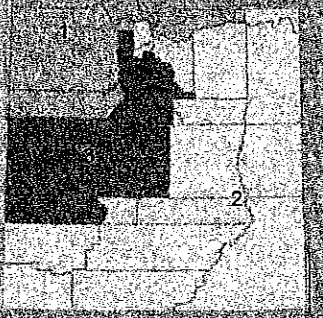
OLRGC

LEGAL
POPULATION REQUIREMENTS – CONGRESS

"As nearly equal as practicable" Wesberry v. Sanders, 376 U.S.1(1964)

"Practicable" means "capable of being done."

"Practical" means "capable of being done" and "sensible," "worthwhile."



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POPULATION REQUIREMENTS – OTHER DISTRICTS

Utah Senate, Utah House, and
Utah State School Board Districts

"Substantial equality of population among the various districts" *Reynolds v. Sims, 377 U.S. 533 (1964)*

Generally upheld if overall range is less than 10%

OLRGC

LEGAL
RACE

Section 2 of the Voting Rights Act of 1965 prohibits discrimination in voting against racial or language minorities.

Intent does not matter: does your plan have the **effect** of diluting minority voting strength?

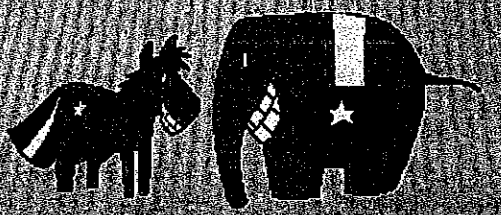
General rule: draw districts that the racial minority has a fair chance to win. (Majority-minority districts)

But: the Equal Protection Clause prohibits race from being the "predominant factor" in redistricting decisions.

OLRGC

LEGAL
PARTISAN GERRYMANDERING

"Partisan gerrymandering" means the drawing of legislative or congressional district lines that intentionally discriminate against a political party.



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LEGAL
PARTISAN GERRYMANDERING

The United States Supreme Court first authorized lawsuits challenging redistricting plans alleging partisan gerrymandering in 1986.

The Court has not yet agreed on a standard for striking down a redistricting plan based upon partisan gerrymandering.

Given the uncertainty of the law in this area, a challenge to a redistricting plan based upon an allegation of partisan gerrymandering is unlikely to succeed.

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LEGAL
REDISTRICTING PRINCIPLES

"Redistricting principles" are the criteria used to draw district maps.

Although some states establish redistricting principles in their constitution, statutes, or legislative rule, Utah has not.

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REDISTRICTING PRINCIPLES

Utah's practice has been to have the Redistricting Committee adopt redistricting principles.

In 2001, the Redistricting Committee adopted principles relating to equal population, single member districts, number of legislative districts, use of the Census Bureau's population figures, and contiguity and compactness.

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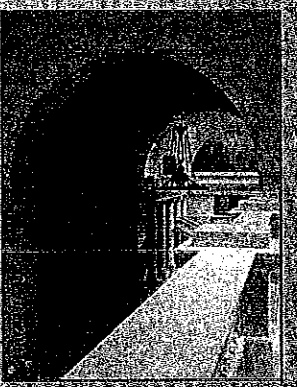
REDISTRICTING PRINCIPLES – USE IN LITIGATION

Unless a state is required by its constitution or statutes to apply certain redistricting principles, redistricting principles are most commonly used as a defense in litigation, challenging a state's plan.



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REDISTRICTING PRINCIPLES – USE IN LITIGATION CONTINUED

To successfully challenge a redistricting plan on one person - one vote grounds, the plaintiffs must present a plan with a lower population deviation than the state's plan.

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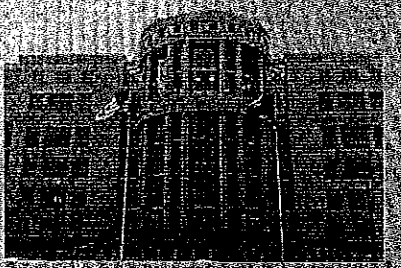
LEGAL
REDISTRICTING PRINCIPLES – USE IN LITIGATION CONTINUED

Even if the plaintiffs present a plan with a lower population deviation, the state's plan may still be upheld if the state can show that it was drawn based upon "traditional redistricting principles."



OLRCC

LEGAL
REDISTRICTING PRINCIPLES

The Supreme Court has recognized seven "traditional redistricting principles":

- *Compactness (Shaw v. Reno, Bush v. Vera)*
- *Contiguity (Shaw v. Reno)*
- *Preservation of political subdivisions (Shaw v. Reno, Abrams v. Johnson)*
- *Preservation of communities of interest (Miller v. Johnson, Abrams v. Johnson)*
- *Preservation of the cores of prior districts (Abrams v. Johnson)*
- *Protection of incumbents (Abrams v. Johnson)*
- *Compliance with the Voting Rights Act (Shaw v. Hunt)*

OLRCC

QUESTIONS?

John Fellows

General Counsel, Utah Legislature

Legislative Research and General Counsel

801-538-1032

jfellows@utah.gov

Redistricting Committee

Thursday, June 2, 2011
6:00 p.m.
Legacy Junior High School •
411 North 3200 West, Layton Utah

ENCLOSURES **PAGE**

Also Enclosed

OLRGC *For further information, please contact John Cannon at 801-538-1032*
Prepared by the Office of Legislative Research and General Counsel

OLRGC
Office of Legislative Research and General Counsel

Michael E. Christensen
Director

John L. Fellows
General Counsel

NOTICE OF MEETING

Redistricting Committee

The committee chairs have scheduled the following meeting:

DATE: **Thursday, June 2, 2011**
TIME: **6:00 p.m.**
PLACE: **Legacy Junior High School**
411 North 3200 West, Layton Utah

If committee members would like to be excused from the meeting, they may call John Cannon or Kimberly Heiner at 801-538-1032.

COMMITTEE MEMBERS

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. R. Curt Webb
Rep. Christine F. Watkins

STAFF
John Q. Cannon, Managing Policy Analyst
John L. Fellows, General Counsel
J Brian Allred, Policy Analyst
Mark D. Andrews, Policy Analyst
Benjamin Christensen, Policy Analyst
Phil Dean, Policy Analyst
Leif Elder, Policy Analyst
Jerry D. Howe, Policy Analyst
Art L. Hunsaker, Policy Analyst
Allison M. Nicholson, Policy Analyst
Richard C. North, Policy Analyst
Joseph T. Wade, Policy Analyst
Eric Weeks, Deputy General Counsel
Emily Brown, Associate General Counsel
Angela Oakes Stallings, Associate General Counsel
Kimberly A. Heiner, Legislative Secretary

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In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call Nancy McPherson at 801-538-1032 or TTY 801-326-1634, giving her at least three working days' notice.

AGENDA

REDISTRICTING COMMITTEE

UTAH LEGISLATURE

Thursday, June 2, 2011 • 6:00 p.m. • Legacy Junior High School
411 North 3200 West, Layton Utah

1. **Committee Business**
   - Call to order
   - Approval of the minutes of the May 4, 2011 & May 20, 2011 meetings

2. **Overview of Redistricting**
   - Staff Presentation

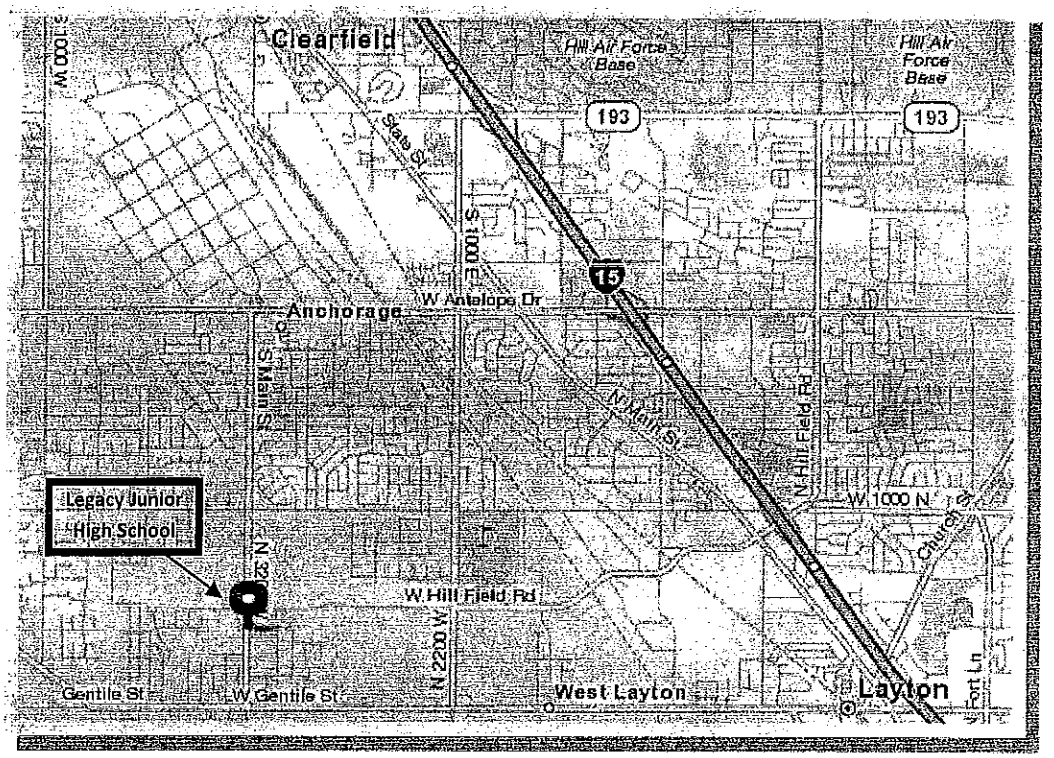
3. **Public Comment and Committee Discussion About Redistricting**
   The Committee will hear public comment about redistricting.

   - State Senate
   - State House
   - State School Board
   - Congressional

4. **Adjourn**

DIRECTIONS TO LEGACY JUNIOR HIGH SCHOOL

411 NORTH 3200 WEST LAYTON, UT 84041



Directions from I-15 Coming from the NORTH

5. Take the UT-108 / ANTELOPE DRIVE exit, EXIT 332.	Go 0.3 MI
6. Turn RIGHT onto W ANTELOPE DR / UT-108. *If you reach I-15 S you've gone about 0.5 miles too far*	Go 1.7 MI
7. Turn LEFT onto S MAIN ST. *S MAIN ST is 0.1 miles past MICHAEL ST*	Go 1.0 MI
8. S MAIN ST becomes N 3200 W.	Go 0.5 MI
9. 411 N 3200 W is on the RIGHT. *Your destination is 0.1 miles past W HILL FIELD RD* *If you reach W 350 N you've gone a little too far*	
411 N 3200 W Layton, UT 84041-8815	

Directions from I-15 Coming from the SOUTH

5. Take the UT-232 / HILL FIELD ROAD exit, EXIT 331.	Go 0.3 MI
6. Turn LEFT onto HILL FIELD RD / W HILL FIELD RD / UT-232. Continue to follow HILL FIELD RD *If you reach I-15 N you've gone about 0.2 miles too far*	Go 1.8 MI
7. Turn LEFT onto N 2200 W. *N 2200 W is 0.4 miles past N COLD CREEK WAY*	Go 0.5 MI
8. Take the 1st RIGHT onto W GENTILE ST. *If you are on S WESTSIDE DR and reach W 1100 S you've gone about 1.5 miles too far*	Go 1.0 MI
9. Turn RIGHT onto N 3200 W. *N 3200 W is just past N 3100 W*	Go 0.4 MI
10. 411 N 3200 W is on the LEFT. *Your destination is just past W 350 N* *If you reach W HILL FIELD RD you've gone about 0.1 miles too far*	
411 N 3200 W Layton, UT 84041-8815	

Redistricting Committee

Friday, May 20, 2011
6:00 p.m.
Lehi Jr. High School Auditorium •
700 E. Cedar Hollow Road, Lehi, Utah

ENCLOSURES **PAGE**

Committee Business (Agenda item # 1)

Also Enclosed

OLRGC *For further information, please contact John Cannon at 801-538-1032*
Prepared by the Office of Legislative Research and General Counsel

OLRGC
Office of Legislative Research and General Counsel

Michael E. Christensen
Director

John L. Fellows
General Counsel

NOTICE OF MEETING

Redistricting Committee

The committee chairs have scheduled the following meeting:

DATE: **Friday, May 20, 2011**
TIME: **6:00 p.m.**
PLACE: **Lehi Jr. High School Auditorium, 700 E. Cedar Hollow Rd, Lehi, Utah**

If committee members would like to be excused from the meeting, they may call John Cannon or Kimberly Heiner at 801-538-1032.

COMMITTEE MEMBERS

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 Barrus
Rep. Melvin R. Brown
Rep. Gage Froerer
Rep. Francis D. Gibson
Rep. Don L. Ipson
Rep. Brian S. King
Rep. Todd E. Kiser
Speaker Rebecca D. Lockhart
Rep. Merlynn T. Newbold
Rep. Curt Webb
Rep. Christine F. Watkins

STAFF
John Q. Cannon, Managing Policy Analyst
John L. Fellows, General Counsel
J Brian Allred, Policy Analyst
Mark D. Andrews, Policy Analyst
Benjamin Christensen, Policy Analyst
Phil Dean, Policy Analyst
Leif Elder, Policy Analyst
Jerry D. Howe, Policy Analyst
Art L. Hunsaker, Policy Analyst
Allison M. Nicholson, Policy Analyst
Richard C. North, Policy Analyst
Joseph T. Wade, Policy Analyst
Eric Weeks, Deputy General Counsel
Emily Brown, Associate General Counsel
Kimberly A. Heiner, Legislative Secretary

Utah State Capitol Complex
House Building, Suite W210
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Salt Lake City, Utah
84114-5210
Phone (801) 538-1032
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AGENDA

REDISTRICTING COMMITTEE

UTAH LEGISLATURE

Friday, May 20, 2011 • 6:00 p.m. • Lehi Jr. High School Auditorium,
700 E. Cedar Hollow Rd, Lehi, Utah

1. **Committee Business**
   - Call to order
   - Approval of the minutes of the April 25, 2011 meeting
   - Future meeting schedule

2. **Overview of Redistricting**
   - Staff Presentation

3. **Public Comment About Redistricting**
   The Committee will hear public comment about redistricting.

   - State Senate
   - State House
   - State School Board

4. **Discussion of Congressional Plans**
   The Committee will discuss redistricting of Utah's Congressional districts.

   - Committee Discussion
   - Public Comment

5. **Adjourn**

Draft - Awaiting Formal Approval
MINUTES OF THE
REDISTRICTING COMMITTEE
Monday, April 25, 2011 – 9:00 a.m. – Room 30 House Building

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. Jackie Biskupski
Rep. Melvin R. Brown
Rep. Gage Froerer
Rep. Francis D. Gibson
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. John L. Fellows, General Counsel
Mr. J Brian Allred, Policy Analyst
Mr. Mark D. Andrews, Policy Analyst
Mr. Benjamin N. Christensen, Policy Analyst
Mr. Phillip V. Dean, Policy Analyst
Mr. Leif G. Elder, Policy Analyst
Mr. Jerry D. Howe, Policy Analyst
Mr. Art L. Hunsaker, Policy Analyst
Ms. Allison M. Nicholson, Policy Analyst
Mr. Richard C. North, Policy Analyst
Mr. Joseph T. Wade, Policy Analyst
Mr. Eric N. Weeks, Deputy General Counsel
Ms. Emily R. Brown, Assoc. 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 9:15 a.m.

The committee members and staff introduced themselves and their role in the redistricting process.

Chair Sumsion read sections from the United States and Utah Constitutions regarding redistricting. He stated that the United States Supreme Court has emphasized the principles of one person one vote and encouraged the Committee to be fair and reasonable in its redistricting actions. He also clarified that citizens would have the opportunity to state their opinions and provide redistricting recommendations to the Committee.

Chair Sumsion showed a map generated by a computer based on population and said if any of the lines were adjusted, it would have a political impact somewhere in the state. He said the Committee needs to be fair, reasonable, open, and transparent in the redistricting process.

Chair Okerlund pointed out that there are several people on the current Redistricting Committee who were a part of the 2001 Redistricting Committee. He said Committee meetings would be scheduled throughout the state in order to obtain more input from the public.

2. Introduction to Redistricting

Mr. Cannon gave an introduction to the redistricting process. He distributed handouts of tables and maps showing the population of current house, senate, congressional, and school board districts, as well as their deviation from the ideal population. He then explained how the ideal population is determined.

Mr. Cannon discussed the differences between apportionment and redistricting. He gave a historical background of redistricting, and explained that the constitutionally mandated census results determine the population used for redistricting and apportionment. He showed several slides demonstrating the population in Utah broken down by current districts. He then gave an overview of the likely redistricting schedule. He explained that the Legislature usually holds a special session to vote on the proposed new district boundaries because there is a constitutional deadline to have the process completed by the general session following receipt of the census data.

Mr. Cannon responded to questions.

Ms. Aleta Taylor, South Jordan City Council, asked if there would be any general information of the new districts by August for city councils to prepare for their primary elections.

Mr. Cannon responded that there would likely not be a final plan ready by August.

Mr. Fellows said that the bill would not take effect until January 2012, so it would not affect the city council elections during the next cycle.

3. Legal Guidelines for Redistricting

Mr. Fellows explained the legal guidelines for redistricting. He said that if redistricting plans were challenged in court, the courts could strike those plans down. He recommended that the Committee ensure that the plans adopted can be successfully defended in court.

Mr. Fellows discussed four legal elements to consider in creating redistricting plans: population, race, partisan gerrymandering, and redistricting principles. He said the best legal plan is to get the districts as equal in population as possible. He explained the legal definitions of "practicable" and "practical." He then discussed seven redistricting principles that the U.S. Supreme Court has recognized.

Mr. Fellows responded to questions.

4. Demonstration of Redistricting Software

Mr. Elder demonstrated the redistricting software program that will be used by legislators to draw new districts. He discussed the fundamental levels of geography in Utah, which include state, county, voting precincts, and census blocks.
He then responded to questions from the Committee.

Mr. Wade demonstrated how to use the Autobound redistricting software to draw district boundaries. He said there would be a similar on-line version for the public to use. He then responded to questions from the Committee.

5. Redistricting Procedural Guidelines

Rep. Sumsion introduced the 2001 redistricting procedural guidelines.

Mr. Cannon explained the redistricting procedural guidelines used in 2001.

Rep. Barrus asked if political information about incumbents should not be discussed with the Office of Legislative Research and General Counsel staff. Mr. Fellows recommended that the Committee not share with staff the reason why they want district lines placed in a particular spot.

Rep. Biskupski said she was on the Redistricting Committee 10 years ago and recommended that the committee not draw lines to help specific people, but instead look out for the best interest of the public.

Rep. Gibson asked if a copy of the map drawn by a computer shown by Rep. Sumsion at the beginning of this meeting could be provided to the committee. Rep. Sumsion said that staff would post the map on line.

Mr. Kory Holdaway, Utah Education Association, asked about the procedures for the public to present their redistricting ideas and how these maps would be presented to the Committee. Rep. Sumsion said he would probably ask staff to look at commonalities between the different plans presented from the public.

Ms. Taylor asked if it was possible to take into consideration the counties with the highest population growth to determine where to start redrawing boundaries. Mr. Fellows said that this would be difficult to do because the Committee is driven by the absolute numbers of the census data.

Ms. Taylor asked if it was possible to use the computer to draw the boundaries with the computer taking into account different rates of population growth. Mr. Wade said that the current software could not do this.

Ms. Susan Connor, Represent Me Utah, questioned if there was any way that the software could be available sooner than the next couple weeks, and asked how much the software cost. Mr. Cannon said the Office of Legislative Research and General Counsel is still in negotiation with the vendor and will not be able to get the software available sooner. He said that the cost of the software is between $60,000 - $80,000.

Ms. Connor asked for clarification on how much public input the Committee wants. She recommended that the Committee focus on numbers rather than politics. Chair Okerlund said that the redistricting process would be very inclusive and the Committee would try to look at as many plans as possible.

Mr. Marv Poulson, citizen, expressed concern that the actions of the Redistricting Committee may be changed when the plans are taken to a vote by the entire Legislature. He also expressed concern that using technology could be a means of providing so much minutiae that it could be a smoke screen to hide what is really happening. Chair Sumsion reiterated the committee's commitment to have an open committee by allowing the public the opportunity provide input.

Mr. Rob Latham, citizen, expressed concern about prison population used in the census data and asked that the Committee take that into account in drawing boundaries. He said that, because prisoners cannot

vote, including them in the redistricting count would give the legislator in that district an unfair election advantage. He distributed handouts from Prisoners of the Census organization. He also asked the Committee to reject the single member district principle and consider a multi-member district system. He distributed information on multi-member districts.

Ms. Kelli Lundgren, Represent Me Utah, distributed a handout outlining the principles and ideas Represent Me Utah would like the Committee to use in the redistricting process. She also asked the Legislature to keep common interest groups together.

MOTION: Chair Okerlund moved to adopt the 2001 Redistricting Procedural Guidelines as the 2011 Procedural Guidelines with the following changes: item 3 moved to item 1, item 4 moved to item 2, item 1 moved to item 3, item 2 moved to item 4, with no changes to the sequence of item 5 and 6. The motion passed unanimously.

7. Committee Business

The next meeting was scheduled for May 4, 2011 in room 30 House Building at 9:00 a.m.

MOTION: Rep. Ipson moved to adjourn. The motion passed unanimously.

Chair Sumsion adjourned the meeting at 12:05 p.m.

2011 Redistricting Meeting Schedule

(updated 5/9/2011)

Date	Day	Time	City
20-May	Fri	6:00 p.m.	Lehi
2-Jun	Thu	6:00 p.m.	Layton
10-Jun	Fri	12:00 p.m.	Ephraim
10-Jun	Fri	6:00 p.m.	Richfield
11-Jun	Sat	10:00 a.m.	Cedar City
11-Jun	Sat	3:00 p.m.	St. George
15-Jun	Wed	6:00 p.m.	Salt Lake
21-Jun	Tue	6:00 p.m.	Tooele
22-Jun	Wed	6:00 p.m.	Provo
9-Jul	Sat	4:00 p.m.	Price
9-Jul	Sat	11:00 a.m.	Moab
12-Jul	Tue	6:00 p.m.	West Jordan
13-Jul	Wed	12:00 p.m.	Logan
13-Jul	Wed	6:00 p.m.	Ogden
20-Jul	Wed	6:00 p.m.	Glendale - Rose Park
26-Jul	Tue	11:00 a.m.	Vernal
26-Jul	Tue	6:00 p.m.	Park City

2011 Redistricting Principles

1. Congressional districts must be as nearly equal as practicable with a deviation not greater than ± .1 %.

2. State legislative districts and state school board districts must have substantial equality of population among the various districts with a deviation not greater than ± 3.5%.

3. Districts will be single member districts.

4. Plans will be drawn to create four Congressional Districts, 29 State Senate Districts, 75 State House Districts, and 15 State School Board Districts.

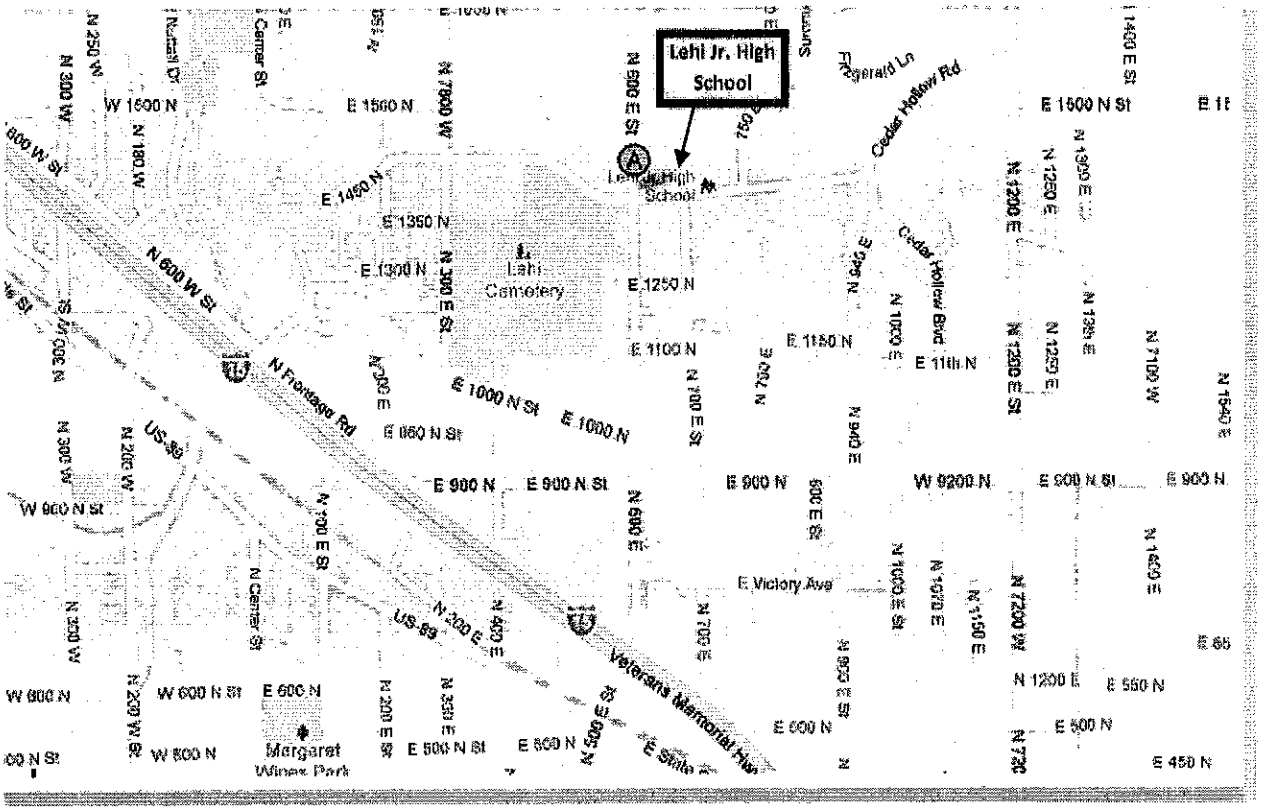
5. In drawing districts, the official population enumeration of the 2010 decennial census will be used.

6. Districts will be contiguous and reasonably compact.

The above redistricting principles were adopted by the Legislative Redistricting Committee at its May 4th meeting in 2011.

Directions to Lehi Junior High School

700 E. Cedar Hollow Road, Lehi, UT 84043



Directions from I-15 Coming from the NORTH

	5. Take the US-89 S exit, EXIT 282, toward LEHI	Go 0.5 MI
	6. Stay STRAIGHT to go onto W STATE ST / US-89.	Go 1.6 MI
	7. Turn LEFT onto N 100 E / N 1ST E *N 100 E is 0.1 miles past N CENTER ST*	Go 0.2 MI
	8. Turn RIGHT onto E 900 N / E 9TH N	Go 0.4 MI
	9. Take the 3rd LEFT onto N 600 E / N 6TH E. *If you reach N 700 E you've gone a little too far*	Go 0.4 MI
	10. Turn RIGHT onto CEDAR HOLLOW RD *CEDAR HOLLOW RD is 0.1 miles past E 1150 N*	Go 0.1 MI
	11. 700 CEDAR HOLLOW RD is on the RIGHT. *If you reach SUMMERCREST DR you've gone a little too far*	
	700 Cedar Hollow Rd Lehi, UT 84043-9714	

Directions from I-15 Coming from the SOUTH

	5. Take the MAIN ST. exit, EXIT 279, toward LEHI	Go 0.3 MI
	6. Turn LEFT onto E MAIN ST / UT-73. *If you reach I-15 N you've gone about 0.2 miles too far*	Go 0.4 MI
	7. Turn RIGHT onto N 600 E / PIONEER DR *N 600 E is just past S 600 E*	Go 0.4 MI
	8. N 600 E / PIONEER DR becomes N 600 E / N 6TH E	Go 0.7 MI
	9. Turn RIGHT onto CEDAR HOLLOW RD *CEDAR HOLLOW RD is 0.1 miles past E 1150 N*	Go 0.1 MI
	10. 700 CEDAR HOLLOW RD is on the RIGHT. *If you reach SUMMERCREST DR you've gone a little too far*	
	700 Cedar Hollow Rd Lehi, UT 84043-9714	224.2 mi

From: John Fellows
To: joymiller@utah.gov
Date: 5/4/2011 9:16 AM
Subject: Fwd: Resignation from Redistricting Committee

Sent from myTouch 4G

----- Forwarded message -----
From: "Becky Lockhart" <blockhart@utah.gov>
To: "John Fellows" <jfellows@utah.gov>
Subject: Resignation from Redistricting Committee
Date: Wed, May 4, 2011 9:14 am

>>> "Becky Lockhart" 2011-05-04T09:14:16.340832 >>>

Sent from myTouch 4G

----- Forwarded message -----
From: "Jackie Biskupski"
To: "Becky Lockhart"
Cc: "David Litvack"
Subject: Resignation from Redistricting Committee
Date: Mon, May 2, 2011 4:38 pm

>>> "Jackie Biskupski" 2011-05-02T16:38:32.784731 >>>
Dear Speaker Lockhart,
I am writing to provide you with a written resignation of my service on the Redistricting Committee due to personal reasons. I would like this to be effective immediately. Please let me know if you have any questions.
Thank you,
Rep. Jackie Biskupski

1541 Chandler Drive
Salt Lake City UT 84103
10 May 2011

To those who are involved in redistricting:

Inasmuch as citizen input has been invited into the redistricting process I submit my two-bits worth:

From one source I learned of the assumption by some that the redistricting process would begin by the division of the state into four United States Congressional Districts and that other redistricting would follow. It seems to me that such a sequence invites mischief.

I would begin with the State Senate determining the number of senate seats appropriate for the expeditious conduct of its business. I believe that 29 is larger than necessary and that a number between 15 and 25 would be preferable. For an example I will assume 17.

I would then have the House of Representatives consider three times the number of senate seats as the number of house seats. In my example there would be 3 x 17 = 51 house seats.

I would then set the number of members of the Board of Education to be the same as the number of Senate seats. Thus, in my example the number would be 17.

I would charge the State House of Representatives, exclusively, with dividing the population of the state into cells of equal population the total number cells being devisable by the number of seats selected for each body with the four United States House seats counted as one body. In the example, the number of cells would be 4 x 51 = 204. That is, 204 can be divided by each of the whole numbers 4, 17, 17 and 51.

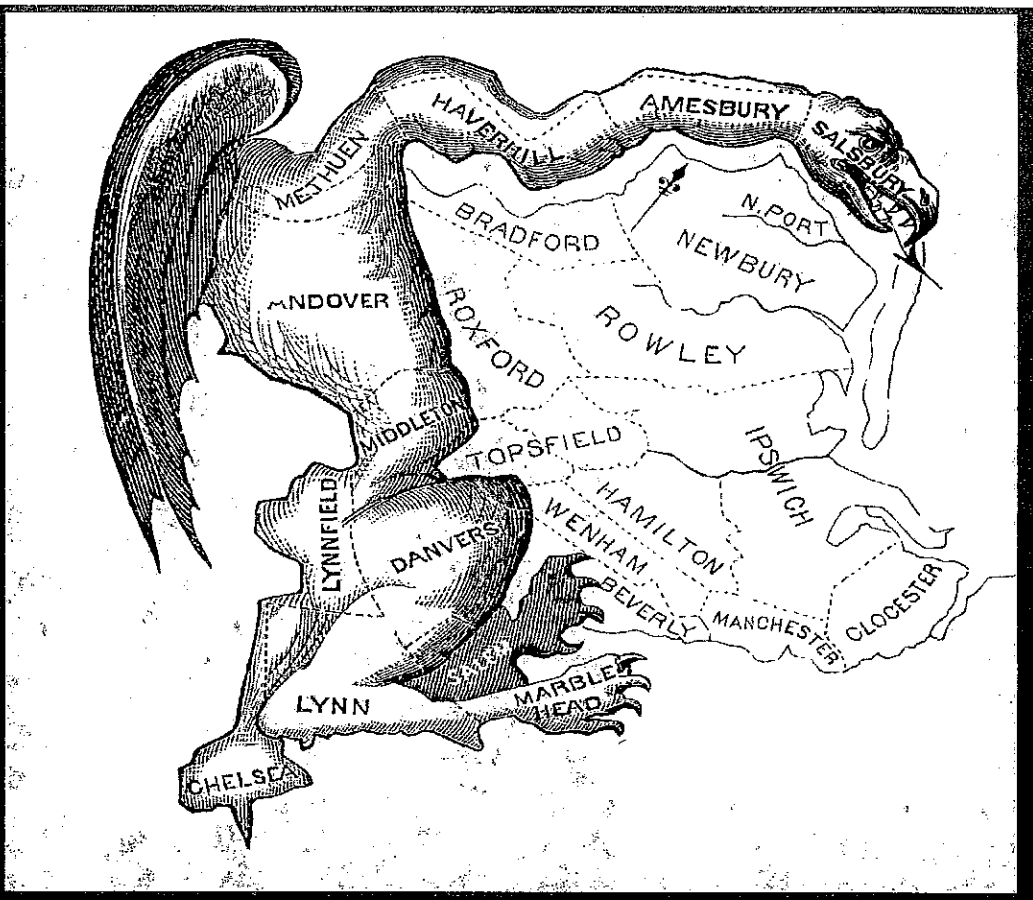
I would then charge the State House of Representatives, exclusively, with assembling House Districts with each containing four contiguous cells. I believe the House would be the political body least likely to indulge in mischief because each member's first concern would be the four cells contained within his or her House District.

I would then charge the Senate, exclusively, with determining which three contiguous House districts would be contained within each Senate District. The same determination would apply to School Board Districts.

The allocation of the four United States House of Representative seats is not resolved as cleanly, but the problem is lessened by the fact that each Utah State House district contains 4 population cells.

Yours truly,

J. Allen Kimball



Redistricting

House Republican Caucus
December 13, 2010

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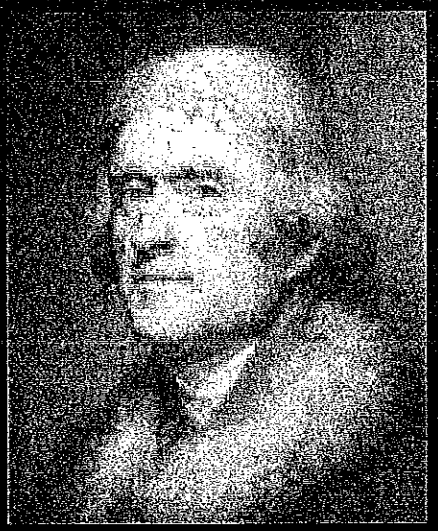
Office of Legislative Research and General Counsel

The Census and Congressional Apportionment



Thomas Jefferson, as Secretary of State, directed the first Constitutionally prescribed decennial census in 1790. Since then the census has been taken in each year ending in zero.

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What is Reapportionment?

The process of dividing 435 Congressional seats among 50 states

- Total resident population
- Selected residents living outside the United States
  - U.S. Armed Forces
  - Federal civilian employees
- House seats divided as follows:
  - Each state has a minimum of 1 seat
  - The remaining 385 seats divided based on population

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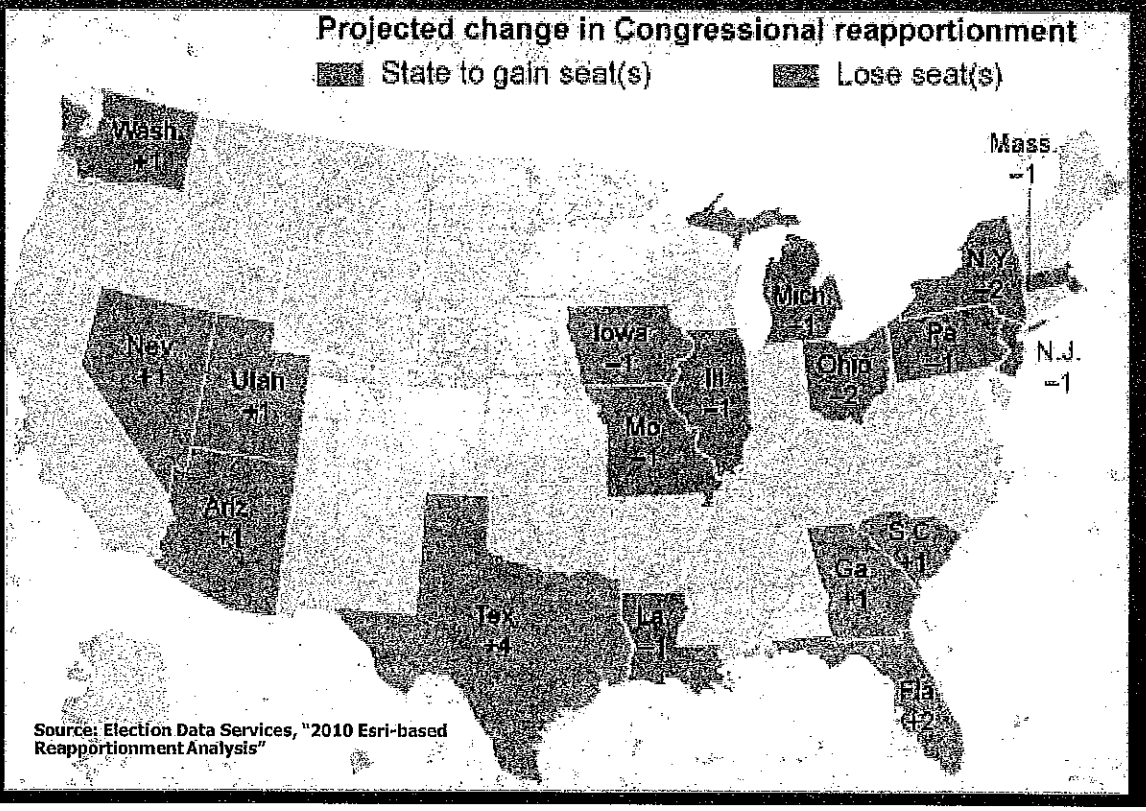
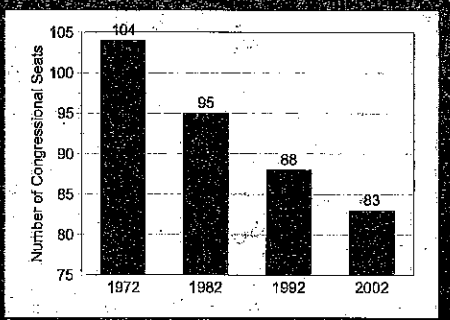
Reapportionment Gains and Losses



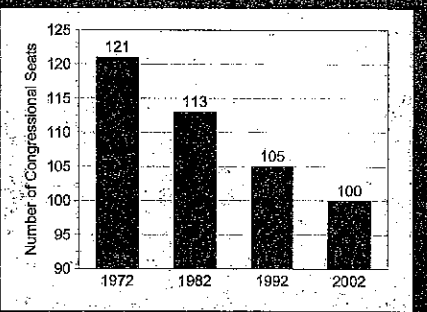
Source: Election Data Services, "2010 Esri-based Reapportionment Analysis"

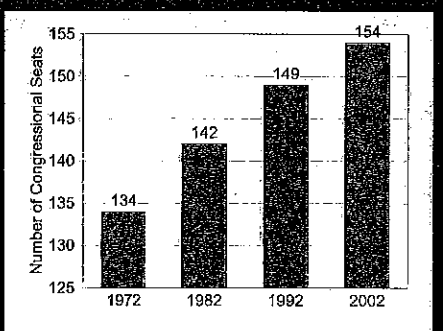
Number of U.S. House Seats

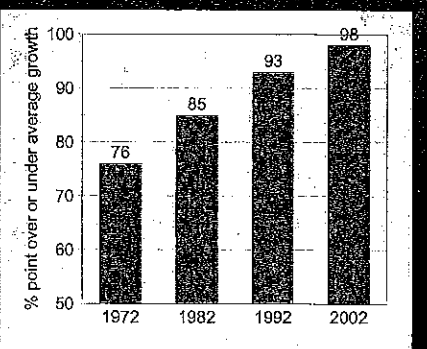
Northeastern States

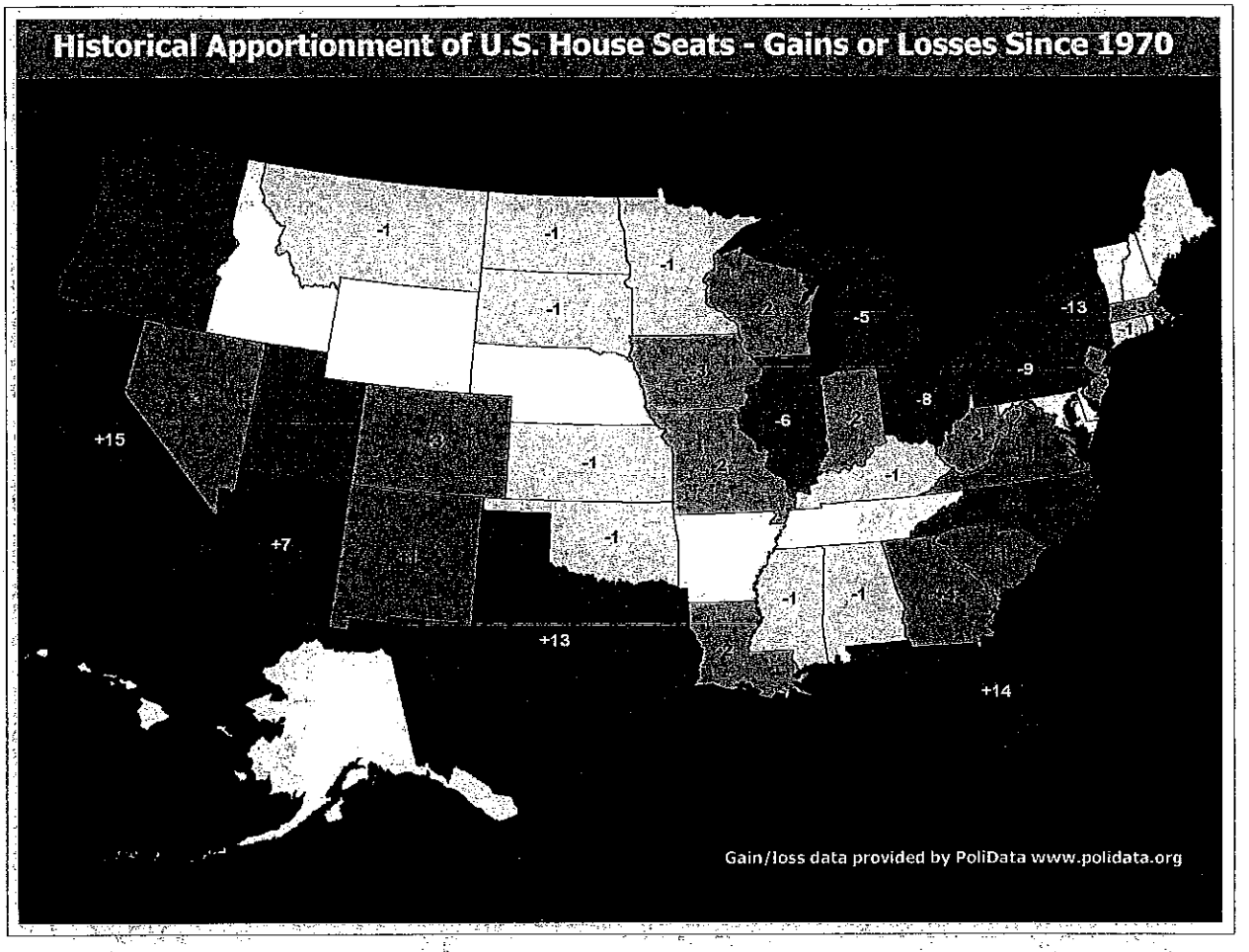


Midwestern States









What is Redistricting?

Readjust representation to ensure

- One person, one vote
  - Congressional
  - Legislative
  - State school board

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What is Redistricting?

Cont.

- Draw lines that determine which voters are represented by each legislative seat
- Congress, State Legislature, State School Board, Local Governments

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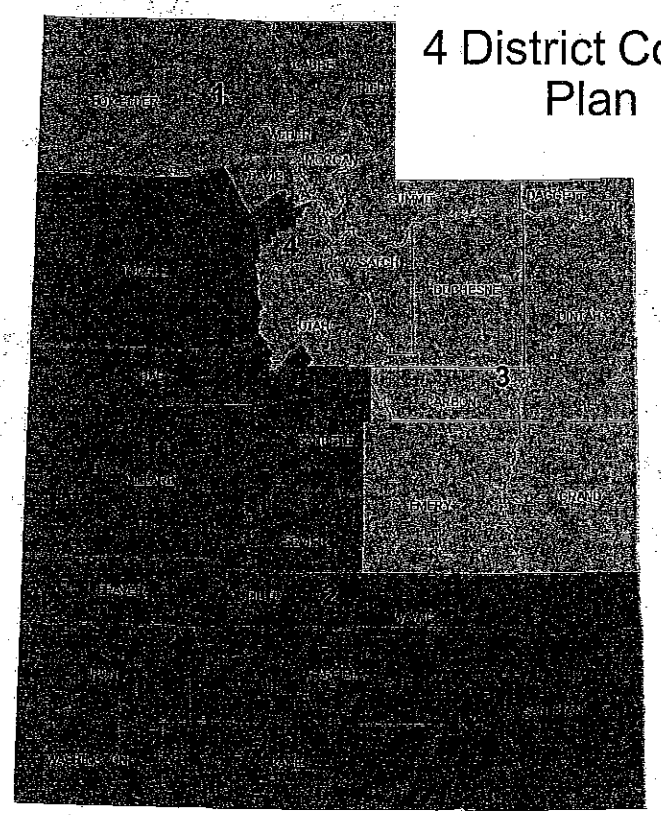

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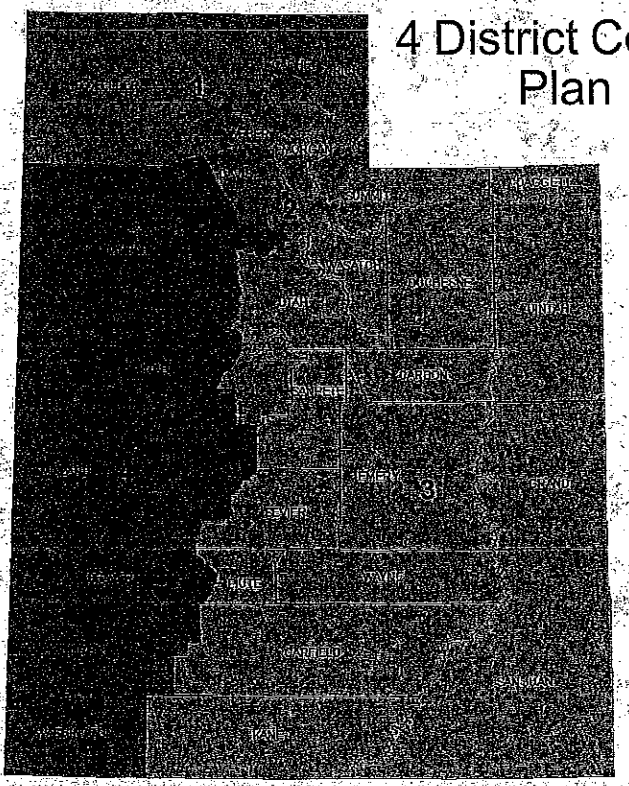

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Key Redistricting Dates

- April 1, 2010 - Census Day
- December 31, 2010 - Census Count to President
- April 1, 2011 - Redistricting Data to States
- Summer/Fall 2011 - Redistrict - Special Session

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Why Redistrict?

Population Shifts Within the State

- Absolute Numbers are Less Important than Relative Numbers
- Growth Slower than Average - Area Will Grow
- Growth Faster than Average - Area Will Shrink

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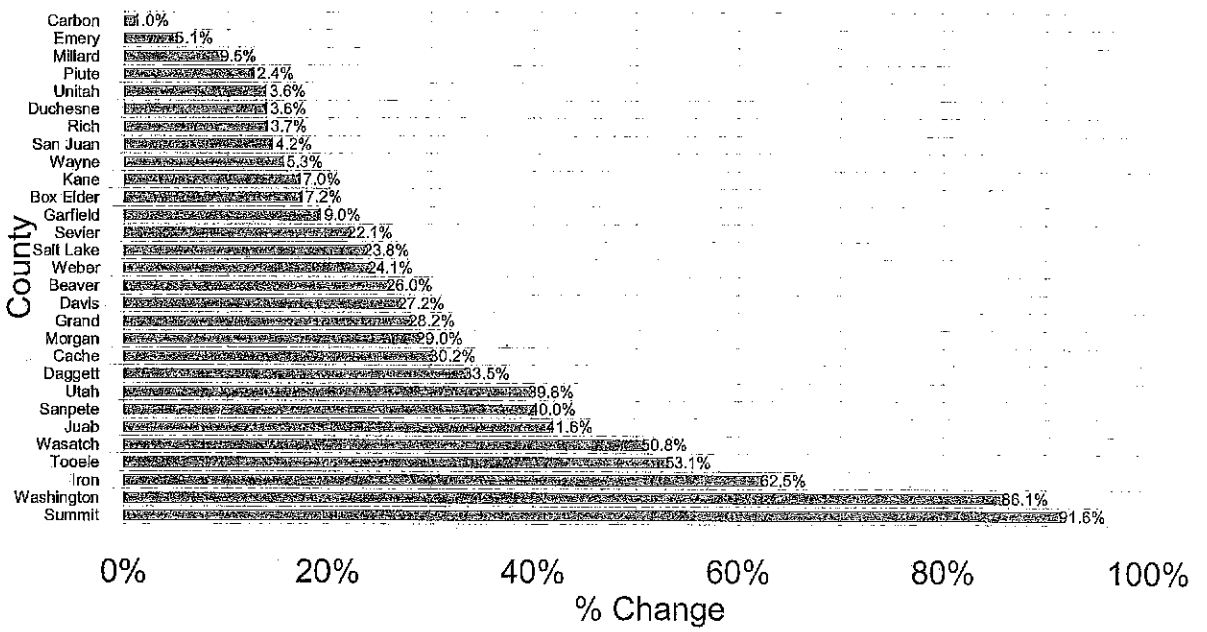
Percent Change in County Growth 1990- 2000



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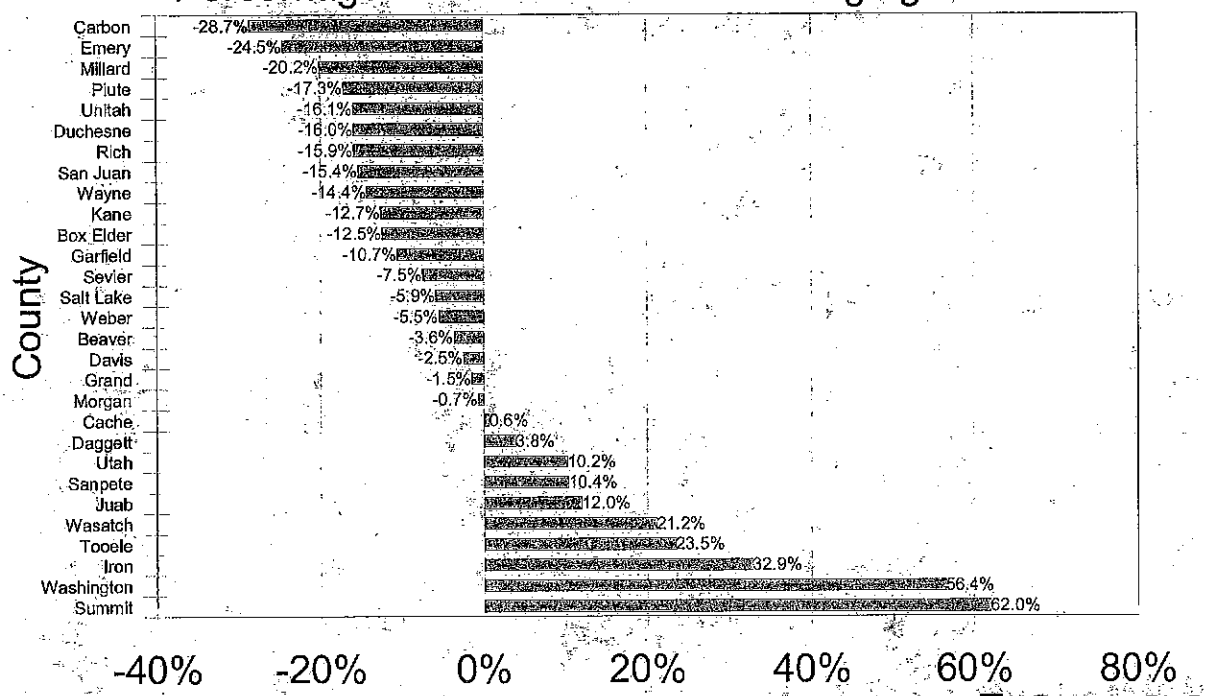
Counties Growth Compared to State Average (29.6%) -1990-2000

Percentage over or under state average growth rate



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Who Is Responsible for Redistricting?

Utah Constitution Article IX, Section 1

"...the Legislature shall divide the state into congressional, legislative, and other districts...."

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Traditional Redistricting Principles

Equal Population

- Congressional
  - Equal as practicable
- Legislative Districts
  - Minor deviations in population between districts

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Traditional Redistricting Principles

Contiguity and Compactness

Districts shall be contiguous and reasonably compact

- Contiguity - adjacency
- Compactness - minimum distance between all parts of a constituency

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North Carolina

Congressional District 12 - 1992

Traditional Redistricting Principles

BUREAU OF THE CENSUS FIGURES

Official population enumeration of the U.S. Bureau of the Census

Single Member Districts

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How Large Can the Utah House and Senate Be?

Utah Constitution
Article IX, Section 2

"The Senate shall consist of a membership not to exceed twenty-nine...."

"...the number of representatives shall never be less than twice nor greater than three times the number of senators."

House 58-87 members

OLRGC

Questions?

John Cannon
Managing Policy Analyst
Legislative Research and General Counsel
801-538-1032
jcannon@utah.gov

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Redistricting:

The Legal Requirements
December 13, 2010

OLRGC
Office of Legislative Research and General Counsel

Four Elements

Population
Race
Partisan Gerrymandering
Redistricting Principles

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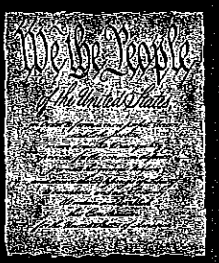
Population Requirements

General Rule -- "[t]he conception of political equality from the Declaration of Independence, to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth, and Nineteenth Amendments can mean only one thing -- one person, one vote." *Gray v. Sanders, 372 U.S. 368, 381 (1963)*



Population Requirements:

Congressional Districts

"As nearly equal as practicable" *Wesberry v. Sanders, 376 U.S. 1 (1964)*

"Practicable" means "capable of being done."

"Practical" means "capable of being done" and "sensible," "worthwhile."

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Population Requirements:

Utah Senate, Utah House, and Utah State School Board Districts

"Substantial equality of population among the various districts" *Reynolds v. Sims, 377 U.S. 533 (1964)*

Generally, upheld if overall range is less than 10%.

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Race

Section 2 of the Voting Rights Act of 1965 prohibits discrimination in voting against racial or language minorities.

Intent does not matter: does your plan have the **effect** of diluting minority voting strength?

General rule: draw districts that the racial minority has a fair chance to win. (Majority-minority districts)

But: the Equal Protection Clause prohibits race from being the "predominant factor" in redistricting decisions.

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Race

The Utah Legislature has not had to draw majority-minority districts in past redistrictings.

Depending upon the concentration or diffusion of Hispanics throughout the state, and other legal factors, the Utah Legislature may need to draw majority-minority House districts in 2011.

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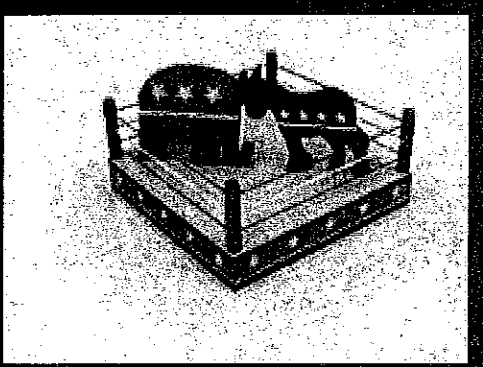
Partisan Gerrymandering

"Partisan gerrymandering" means the drawing of legislative or congressional district lines that intentionally discriminate against a political party.



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Partisan Gerrymandering

The United States Supreme Court first authorized lawsuits challenging redistricting plans alleging partisan gerrymandering in 1986.

The Court has not yet agreed on a standard for striking down a redistricting plan based upon partisan gerrymandering.

Given the uncertainty of the law in this area, a challenge to a redistricting plan based upon an allegation of partisan gerrymandering is unlikely to succeed.

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Redistricting Principles

"Redistricting principles" are the criteria used to draw district maps.

Although some states establish redistricting principles in their constitution, statutes, or legislative rule, Utah has not.

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Redistricting Principles

Utah's Practice

Utah's practice has been to have the Redistricting Committee adopt redistricting principles.

In 2001, the Redistricting Committe adopted principles relating to equal population, single member districts, number of legislative districts, use of the Census Bureau's population figures, and contiguity and compactness.

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Redistricting Principles

Use in Litigation

Unless a state is required by its constitution or statutes to apply certain redistricting principles, redistricting principles are most commonly used as a defense in litigation challenging a state's plan.

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Redistricting Principles

Use in Litigation, continued

To successfully challenge a redistricting plan on one person - one vote grounds, the plaintiffs must present a plan with a lower population deviation than the state's plan.

Redistricting Principles

Use in Litigation, continued

Even if the plaintiffs present a plan with a lower population deviation, the state's plan may still be upheld if the state can show that it was drawn based upon "traditional redistricting principles."

OLRGC

Redistricting Principles

Use in Litigation, continued

The Supreme Court has recognized seven "traditional redistricting principles":

Compactness

Contiguity

Preservation of political subdivisions

Preservation of communities of interest

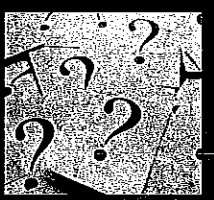
Preservation of the cores of prior districts

Protection of incumbents

Compliance with the Voting Rights Act

OLRGC

Questions?



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General Counsel, Utah Legislature
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The Salt Lake Tribune http://www.sltrib.com

Matheson expects Republican gerrymander effort

2010 Census » Legislators control voting district boundaries.

By Brandon Loomis
The Salt Lake Tribune

Salt Lake Tribune
Updated:06/04/2010 01:02:26 AM MDT

The Salt Lake Tribune http://www.sltrib.com

Rep. Jim Matheson expects the Republicans to come for him next year by further splintering Democratic votes when the state adds a fourth congressional district, and he said Utahns' only shield against gerrymandering is to start weighing in with lawmakers now.

That, and to elect a Democratic governor with a veto over the Republican-led Legislature.

"I expect a partisan gerrymander," Matheson, D-Utah, told *The Salt Lake Tribune's* editorial board Thursday. "That's why I think it's important to elect Peter Corroon [governor]. It's the one arrow we have in the quiver."

Matheson first ran and won his seat in 2000, when his district was contained within Salt Lake County. After the 2000 Census the Legislature stripped him of constituents in western Salt Lake City and the county, and added a vast swath of rural and southern Utah -- many strongly Republican areas --to the 2nd Congressional District. He won re-election in 2002 by less than one percentage point, and has progressively built his margin of victory in each subsequent election.

Utah House Speaker Dave Clark, R-Santa Clara, suggests a similar rural-urban approach that would split Salt Lake County's 1 million people among all four new districts and tether each to its own rural strand. He calls this "pie" approach, slicing up the county, a balance among rural and urban interests and he rejects the gerrymander label.

"The only congressman still serving from the last redistricting is Congressman Matheson. So who did we gerrymander out?" Clark asked. "I just don't buy that the urban-rural mix is picking on anyone, especially when the only man left standing is the one saying he's picked on."

Matheson also is the only Democrat in the state's delegation.

A legislative committee will tour the state next year to invite public comment, Clark said, and while he personally likes the idea of splitting Salt Lake County in four, the committee will consider a range of options.

Matheson predicted that the real maps will be drawn behind the scenes while the committee goes through the charade of public input, as he said happened in 2001.

Morgan Philpot, the Republican nominee for Matheson's job, is a former legislator who voted for the 2001 redistricting. He said he was a new lawmaker at that point and not involved in crafting the map, but he believed legislators were fair to Matheson.

"The beneficiary was the congressman who's held the seat for the last 10 years," Philpot said.

Noting Matheson's primary challenge this year by Holladay Democrat Claudia Wright, Philpot questioned whether including more Salt Lake County voters in the district would have helped the incumbent.

"If you look at Matheson's challenge right now, it's from Salt Lake County," Philpot said. "So if anything, Republicans have saved his bacon."

A group called Utah Fair Boundaries failed to gather enough signatures to place a redistricting initiative on this fall's ballot. But board member Glenn Wright said members will attempt to educate the public and keep

voters focused on a fair outcome next year.

If members can raise $5,000, he said, they will produce a computer-generated map showing how district lines would have looked for the past decade if legislators had used their criteria. They should be as compact as possible while including whole cities and counties where possible, he said, and without regard to incumbents' addresses or party registrations in any area.

Wright said he hopes to have that map out before the election, and then raise another $5,000 to generate one projecting possible 2011 district boundaries.

The maps will also show legislative district boundaries, he said, such as for his home in Summit County, which had a slight Democratic majority in 2001 and enough people for its own district, but was split into two state House districts. Similar splits affected Democratic outposts in Grand and Carbon counties.

"What's going to happen [next year] depends on how mad the public is about this particular issue," Wright said.

Redistricting

Every 10 years political boundaries are redrawn to account for population shifts reflected in the U.S. Census. Utah's Legislature, heavily dominated by Republicans, is responsible approving the new maps. The next redistricting will take place in 2011.

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The Salt Lake Tribune http://www.sltrib.com

S.L. County: Key lawmaker wants to split it four ways

Politics » Arguments over drawing new political boundaries starts a year before map-making begins.

By Matt Canham
The Salt Lake Tribune

Salt Lake Tribune
Updated:04/18/2010 08:31:31 PM MDT

The Salt Lake Tribune http://www.sltrib.com

Washington » A leading state lawmaker favors splitting Salt Lake County among four congressional districts if the state gains a new House seat in the 2010 Census as expected.

House Speaker Dave Clark said he likes the mix of urban and rural populations now represented by the state's federal lawmakers and would favor keeping that policy with the addition of a new seat in 2012.

But state Democrats don't share that opinion, arguing that a four-way split would disenfranchise the state's most populous county, which has taken a step to the left in recent years.

"That is an intentional political move to deprive Salt Lake County residents of a voice in the process," argues Todd Taylor, executive director of the Utah Democratic Party. "It dilutes them."

The always partisan and often contentious redistricting process remains in the hands of state lawmakers after an initiative to create an independent redistricting commission failed to gather enough signatures by last Thursday's deadline.

In preparation, Clark has already surveyed the state's three U.S. House members and examined years of population estimates, developing a "doughnut" and "pie" analogy for what he sees as the Legislature's main choices.

The doughnut would carve a highly urban "island" out of Salt Lake County, favoring a Democrat. This would leave three Republican-dominated districts surrounding it.

The pie, which Clark favors, would split Salt Lake County four ways, creating urban-rural splits that would likely lean Republican.

He bases his opinion on his observations of the 2nd Congressional District, which encompasses his hometown in the St. George area. It is now represented by Democratic Rep. Jim Matheson and also includes the Navajo Reservation in the state's far southeast corner, the tourist hotspot of Moab, oil rich Vernal and the east side of Salt Lake City.

"The 2nd District is an urban-rural mix and I think I like how that has played out," said Clark, a past chairman of the National Conference of State Legislatures' redistricting committee.

What about the doughnut? "That would be something I am not warmed up to yet," he said.

Clark's view conflicts with the map the Legislature approved in 2006 -- but never implemented -- a fourth district anchored by left-leaning Salt Lake City and Park City. That effort was inspired by federal legislation that sought to give Utah a fourth seat in exchange for Washington, D.C., getting its first full voting member of the House. That bill is still alive, but Utah's involvement has been diminished.

Prior to the 1991 redistricting most of Salt Lake County was contained within a single congressional district. It was split in two that year, with a tiny piece assigned to a third district. A full three-way split was adopted in 2001.

Taylor has a different way to describe Clark's doughnut or pie districts. He calls it packing and fracturing.

In his view, the doughnut packs all the Democrats in the same district minimizing their impact elsewhere, while the pie tries to fracture the voice of the minority into all four districts, diluting their chances of success.

He isn't shocked that Clark, a leading Republican and oft-rumored candidate for the fourth seat, likes that second option.

"If they can draw four seats that lean Republican, and they probably can, they will do that," he said.

Taylor believes the urban-rural conversation --- which he thinks is code for Democrat-Republican -- should be dropped.

"It should be drawn fairly along currently existing political boundaries -- communities, cities, counties. It shouldn't be intentionally drawn to fracture our existing political communities," he said. Taylor said if the districts were drawn fairly, two districts would likely be competitive, while two would likely remain controlled by Republicans.

As an example, he points to the Avenues neighborhood of Salt Lake City, which is split between Matheson's 2nd District and GOP Rep. Rob Bishop's 1st District.

"I defy you to walk through the Avenues and know what congressional district you are in," Taylor said.

Gigi Brandt of the League of Women Voters also expressed skepticism at the Legislature splitting Salt Lake County among four House members, instead of three.

"When you split urban and rural, I don't think either side will feel they have adequate representation," she said.

Clark said the Legislature will try to keep communities of interest intact, but boundaries have to be set somewhere.

Matheson doesn't want any say in the makeup of his district. His office said Clark talked to him about redistricting, but they never got into specifics. Utah's lone Democrat in Congress believes the process has been too political in the past and he thinks it poses an "inherent conflict of interest" for office holders to help draw their districts, said his spokeswoman Alyson Heyrend.

Bishop said he doesn't have a strong position on the issue, though he, like Clark, has liked the varied geographic makeup of Utah's three districts.

"What we have right now is urban and rural in all three districts," he said. "That has had a tremendously unifying effect on the delegation as we work together."

Republican Rep. Jason Chaffetz also said he didn't think he should have much of an impact on the boundaries.

"I will deal with the cards that are dealt," he said. "Personally I would like to retain as much of the current district that I represent, but I recognize that there will be changes."

One of those changes will likely move his neighborhood into the 3rd District, which he represents. Chaffetz lives in Alpine, which is now in Matheson's district.

The Census is expected to hand over broad population estimates by year's end and detailed numbers needed for redistricting by next April. Those figures won't only impact the U.S. House districts, but also the state House and Senate makeup.

With major population gains in the suburbs around Salt Lake City and in southern Utah, Clark argues that it is inevitable that districts now held by Democrats will be merged and new districts in conservative areas created. He called it "simple math," based on well-observed demographic shifts.

Seven state House members represent at least a part of Salt Lake City. After redistricting Clark said that number will likely drop to five. He expects Democrats to decide which districts to combine.

Taylor doesn't deny that the population growth has hit largely Republican areas, but he says that does not automatically transfer to districts that are overwhelmingly conservative.

"If there is a political shift based on line redrawing, it is an intentional move, it is not based merely on

demographics," Taylor said, arguing that past redistricting has show that Republicans want power over stability.

Clark fires back: "His opinion might be one thing but the facts are the complete opposite."

With more than a year of wrangling to go, the partisan tensions will only rise.

Clark calls redistricting the second most politically charged activity the Legislature undertakes, falling only behind the picking of their own leaders.

Taylor said people will start the process with the best of intentions, but that will evaporate before the map is finalized. State lawmakers will look out for their own interests even if it means hurting a friend's political chances.

"It is so mean-spirited and nasty even within political parties," said Taylor, "that hard feelings linger for decades."

mcanham@sltrib.com

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Redistricting Committee

Tuesday, June 21, 2011
6:00 p.m.
Deseret Peak Complex
2930 West Hwy 112, Tooele, Utah

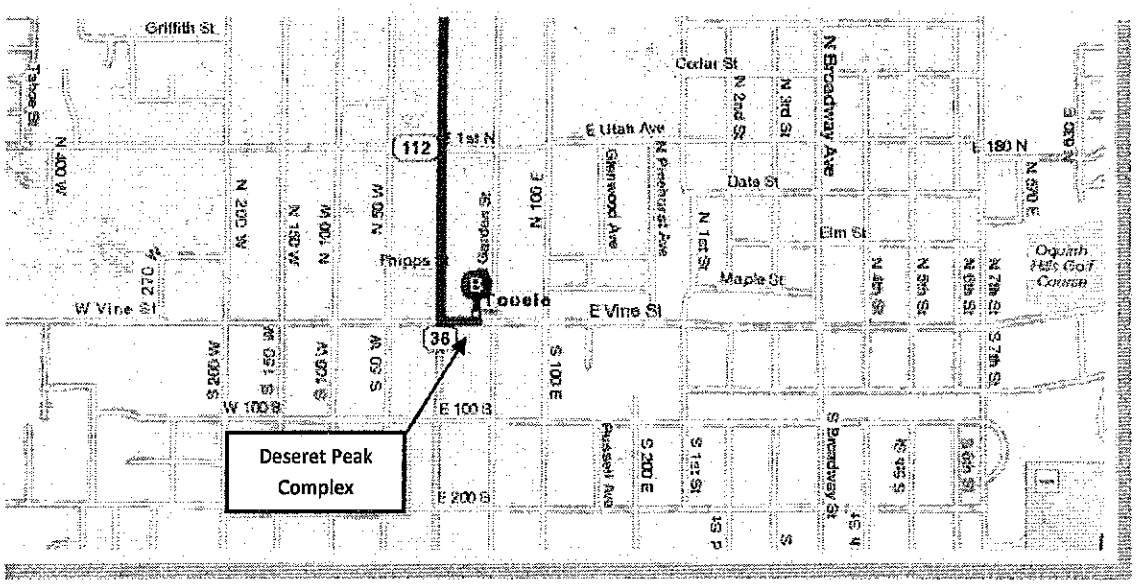
ENCLOSURES **PAGE**

Also Enclosed

OLRGC *For further information, please contact John Cannon at 801-538-1032*
Prepared by the Office of Legislative Research and General Counsel

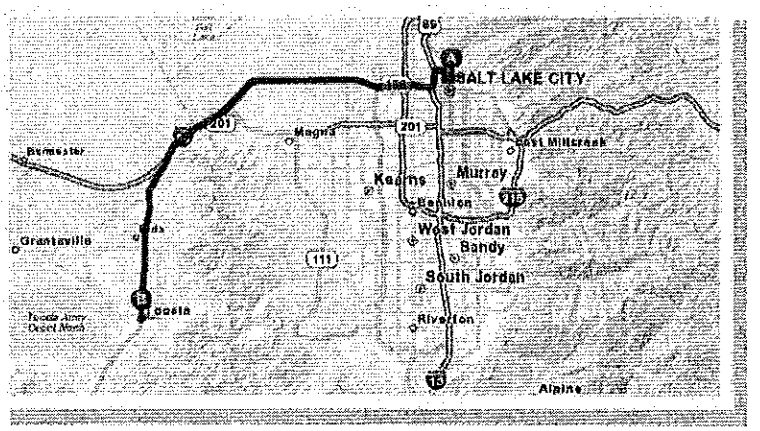
DIRECTIONS TO DESERET PEAK COMPLEX

2930 WEST HWY 112, TOOELE, UTAH



Driving Directions from State Capitol:

300 N State St Salt Lake City, UT 84114-0002 Add a Note	Miles Per Section	Miles Driven	Hide Row Show Map
1. Start out going SOUTH on N STATE ST / UT-186 toward HILLSIDE AVE.	Go 0.2 MI	0.2 mi	Hide Row Show Map
2. Take the 3rd RIGHT onto E NORTH TEMPLE. *If you reach 1ST AVE you've gone a little too far*	Go 0.5 MI	0.8 mi	Hide Row Show Map
3. Turn RIGHT onto N 300 W / JOHN STOCKTON DR / US-89 *N 300 W is 0.1 miles past N 200 W*	Go 0.8 MI	1.6 mi	Hide Row Show Map
4. Turn LEFT onto W 600 N / UT-258. *W 600 N is 0.1 miles past W 500 N*	Go 0.6 MI	2.2 mi	Hide Row Show Map
5. Merge onto I-15 S via the ramp on the LEFT toward PROVO. *If you reach N 800 W you've gone about 0.1 miles too far*	Go 1.0 MI	3.2 mi	Hide Row Show Map
6. Merge onto I-80 W via EXIT 306 toward RENO / S.L. INTL AIRPORT.	Go 20.2 MI	23.4 mi	Hide Row Show Map
7. Merge onto UT-36 via EXIT 99 toward STANSBURY / TOOELE	Go 12.3 MI	35.8 mi	Hide Row Show Map
8. Turn LEFT onto E VINE ST *E VINE ST is just past PHIPPS ST*	Go 0.06 MI	35.8 mi	Hide Row Show Map
9. Welcome to TOOELE, UT. *If you reach N GARDEN ST you've gone a little too far*		35.8 mi	Hide Row Show Map
Tooele, UT	35.8 mi	35.8 mi	Hide Row



Redistricting Committee

Wednesday, June 15, 2011
6:00 p.m.
Salt Lake Library Auditorium
210 East 400 South, Salt Lake City, Utah

ENCLOSURES **PAGE**

Also Enclosed

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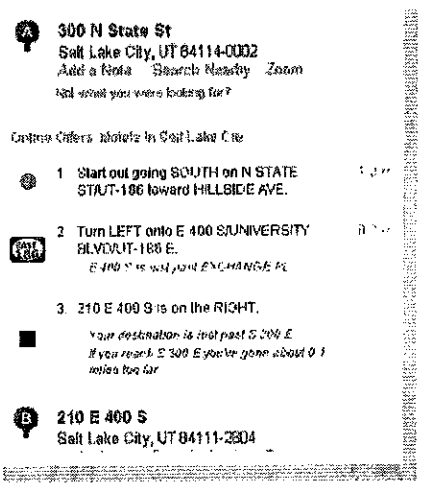
Prepared by the Office of Legislative Research and General Counsel

DIRECTIONS TO SALT LAKE LIBRARY

210 EAST 400 SOUTH, SALT LAKE CITY, UTAH

Driving Directions from State Capitol:



300 N State St
Salt Lake City, UT 84114-0002
Add a Note Search Nearby Zoom
Not what you were looking for?

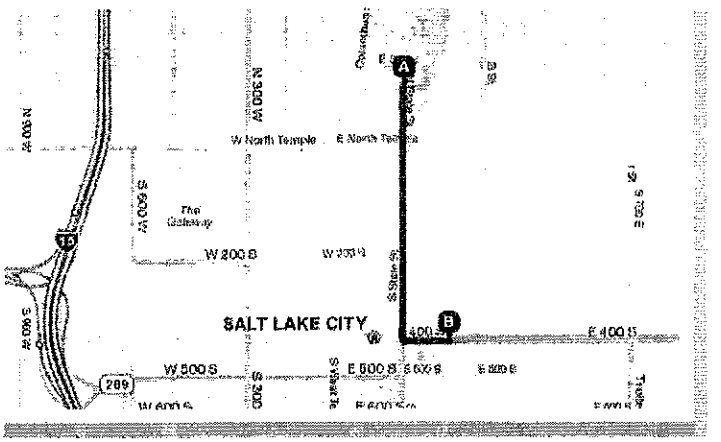
Online Offers: Hotels in Salt Lake City

1 Start out going SOUTH on N STATE ST/UT-186 toward HILLSIDE AVE.

2 Turn LEFT onto E 400 S/UNIVERSITY BLVD/UT-186 E.
E 400 S is just past EXCHANGE PL

3. 210 E 400 S is on the RIGHT.
Your destination is just past S 200 E
If you reach S 300 E you've gone about 0.1 miles too far

210 E 400 S
Salt Lake City, UT 84111-2804



Redistricting Committee

Wednesday, June 22, 2011
6:00 p.m.
Centennial Middle School Auditorium
305 East 2320 North, Provo, Utah

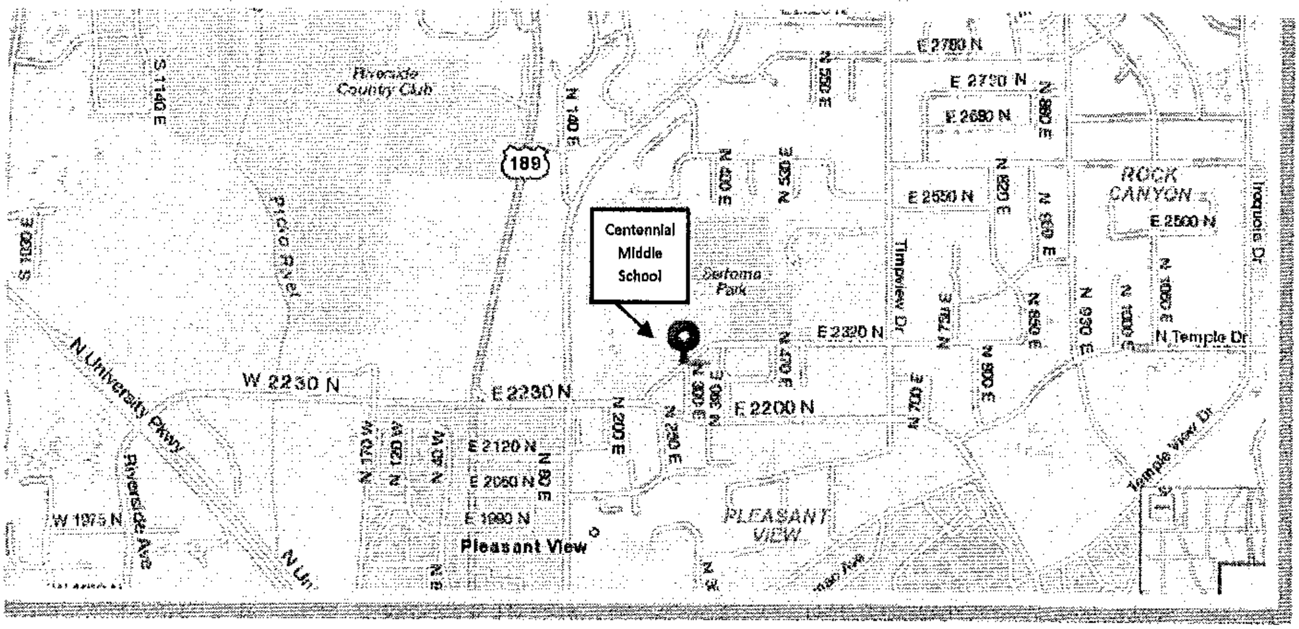
ENCLOSURES **PAGE**

Also Enclosed

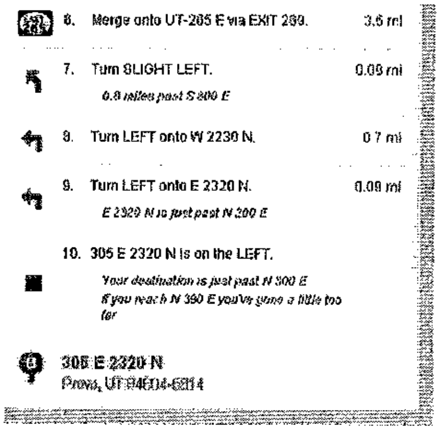
OLRGC *For further information, please contact John Cannon at 801-538-1032*
Prepared by the Office of Legislative Research and General Counsel

DIRECTIONS TO CENTENNIAL MIDDLE SCHOOL

305 EAST 2320 NORTH
PROVO, UTAH



Directions from I-15 ⑮ Coming from the NORTH


6. Merge onto UT-265 E via EXIT 269. 3.6 mi

7. Turn SLIGHT LEFT. 0.09 mi
0.8 miles past S 800 E

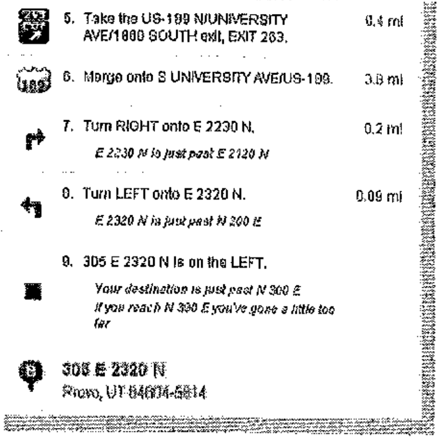
8. Turn LEFT onto W 2230 N. 0.7 mi

9. Turn LEFT onto E 2320 N. 0.09 mi
E 2320 N is just past N 200 E

10. 305 E 2320 N is on the LEFT.
Your destination is just past N 300 E
If you reach N 390 E you've gone a little too far

305 E 2320 N
Provo, UT 84604-5814

Directions from I-15 ⑮ Coming from the SOUTH


5. Take the US-189 N/UNIVERSITY AVE/1860 SOUTH exit, EXIT 263. 0.4 mi

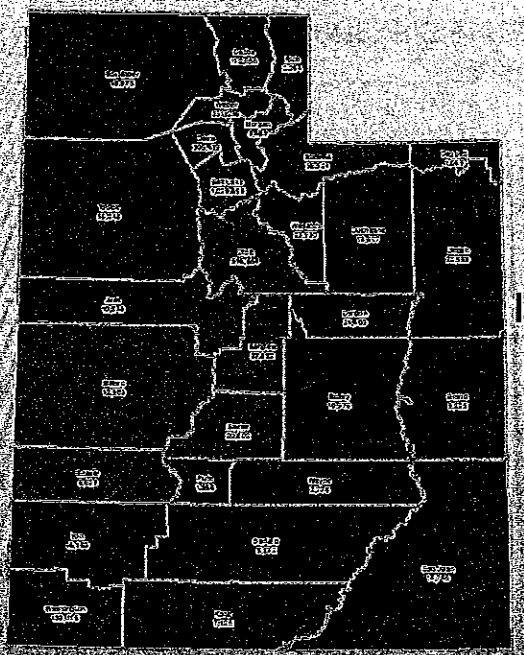
6. Merge onto S UNIVERSITY AVE/US-189. 3.8 mi

7. Turn RIGHT onto E 2230 N. 0.2 mi
E 2230 N is just past E 2120 N

8. Turn LEFT onto E 2320 N. 0.09 mi
E 2320 N is just past N 200 E

9. 305 E 2320 N is on the LEFT.
Your destination is just past N 300 E
If you reach N 390 E you've gone a little too far

305 E 2320 N
Provo, UT 84604-5814



INTRODUCTION TO REDISTRICTING

2011 REDISTRICTING COMMITTEE

LOPRGC

UTAH REDISTRICTING 2011

OVERVIEW OF PRESENTATION

- Constitutional Mandate
- Population Shifts
- Redistricting Principles adopted by the Redistricting Committee for 2011
- Projected Timeline
- www.RedistrictUtah.com
- Citizen online redistricting tool demo

LOPRGC

UTAH STATE LEGISLATURE'S RESPONSIBILITY
CONSTITUTIONAL MANDATE

"...the Legislature shall divide the state into congressional, legislative, and other districts..."

Utah Constitution – Article IX, Section 1

UTAH REDISTRICTING
TYPES OF DISTRICTS

- Utah Congressional
- Utah House of Representatives
- Utah Senate
- State Board of Education

UTAH REDISTRICTING
WHY REDISTRICT?

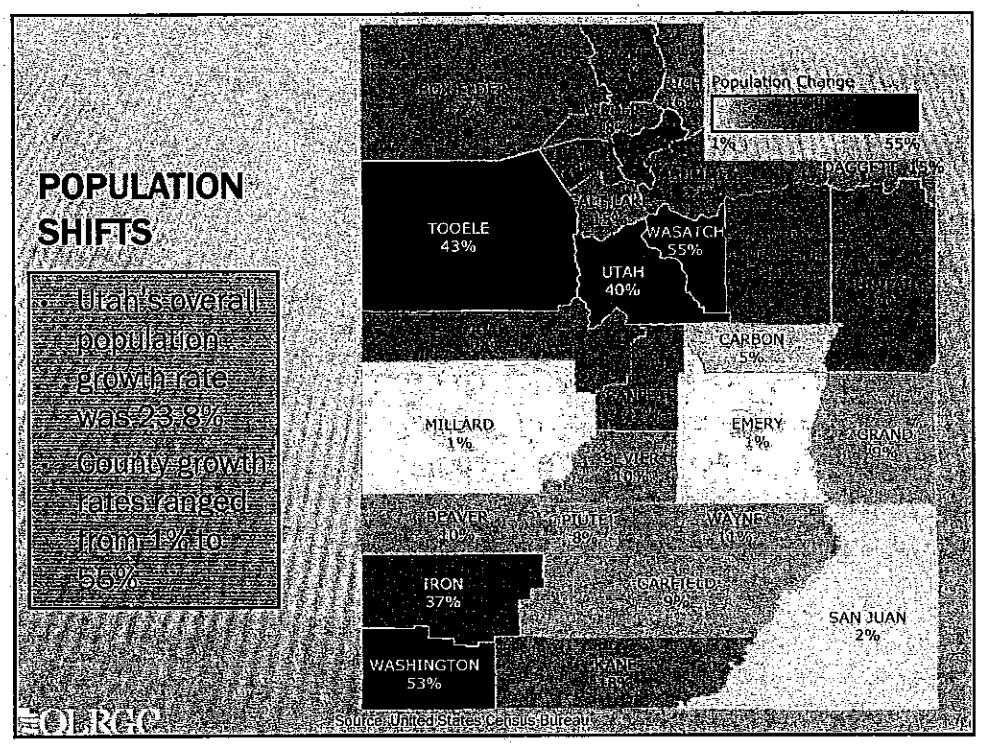
The Utah State Legislature redraws district boundaries after every decennial census because:

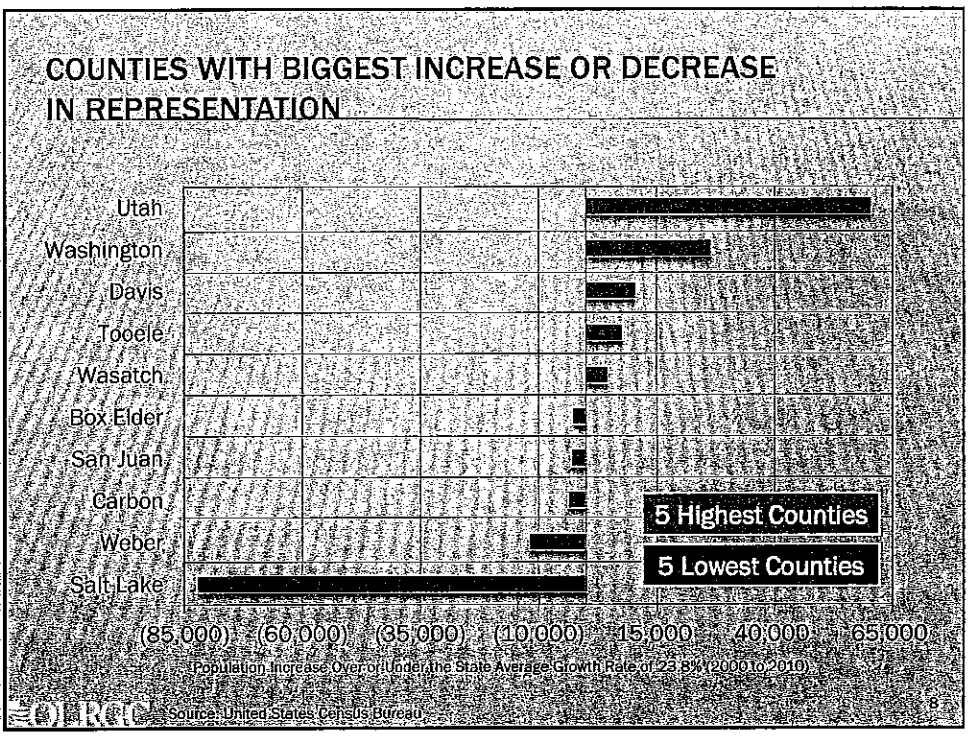
- One person – one vote (population shifts within the state creates unequal representation)
- Constitutional requirement
- Change in the number of U.S. House Seats

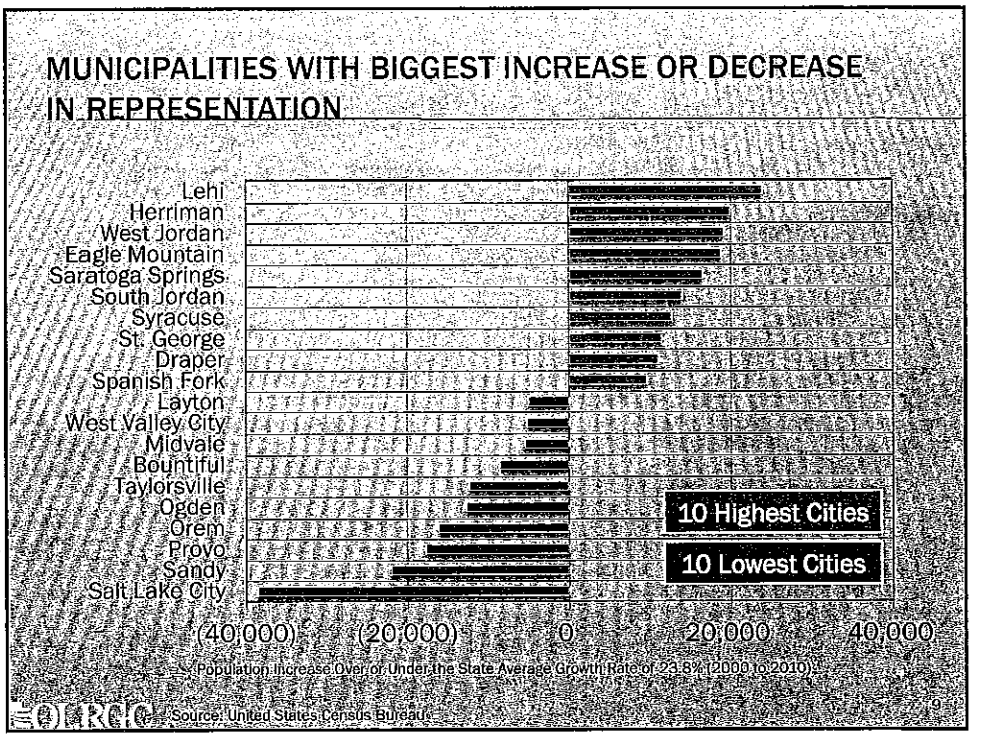
UTAH REDISTRICTING
POPULATION SHIFTS

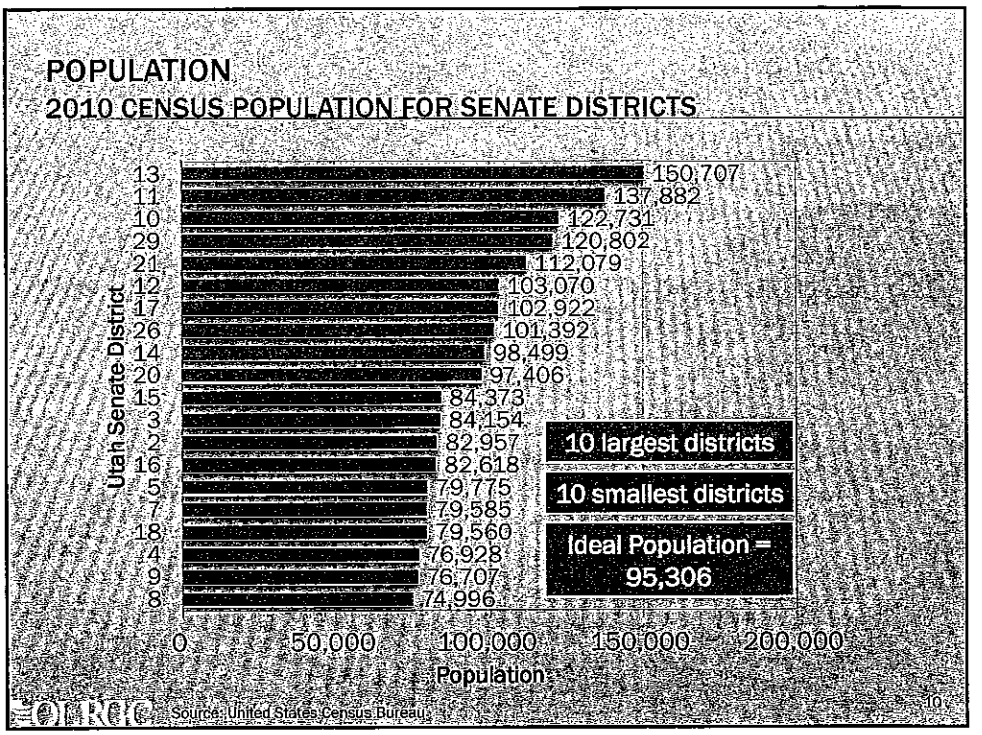
Population shifts within the state

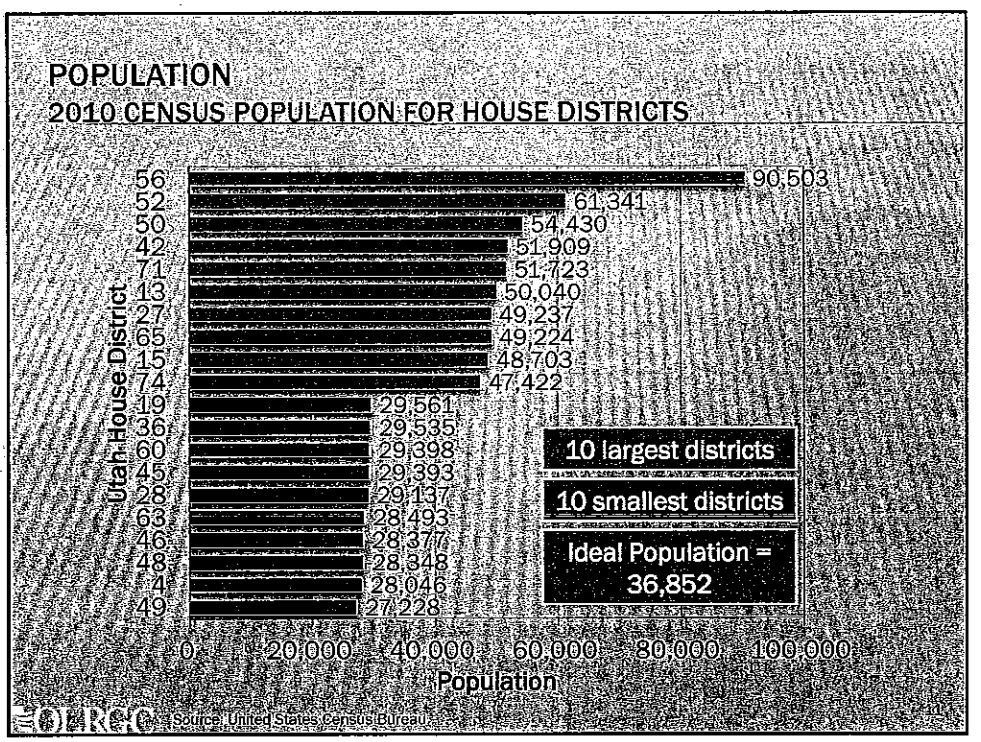
- Absolute numbers are less important than relative numbers
- Growth slower than average – Size of districts will grow
- Growth faster than average – Size of districts will shrink

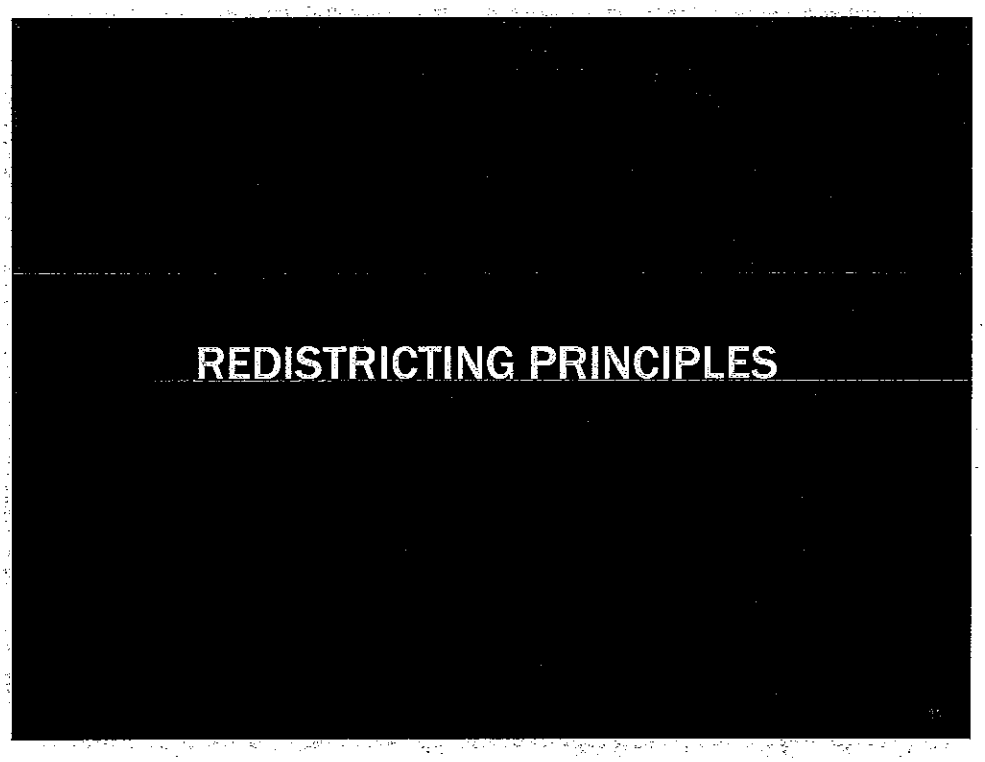

POPULATION SHIFTS
Utah's overall population growth rate was 23.8%
County growth rates ranged from -1% to 55%
Population Change
1%
55%
TOOELE 43%
WASATCH 55%
UTAH 40%
CARBON 5%
MILLARD 1%
EMERY 1%
SEVIER 10%
BEAVER 10%
PIUTE 3%
WAYNE 1%
IRON 37%
GARFIELD 9%
SAN JUAN 2%
WASHINGTON 53%
Source: United States Census Bureau


COUNTIES WITH BIGGEST INCREASE OR DECREASE IN REPRESENTATION
Utah
Washington
Davis
Tooele
Wasatch
Box Elder
San Juan
Carbon
Weber
Salt Lake
5 Highest Counties
5 Lowest Counties
(85,000)
(60,000)
(35,000)
(10,000)
15,000
40,000
65,000
Population Increase Over or Under the State Average Growth Rate of 23.8% (2000 to 2010)
Source: United States Census Bureau
8


MUNICIPALITIES WITH BIGGEST INCREASE OR DECREASE IN REPRESENTATION
Lehi
Herriman
West Jordan
Eagle Mountain
Saratoga Springs
South Jordan
Syracuse
St. George
Draper
Spanish Fork
Layton
West Valley City
Midvale
Bountiful
Taylorsville
Ogden
Orem
Provo
Sandy
Salt Lake City
10 Highest Cities
10 Lowest Cities
(40,000)
(20,000)
0
20,000
40,000
Population Increase Over or Under the State Average Growth Rate of 23.8% (2000 to 2010)
Source: United States Census Bureau


POPULATION
2010 CENSUS POPULATION FOR SENATE DISTRICTS
Utah Senate District
13 150,707
11 137,882
10 122,731
29 120,802
21 112,079
12 103,070
17 102,922
26 101,392
14 98,499
20 97,406
15 84,373
3 84,154
2 82,957
16 82,618
5 79,775
7 79,585
18 79,560
4 76,928
9 76,707
8 74,996
10 largest districts
10 smallest districts
Ideal Population – 95,306
0
50,000
100,000
150,000
200,000
Population
Source: United States Census Bureau


POPULATION
2010 CENSUS POPULATION FOR HOUSE DISTRICTS
Utah House District
56 90,503
52 61,341
50 54,430
42 51,909
71 51,723
13 50,040
27 49,237
65 49,224
15 48,703
74 47,422
19 29,561
36 29,535
60 29,398
45 29,393
28 29,137
63 28,493
46 28,377
48 28,348
4 28,046
49 27,228
10 largest districts
10 smallest districts
Ideal Population = 36,852
0
20,000
40,000
60,000
80,000
100,000
Population
Source: United States Census Bureau


REDISTRICTING PRINCIPLES

REDISTRICTING PRINCIPLES
EQUAL POPULATION

Congressional

- Equal, as practicable

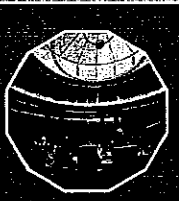
Legislative Districts

- Minor deviations in population between districts

REDISTRICTING PRINCIPLES
CRITERIA FOR DRAWING NEW DISTRICTS IN 2011

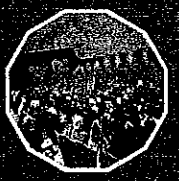
- Equal Population - +/- .1% for Congressional Districts, +/- 3.5% for other districts
- Number of Districts – 4 Congressional, 15 State School Board, 29 State Senate, 75 State House
- Official Census Bureau Population Counts & Geography
- Contiguous
- Reasonably Compact
- Single Member Districts

REDISTRICTING PROCEDURES
PROJECTED SCHEDULE



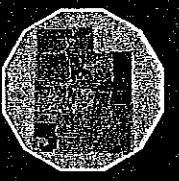
April 2011

- Redistricting Committee Appointed



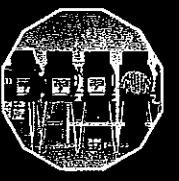
April – August 2011

- Public meetings
- Input
- Prepare plans



Summer / Fall

- Create new districts (special session)



November 2012

- Conduct elections in new districts

REDISTRICTING INFORMATION ONLINE

http://www.RedistrictUtah.com/ (Redistricting Home Page)

Dear Members of the Utah Redistricting Committee,

Thank you for receiving my testimony at your April 25, 2011 meeting. I am writing to elaborate on matters raised during some of our conversations after the meeting, and offer additional resources to you, your staff, and members of the public.

Suggested Amendment to Redistricting Principles to Allow Multi-seat Districts

I have been assured by a Redistricting Committee staff member that the software the committee will use **does support** multi-seat districts. The Redistricting Committee will have to adapt the third principle from 2001 ("Districts will be single member districts") to allow committee members, staff, and members of the public to advocate for multi-seat districts during the committee's process. If the committee is inclined to preserve the option of multi-seat districts, I suggest the following replacement language: "Congressional districts will be single member districts. Non-congressional districts may be either single member or multi-seat districts."

FairVoteUtah Plan

Following up on my testimony last week, I have proposed the following multi-member district redistricting plan for all non-congressional districts to be created by the Utah Legislature in 2011:

- Fifteen five-member districts for the 75-seat Utah House of Representatives (or an adjustment allowing multi-seat House districts to be nested within multi-seat Senate districts, for example, 29 three-member districts for an expanded 87-seat House of Representatives or 21 four-member districts for an expanded 84-seat House of Representatives)
- Seven three-member districts and two four-member districts for the 29-seat Utah Senate (or an adjustment allowing for equal nesting of multi-seat House districts, for example, seven four-member districts (28 Senate seats) or five five-member districts (25 Senate seats))
- Five three-member districts for the fifteen-seat Utah School Board.
- All elections with multi-member districts populate seats using the **single transferable vote** method.

So long as multi-seat districts are apportioned on the basis of population, they satisfy the "one person, one vote" rule. "Use of multi-member districts is constitutionally permissible, however, unless the districts are designed to or would 'minimize or cancel out the voting strength of racial or political elements of the voting population.'" *Burling v. Chandler*, 804 A.2d 471, 479 (N.H. 2002) (quoting *Fortson v. Dorsey*, 379 U.S. 433, 439 (1965)). The U.S. Supreme Court struck down a multi-member district plan that used the at-large method and diluted minority voting strength. *Thornburg v. Gingles*,

478 U.S. 30, 47, 80 (1986). Thus, the use of the single transferable vote method to elect members to multi-seat districts is an important element of the FairVoteUtah plan.

Winning Thresholds under the Single Transferable Vote Method

I have attached a table illustrating the winning thresholds for hypothetical multi-seat district elections for state senate, state house, and state school board. For example, in a three-seat district, a candidate must receive at least 26 percent of the vote to be declared a winner. In a five-seat district, a candidate must receive at least 17.7 percent of the vote to be declared a winner. The table shows that the greater the number of seats in a district, the greater the number of voters who elect the winners (fewer "wasted votes").

Geographic Concentration

One concern expressed about multi-seat districts is the potential for the concentration of elected members in a small geographic area. For your reference, I have attached a map showing the geographic concentration of the current Members of the Utah House of Representatives.

Nesting House Districts within Senate Districts

One option for redistricting is to "nest" House districts within Senate districts, as several U.S. states have done. Nesting would allow fewer lines to be drawn. For your reference, an August 2007 article titled "The Implications of Nesting in California Redistricting" authored by Bruce E. Cain and Karin MacDonald for the Institute of Governmental Studies at the University of California at Berkeley summarizes some of the pros and cons of nesting districts, and is a free download available online at: http://swdb.berkeley.edu/resources/redistricting_research/Nesting_&_Redistricting.pdf.

Ireland's Example

Finally, I have attached the article *Ireland: The Archetypal Single Transferable Vote System* for your reference. The article is from *Electoral System Design: the International IDEA Handbook*, which is a free download available online at: http://www.idea.int/publications/esd/index.cfm.

I look forward to joining other Utahns at **FairVoteUtah.org** to follow your committee's process.

Thanking you again for your service,

J. Robert Latham

2180 East 4500 South, Suite 150 • Holladay, Utah 84117 • (801) 872-4384 • RobLatham.pro

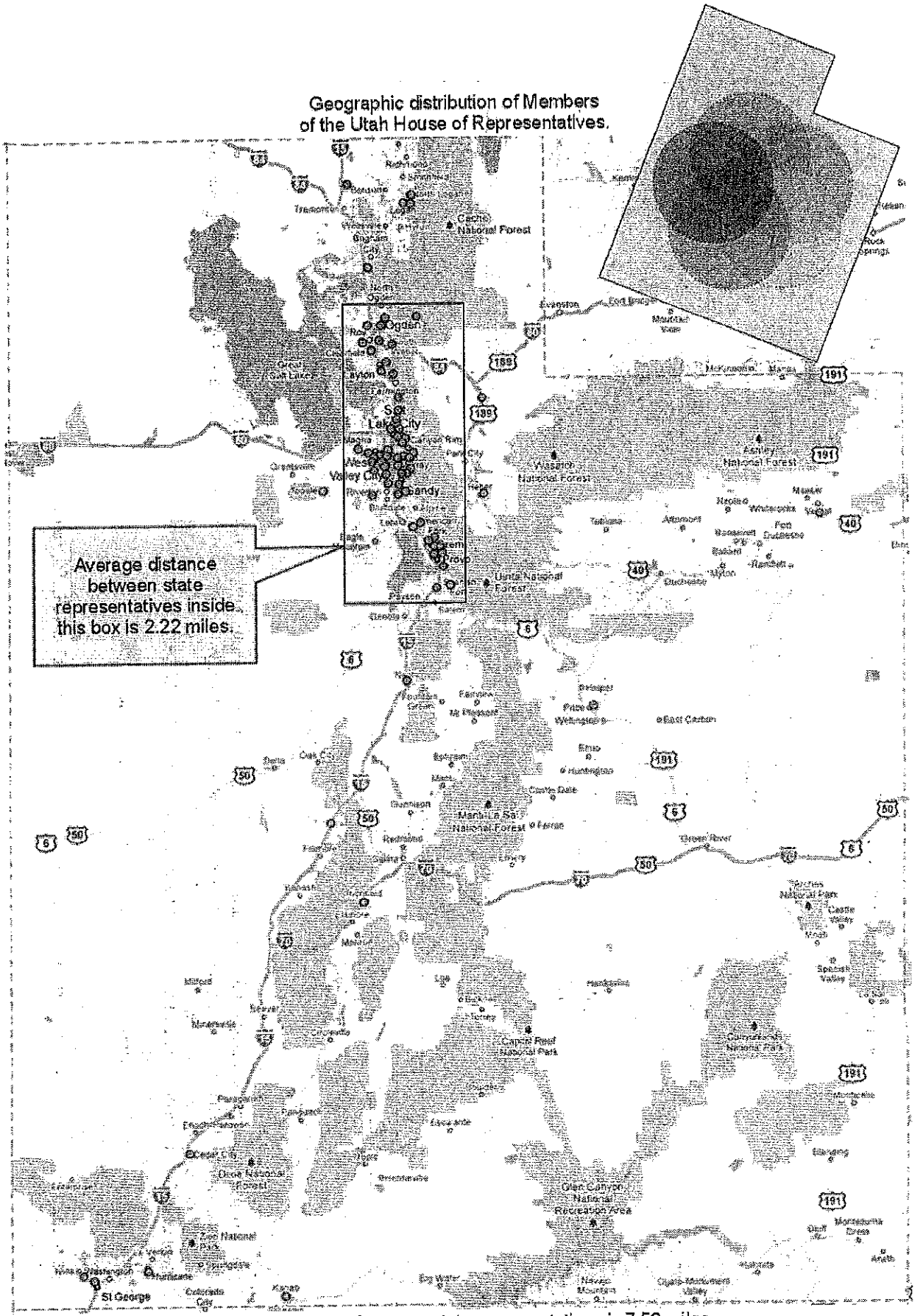
Winning thresholds under the Single Transferable Vote method

District size	Droop quota[1] $\left(\frac{100^{2}}{Seats+1}\right)+1$	Senate district population[3]	Winning senate threshold[4]	House district population[5]	Winning house threshold[6]
1	50% + 1	95,306	47,654	36,852	18,427
3	26%	285,918	74,339	110,556	28,746
4	21%	381,224	80,058	147,408	30,957
5	17.7%			184,260	32,615
29	3.3%	2,763,874	91,208		
75	1.3%			2,763,900	35,931

District size	Droop quota $\left(\frac{100^{7}}{Seats+1}\right)+1$	State School Board District population[8]	Winning State School Board threshold[9]
1	50% + 1	184,259	92,131
3	26%	552,777	143,723
15	6.3%	2,763,885	174,125

[1] The Droop quota is a mathematical formula used for the single transferable vote method to determine the smallest number of votes to elect enough candidates to fill all the seats being contested in an electoral district, while being just big enough to prevent any more being elected.
[2] 100 percent of the valid votes cast
[3] Ideal Utah Senate District population for a single member district is 95,306 residents.
[4] Assumes every resident votes
[5] Ideal Utah House District population for a single member district is 36,852 residents.
[6] Assumes every resident votes
[7] 100 percent of the valid votes cast
[8] Ideal Utah State School Board District population for a single member district is 184,259 residents.
[9] Assumes every resident votes

Geographic distribution of Members
of the Utah House of Representatives.



Average distance between state representatives is 7.52 miles.
Visit FairVoteUtah.org for more information.

IRELAND:
The Archetypal Single Transferable Vote System

Michael Gallagher

Ever since independence in 1922, the Republic of Ireland has used proportional representation by means of the Single Transferable Vote (STV). When the new Irish state came to adopt an electoral system, the indigenous political elite favoured some version of Proportional Representation (PR) because they believed it intrinsically fair, while the departing British also preferred it to First Past the Post (FPTP) so as to protect the representation of Protestants, who constituted about 5% of the population. The STV electoral system was specified in the current (1937) Constitution, and consequently cannot be amended without a referendum. Members of parliament are elected from districts returning either three, four or five representatives.

The system has consistently delivered a high degree of proportionality, and all parties, large and small, have been accurately represented in relation to their size, with the larger parties only slightly over-represented. For example, Fianna Fáil, the largest party at every election for over 60 years, has won on average 45% of the votes at post-war elections, and 48% of the seats, while the third party, Labour, has won an average of 12% of the votes and 11% of the seats.

As in most other countries, members of parliament are predominantly professional people, with very few working-class MPs. Women are also under-represented, although the figure as of early 1997, 14%, was the highest in the history of the state. The Republic of Ireland cannot be said to be ethnically divided, so the question of representation of ethnic groups does not arise. Moreover, contrary to initial expectations, Protestants have not sought separate political representation but have voted for the mainstream parties.

Voting is straightforward: electors merely indicate their favoured candidate by writing "1" beside that candidate's name on the ballot paper, and can go on to indicate their second, third, etc., choices in the same way. About two-thirds of voters see their first choice candidate elected, and on average around 20% of votes are wasted in the sense of not contributing to the final result.

The house of parliament elected by the people by means of STV, the Dáil, is of critical importance in Ireland's parliamentary system. To gain office, a government needs the support of a majority of members of the Dáil, and a government can be ejected from office if it fails to maintain that support.

Ireland has not experienced problems in the area of stable and effective governments. For many years, single-party government by the largest party, Fianna Fáil, was the norm, interrupted only occasionally by coalitions formed by the other two main

parties. More recently, a decline in Fianna Fáil's strength and the emergence of a number of smaller parties has led to coalition governments becoming the norm. Since 1989 each of the largest five parties, i.e. every party winning more than 2% of the votes at elections, has spent at least two years in government; and governments, once formed, tend to be reasonably durable, lasting on average for about three years. The Dáil's procedures are based on the Westminster model, which enables governments to enact their legislation with little real chance for the opposition to influence legislation.

In terms of accountability, it is relatively easy to throw governments out; at every election from 1973 to 1997 the outgoing government did not manage to be re-elected. Voters do have local representatives: the ratio of members of parliament to population is high (about one for every 20,000 people) and district magnitude is small (at most five representatives for each constituency), so members of parliament are usually well known to their constituents and are active representatives in their area. There is no provision for recall of elected members.

One criticism aimed at STV is that it helps promote intra-party fragmentation, but the Irish parties tend to be relatively cohesive despite the electoral competition among candidates of the same party. In Parliament, it is very rare for party representatives to break ranks from the party line on any issue. The political culture of Ireland is strongly influenced by that of Britain, and the "winner-take-all" attitude that characterizes Westminster-based governmental systems remains strong in Ireland, despite the PR electoral system.

The absence of ethnic cleavages, or any other deep divisions, in Irish society means that the incentives for parties to reach out beyond their own group cannot be tested. It is worth noting, though, that in Northern Ireland, which has deep divisions along ethnic, national and religious dimensions between Protestants and Catholics, and which also uses STV for many elections, most of the main parties draw support entirely from one or other of the two communities and do not see any incentive to try to win support from the other community. Indeed, parties aiming to draw support from both communities generally fare poorly.

The STV electoral system is supported because it is seen as fair, since it delivers proportional representation, and because of the power it gives voters to choose their parliamentary representatives by ranking all candidates in order of their choice, both between parties and within parties. Although most voters vote along party lines, it is not necessary to do so, and a significant number of voters vote along geographical lines; that is, they give their highest preferences to those candidates, regardless of party, from their own local area. Two referendums have been held, both instigated by the then-governing Fianna Fáil party, to replace STV with the British FPTP system. On both occasions the electorate voted to keep STV; the margin of victory was narrow in 1959, but wide in 1968.

Nevertheless, STV is criticised because of the intense competition that it generates between candidates, especially candidates of the same party. More members of parliament of Fianna Fáil, the largest party, are defeated by other Fianna Fáil candidates than by candidates of other parties. Thus a number of members of parliament argue that STV compels them to spend too much time responding to individual and community grievances from their constituents, which is necessary for electoral survival, and prevents them from spending enough time on national political and parliamentary matters, to the detriment of the national interest. It is also argued that an electoral system that weakens the close link between members of parliament and their constituents, and thus removes the electoral incentive to respond to demands for constituency work, might attract higher calibre people into politics.

Lawyer proposes 'fairer' voting system

Redistricting » "Proportional representation" would move away from winner-takes-all.

By LEE DAVIDSON
The Salt Lake Tribune

Attorney J. Robert Latham says Utah should borrow a system used by other countries that could realistically help elect some Democratic legislators in heavily Republican Utah County next year, or some Republicans in Democratic Salt Lake City — without crazy gerrymandering of political boundaries.

He presented the idea to the Legislature's new Redistricting Committee this week, which acknowledged it is at least legal.

The idea: "proportional representation."

Instead of using single-member districts where one winner takes all by perhaps winning just 50.1 percent of the vote, the system uses multimember districts instead. Parties would win a proportion of seats according to the percentage of the votes they win.

"Using multimember districts, say a five-member district, you might have Republicans get elected in Salt Lake City. They might win two" of the five seats by winning about 40 percent of the vote, Latham told the Redistricting Committee this week.

"You might get Democrats that are elected in downtown Provo," or at least one member, by winning about 20 percent of the vote in a five-member district in that area, he added.

Latham — a past Utah Libertarian Party chairman who has run for offices as a Libertarian and a Republican (in a heavily Democratic district) — said the system would give minor parties a fighting chance of electing someone.

J. Robert Latham » Wants a twist in the redistricting process based on the idea of 'proportional representation' as opposed to the current winner-takes-all approach.

"Multimember districts would also solve many of the problems they [lawmakers] say they are struggling with — such as dividing cities, counties or communities of interest" to make populations equal among many small districts. Multimember districts would be larger geographically, and less likely to divide such areas.

John Fellows, general counsel to the Redistricting Committee, told members that U.S. courts have allowed multimember districts, but has given them less legal support than single-member districts.

He said a concern is they could allow all lawmakers in a district to come from one small area within it, and not give broad geographical representation.

But Latham said proportional voting has benefits that could outweigh that. For example, Democrats voting in a heavily Republican district would feel that their vote still counts if it helps elect at least one representative — so it would increase voter turnout and registration.

Latham is not alone in pushing such a system. Fair Vote, a national group, has pushed the idea for years — and Latham has worked with that group. He said it is used by many countries, and U.S. diplomats have pushed the system in such countries as Iraq and Afghanistan.

"I have heard from soldiers returning from conflict zones saying, 'Why are we fighting for these more representative governments in Iraq and Afghanistan, and yet we don't have that same kind of representative government here at home?'" Latham said in an interview.

He said he and others hope to lobby Redistricting Committee members before its meeting next week — where it is expected to decide such things as how many and what type of districts to create.

He created a website, fairvoteutah.org, with videos to explain how sometimes-complicated proportional voting systems work.

But Latham was blunt about his chances when he told the committee this week, "My expectations for this process, frankly, are fairly low. But I really hope that you'll surprise me." He said it may take another decade for the idea to catch fire.

But Rep. Ken Sumsion, R-American Fork, House chairman of the committee, gave him a sliver of hope. He told Latham, "This gives us something to look at. And it's something I've never thought about."

AGENDA

REDISTRICTING COMMITTEE

UTAH LEGISLATURE

Monday, April 25, 2011 • 9:00 a.m. • Room 30 House Building

1. **Committee Business**
   - Introductions of Committee and Staff
   - Chair's Introductory Remarks

2. **Introduction to Redistricting**
   Staff will provide an overview of the redistricting process.

   - Staff Presentation - John Cannon
   - Committee Discussion

3. **Legal Guidelines for Redistricting**
   Staff will provide a presentation outlining the legal parameters for drawing plans that will stand up in court.

   - Staff Presentation - John Fellows
   - Committee Discussion

4. **Redistricting Principles**
   The Committee will discuss principles that will guide the redistricting process and the work of the Redistricting Committee.

   - Public Comment
   - Committee Discussion and Action

5. **Redistricting Procedural Guidelines**
   The committee will discuss procedural guidelines to manage the work of the committee.

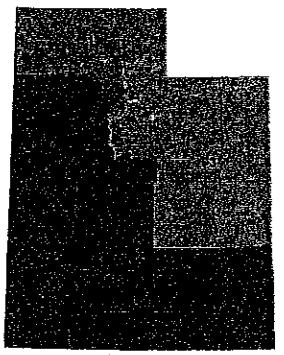
   - Public Comment
   - Committee Discussion and Action

6. **Demonstration of Redistricting Software**
   Staff will demonstrate the redistricting software program to be used by the committee.

   - Staff Presentation - Joseph Wade and Leif Elder

7. **Future meeting Schedule**

8. **Adjourn**



Redistricting Committee

April 25, 2011

INTRODUCTION TO REDISTRICTING

OLRGC

UTAH REDISTRICTING 2011
OVERVIEW OF PRESENTATION

- Apportionment
  - Great Compromise
  - 2010 apportionment
- Redistricting
  - What is it?
  - Why do it?
  - Traditional Principles

OLRGC

APPORTIONMENT
THE GREAT COMPROMISE

Disagreement at Constitutional Convention of 1787

- **Small states** wanted equal representation for each state regardless of population
- **Large states** wanted representation allocated based on population

Compromise

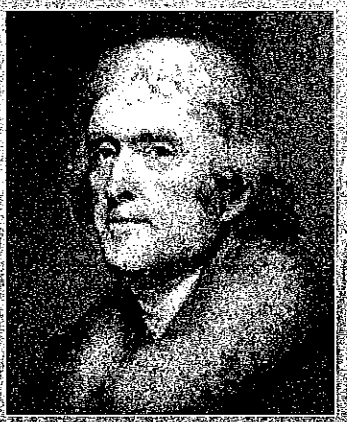
- **Representation for Senate** allocated equally for each state (two seats)
- **Representation for House** allocated in proportion to state population (apportionment)

APPORTIONMENT
THE GREAT COMPROMISE

Census constitutionally mandated

- Required every ten years
- Includes U.S. Armed Forces and Federal civilian employees
- Results used to allocate U.S. House seats in proportion to state population

APPORTIONMENT
THE GREAT COMPROMISE



Thomas Jefferson, as Secretary of State, directed the first constitutionally prescribed decennial census in 1790. Since then, the census has been taken in each year ending in zero.

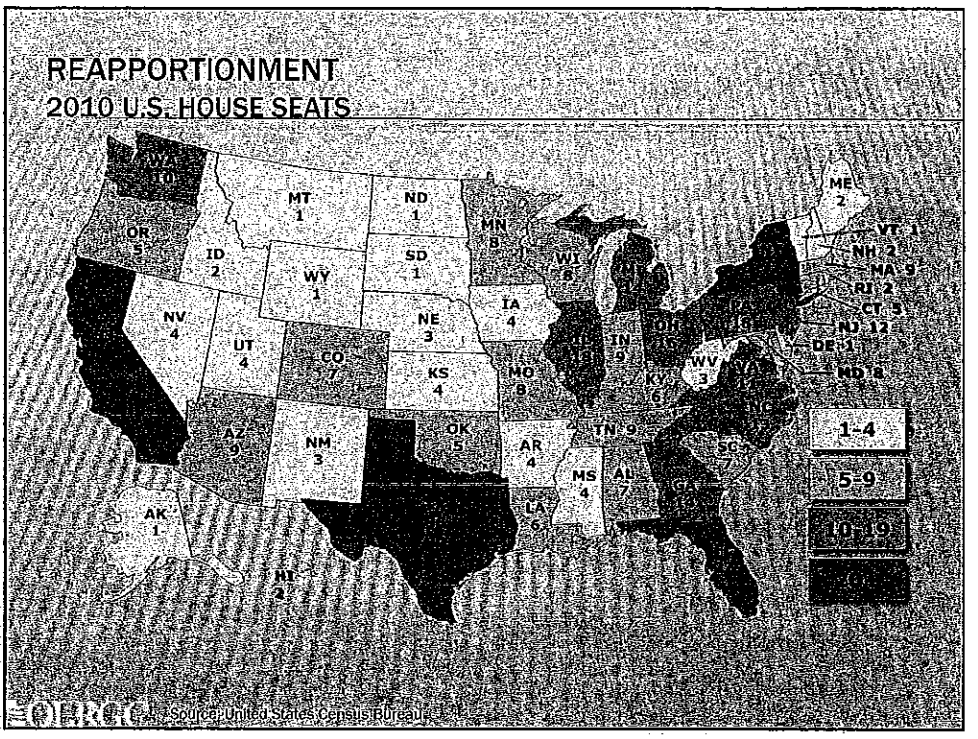
OLRCC

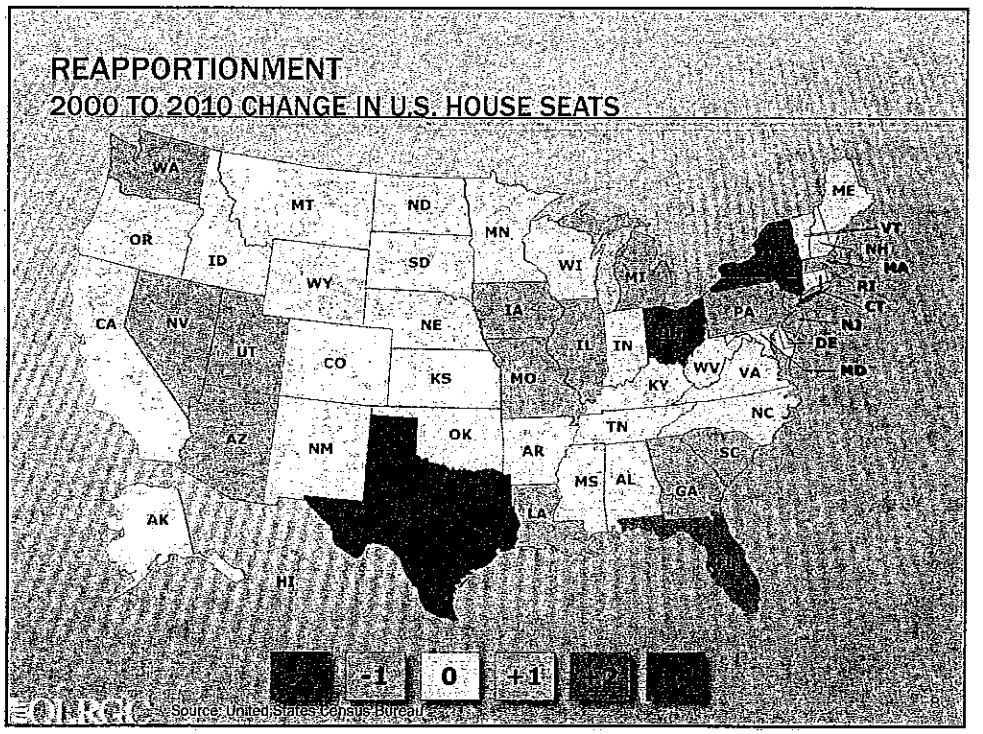
REAPPORTIONMENT
U.S. HOUSE SEATS

U.S. House seats are reapportioned following decennial census

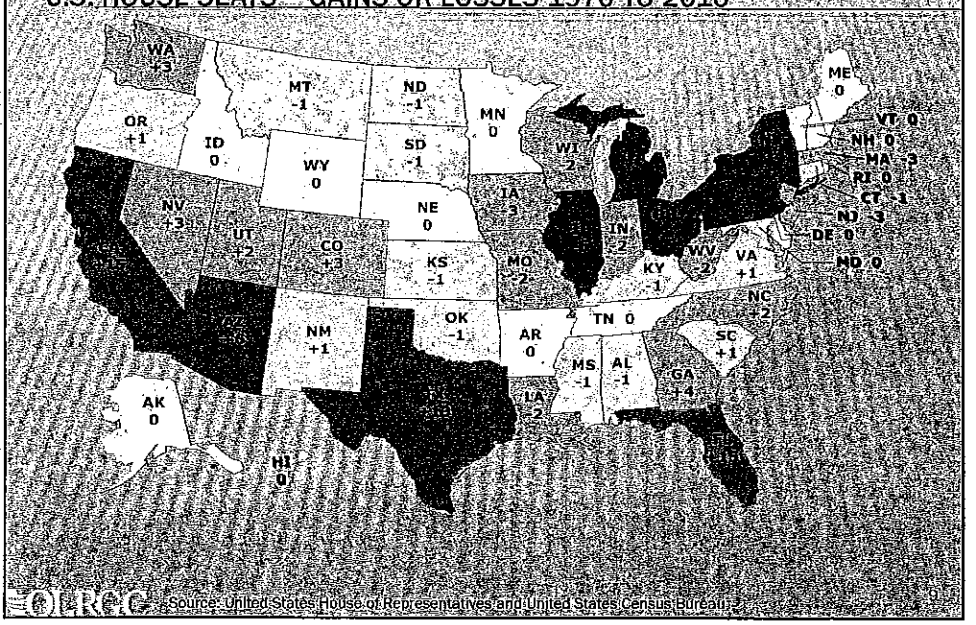
- Number of seats: 435
- Each state receives one guaranteed seat
- The remaining 385 seats divided based on population

OLRCC Source: United States Census Bureau; Reapportionment Act of 1929.


REAPPORTIONMENT
2010 U.S. HOUSE SEATS
WA 10
OR 5
ID 2
MT 1
ND 1
SD 1
WY 1
NV 4
UT 4
CO 7
NE 3
KS 4
AZ 9
NM 3
OK 5
TX 36
MN 8
IA 4
MO 8
AR 4
LA 6
WI 8
IL 18
MI 14
IN 9
OH 16
KY 6
TN 9
MS 4
AL 7
GA 14
FL 25
SC 7
NC 13
VA 11
WV 3
PA 18
NY 27
VT 1
NH 2
ME 2
MA 9
RI 2
CT 5
NJ 12
DE 1
MD 8
AK 1
HI 2
1-4
5-9
10-19
20
Source: United States Census Bureau


REAPPORTIONMENT
2000 TO 2010 CHANGE IN U.S. HOUSE SEATS
WA
OR
CA
NV
ID
MT
WY
UT
AZ
CO
NM
ND
SD
NE
KS
OK
TX
MN
IA
MO
AR
LA
WI
IL
MI
IN
OH
KY
TN
MS
AL
GA
FL
SC
NC
VA
WV
PA
NY
ME
VT
NH
MA
RI
CT
NJ
DE
MD
AK
HI
-1
0
+1
+2
Source: United States Census Bureau

REAPPORTIONMENT
U.S. HOUSE SEATS – GAINS OR LOSSES 1970 TO 2010



Source: United States House of Representatives and United States Census Bureau

REAPPORTIONMENT
U.S. HOUSE SEATS – UTAH GAINS

- 1910 – Utah gained its 2nd seat
- 1980 – Utah gained its 3rd seat
- 2010 – Utah gained its 4th seat

REDISTRICTING

UTAH REDISTRICTING
WHAT IS IT?

State and local governments redraw district boundaries based on results of the most recent census and reapportionment results

- Utah Congressional
- Utah House of Representatives
- Utah Senate
- State Board of Education

UTAH REDISTRICTING
WHY DO IT?

Reasons to Redistrict

- Population shifts within the state – equal representation
- One person – one vote
- Change in the number of U.S. House Seats
- Utah State Legislature's constitutional responsibility

UTAREC 13

UTAH REDISTRICTING
POPULATION SHIFTS

Population shifts within the state

- Absolute numbers are less important than relative numbers
- Growth slower than average – Area will grow
- Growth faster than average – Area will shrink

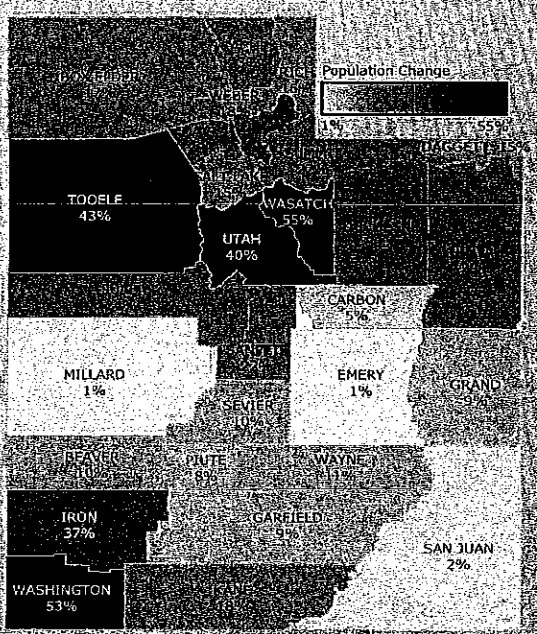
UTAREC 14

POPULATION SHIFTS
IDEAL DISTRICT POPULATION

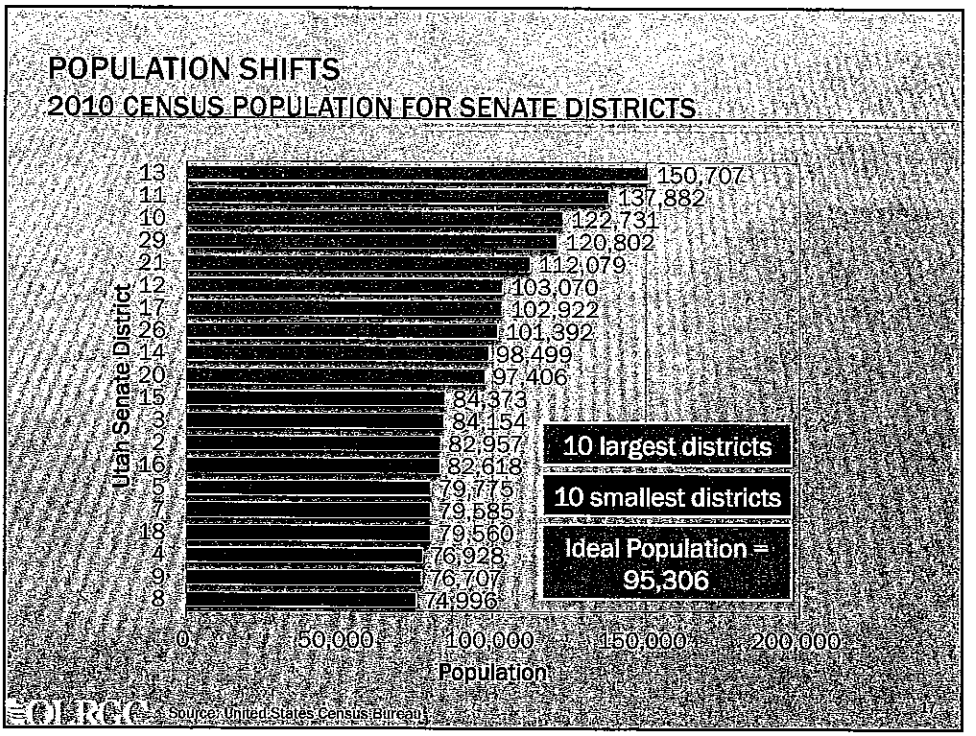
Seat	Number of Seats	Ideal District Population 2000	Ideal District Population 2010
Congressional	3 (2000) 4 (2010)	744,389	690,971
State Senate	29	77,006	95,306
State House	75	29,775	36,852
State Board of Education	15	148,878	184,259

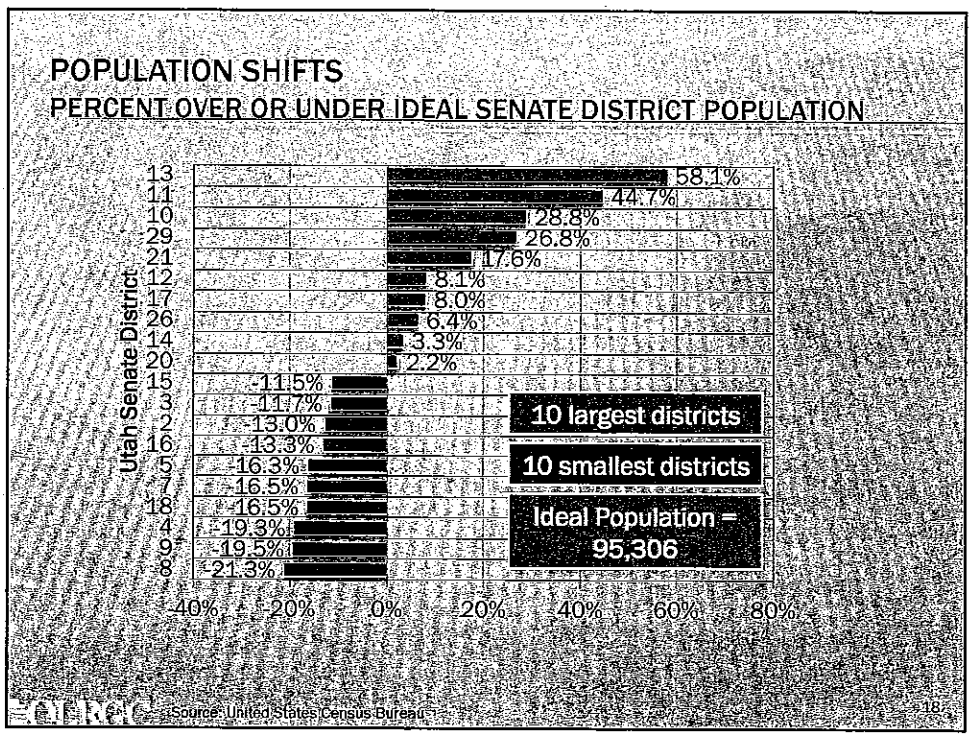
POPULATION SHIFTS

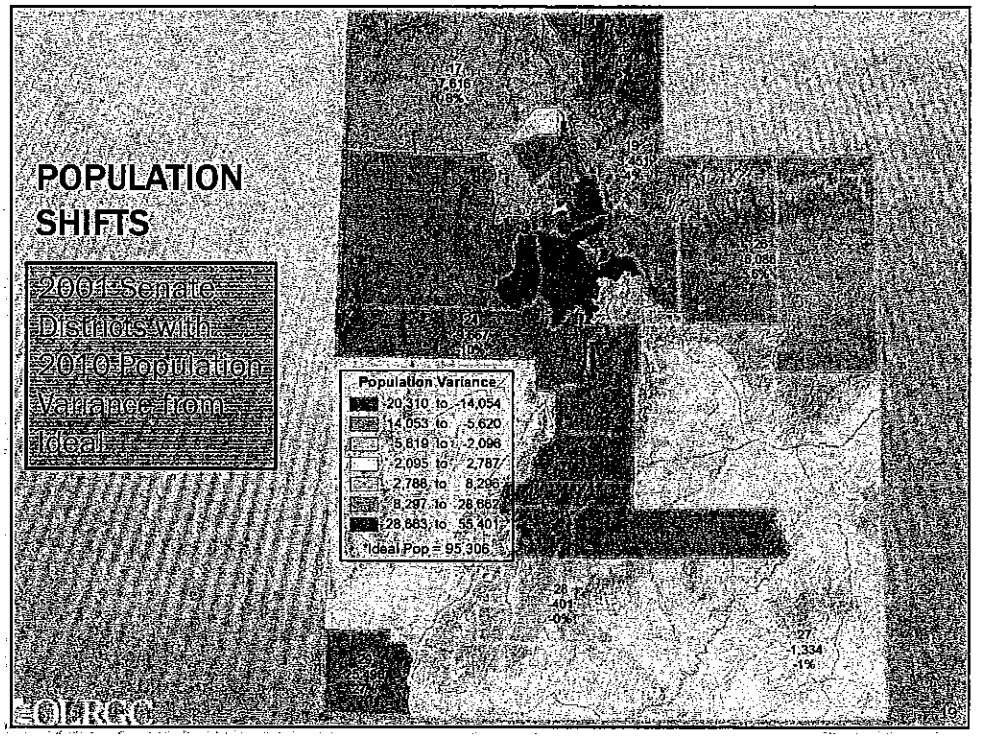
- Utah's overall population growth rate was 23.8%
- County growth rates ranged from 1% to 55%

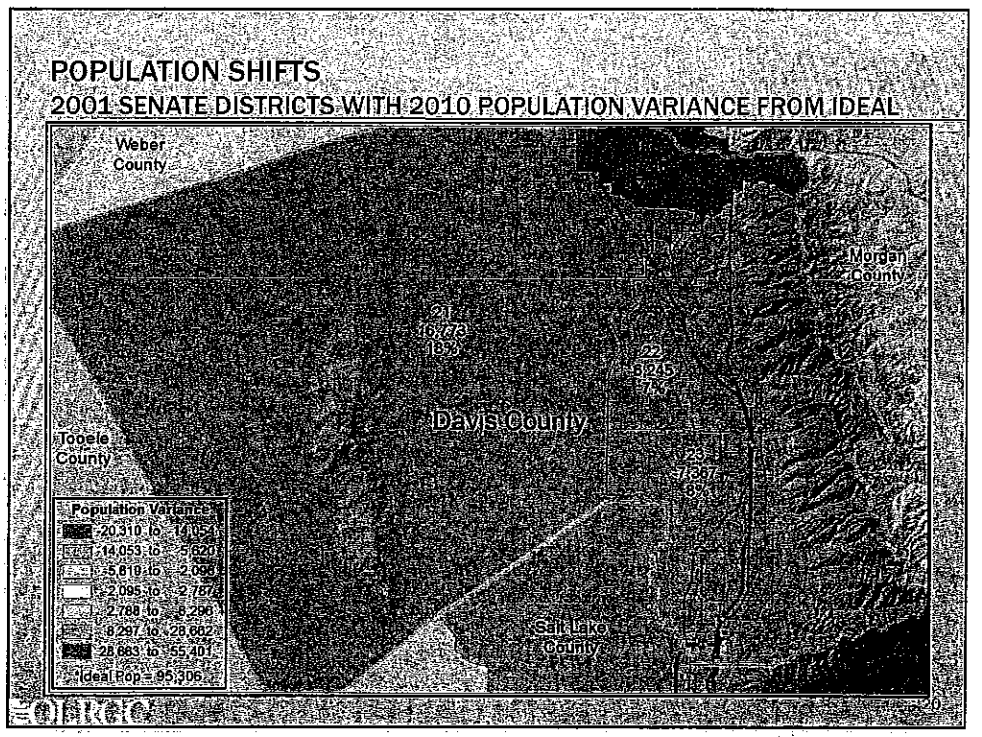


Source: United States Census Bureau


POPULATION SHIFTS
2010 CENSUS POPULATION FOR SENATE DISTRICTS
Utah Senate District
13 150,707
11 137,882
10 122,731
29 120,802
21 112,079
12 103,070
17 102,922
26 101,392
14 98,499
20 97,406
15 84,373
3 84,154
2 82,957
16 82,618
5 79,775
7 79,585
18 79,560
4 76,928
9 76,707
8 74,996
10 largest districts
10 smallest districts
Ideal Population = 95,306
0
50,000
100,000
150,000
200,000
Population
Source: United States Census Bureau

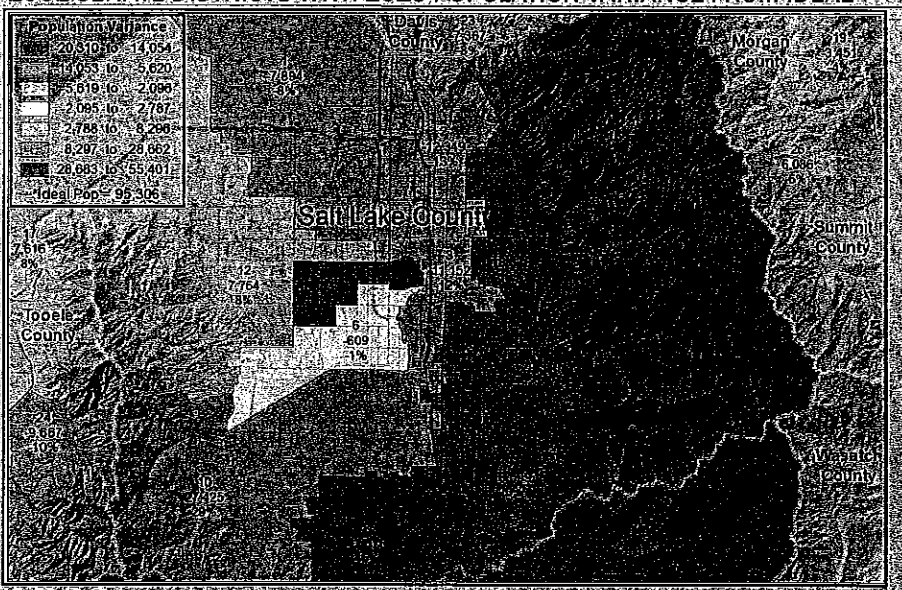

POPULATION SHIFTS
PERCENT OVER OR UNDER IDEAL SENATE DISTRICT POPULATION
Utah Senate District
13 58.1%
11 44.7%
10 28.8%
29 26.8%
21 17.6%
12 8.1%
17 8.0%
26 6.4%
14 3.3%
20 2.2%
15 -11.5%
3 -11.7%
2 -13.0%
16 -13.3%
5 -16.3%
7 -16.5%
18 -16.5%
4 -19.3%
9 -19.5%
8 -21.3%
10 largest districts
10 smallest districts
Ideal Population = 95,306
-40%
-20%
0%
20%
40%
60%
80%
Source: United States Census Bureau
18


POPULATION SHIFTS
2001 Senate Districts With 2010 Population Variance from Ideal
Population Variance
20,310 to 14,054
14,053 to 5,620
5,619 to 2,096
2,095 to 2,787
2,788 to 8,296
8,297 to 28,862
28,863 to 55,401
*Ideal Pop = 95,306


POPULATION SHIFTS
2001 SENATE DISTRICTS WITH 2010 POPULATION VARIANCE FROM IDEAL
Weber County
Morgan County
Davis County
Tooele County
Salt Lake County
Population Variance
20,310 to 14,054
14,053 to 5,620
5,619 to 2,096
2,095 to 2,787
2,788 to 8,296
8,297 to 28,862
28,863 to 55,401
*Ideal Pop = 95,306

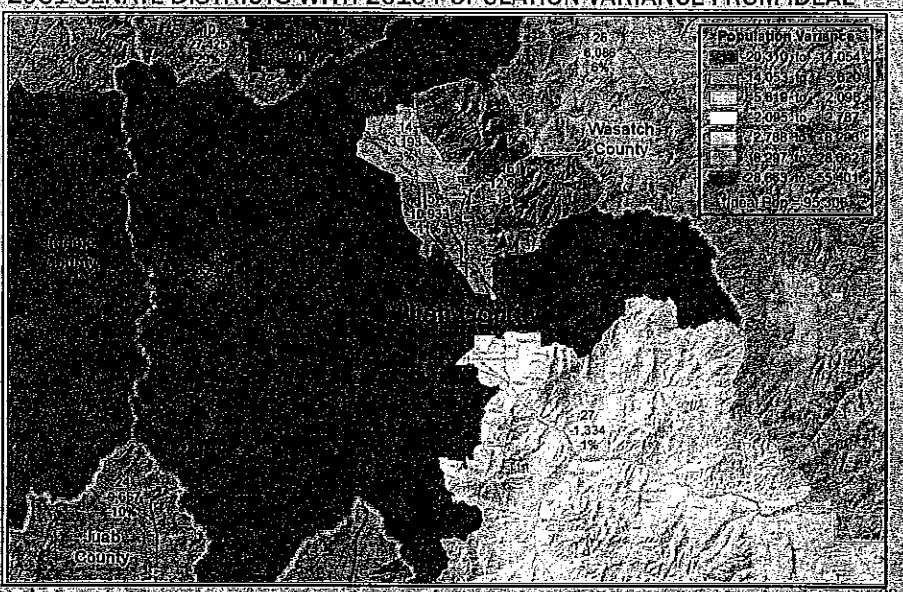
POPULATION SHIFTS

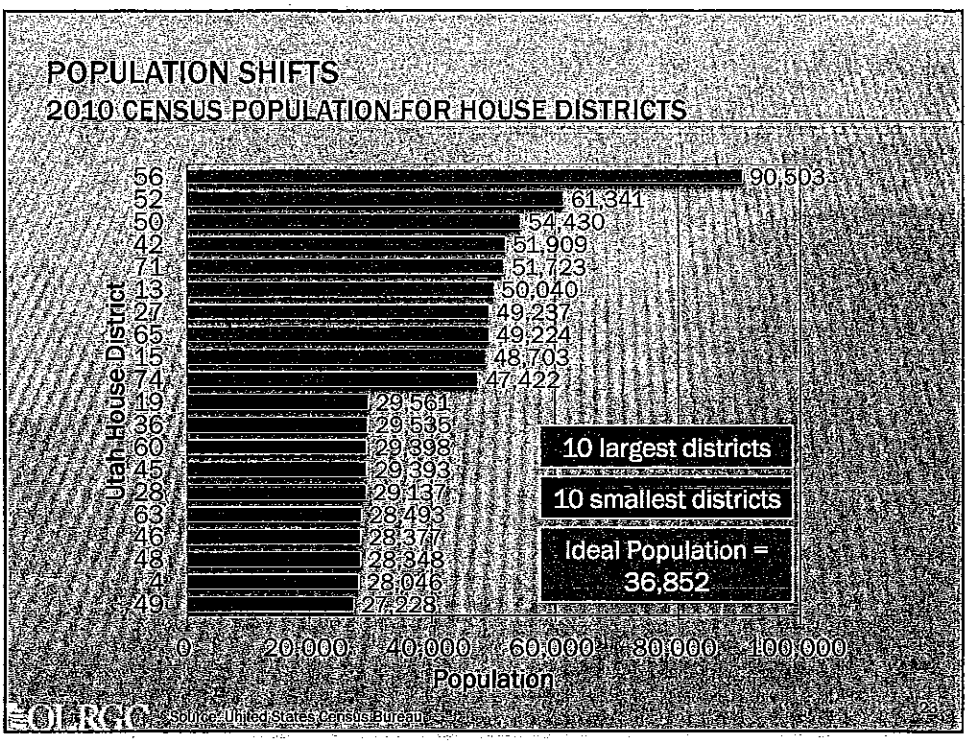
2001 SENATE DISTRICTS WITH 2010 POPULATION VARIANCE FROM IDEAL

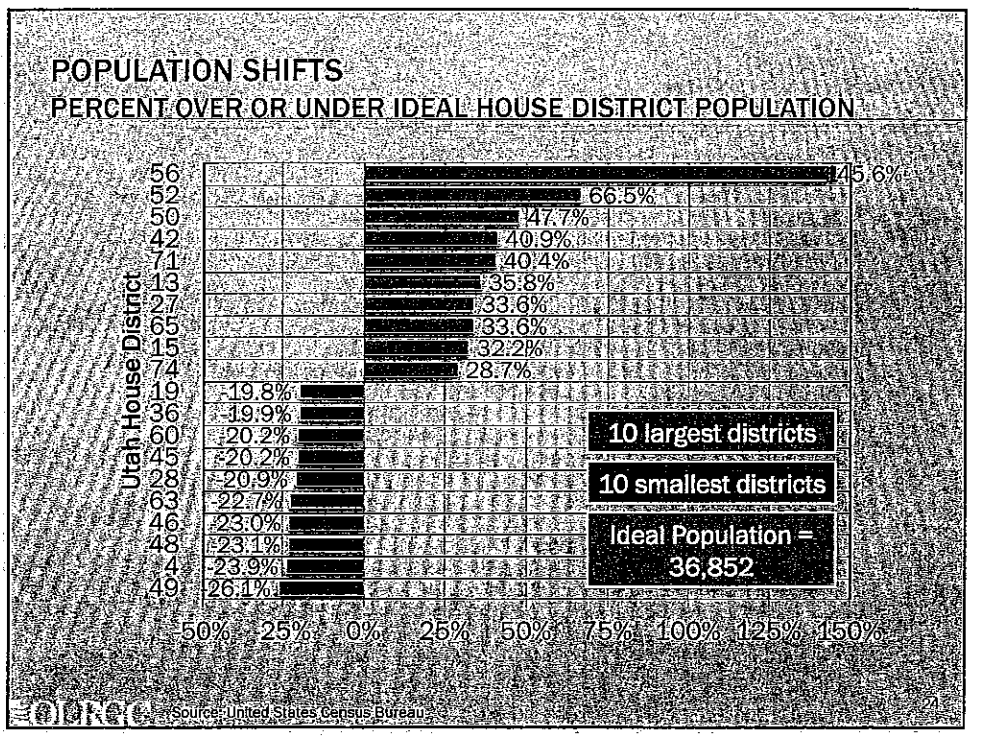


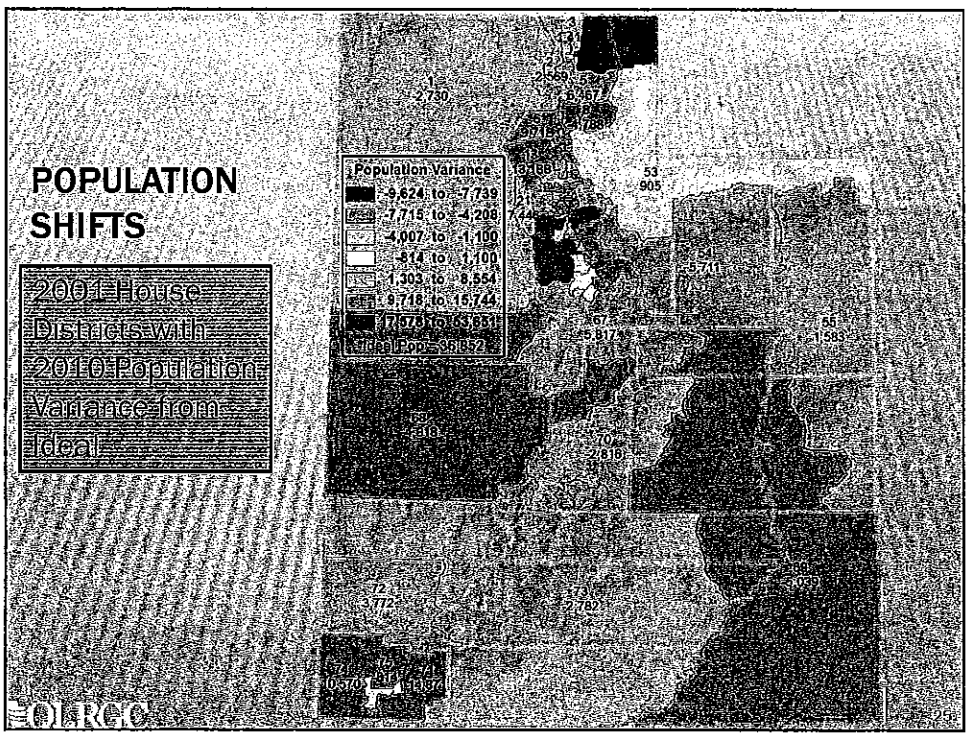
POPULATION SHIFTS

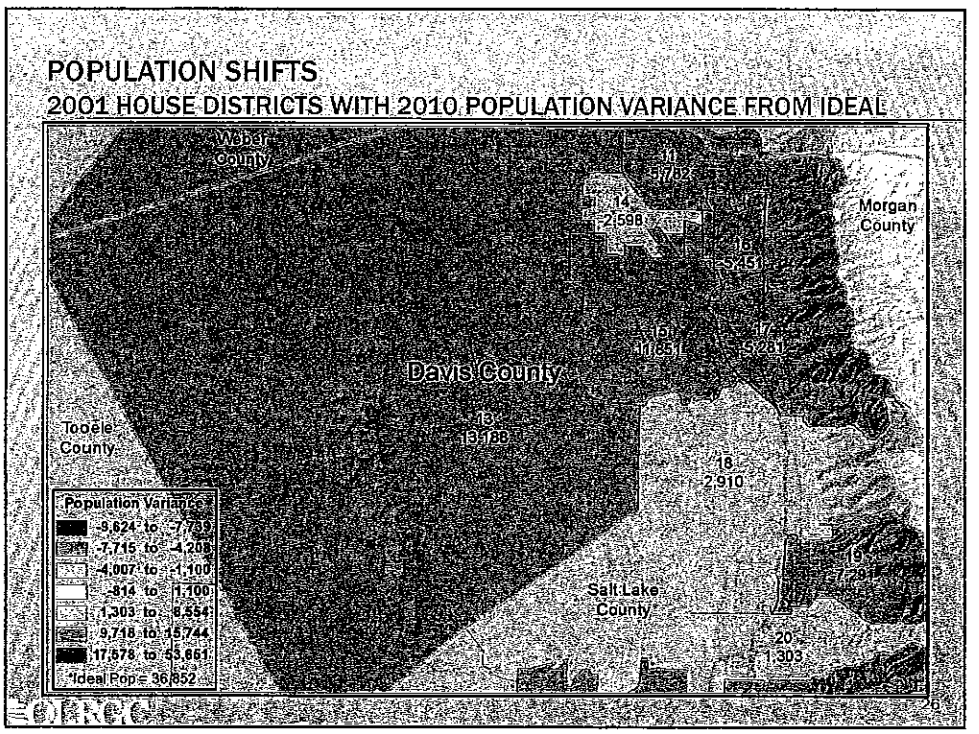
2001 SENATE DISTRICTS WITH 2010 POPULATION VARIANCE FROM IDEAL

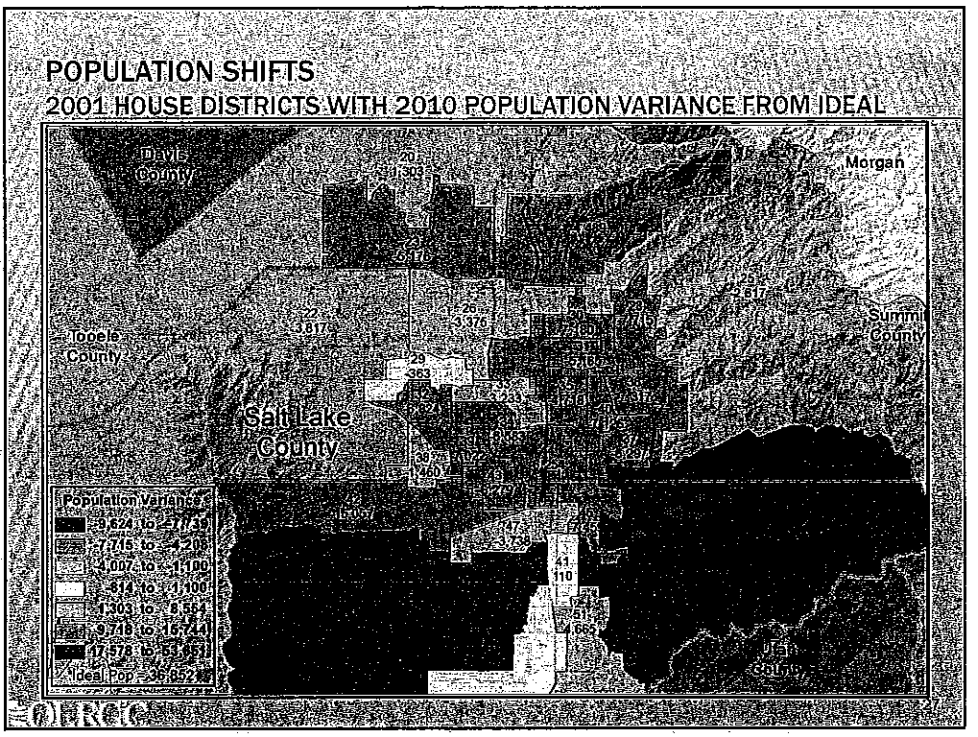


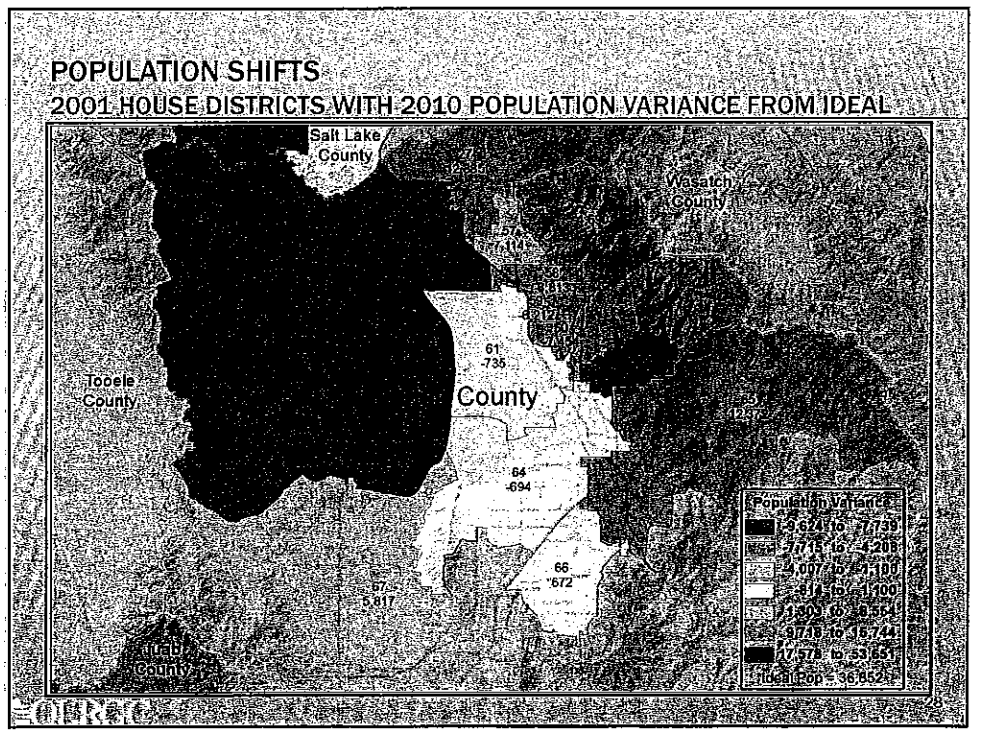

POPULATION SHIFTS
2010 CENSUS POPULATION FOR HOUSE DISTRICTS
Utah House District
56 90,503
52 61,341
50 54,430
42 51,909
71 51,723
13 50,040
27 49,237
65 49,224
15 48,703
74 47,422
19 29,561
36 29,535
60 29,398
45 29,393
28 29,137
63 28,493
46 28,377
48 28,348
4 28,046
49 27,228
10 largest districts
10 smallest districts
Ideal Population = 36,852
0 20,000 40,000 60,000 80,000 100,000
Population
SOURCE: Source: United States Census Bureau
23

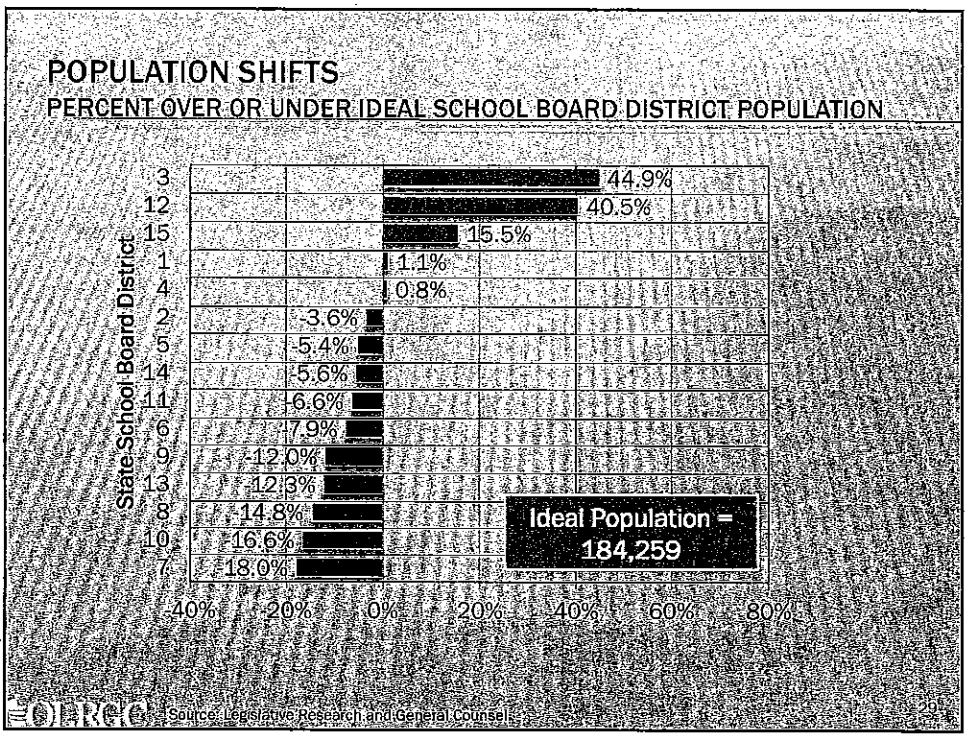

POPULATION SHIFTS
PERCENT OVER OR UNDER IDEAL HOUSE DISTRICT POPULATION
Utah House District
56 145.6%
52 66.5%
50 47.7%
42 40.9%
71 40.4%
13 35.8%
27 33.6%
65 33.6%
15 32.2%
74 28.7%
19 -19.8%
36 -19.9%
60 -20.2%
45 -20.2%
28 -20.9%
63 -22.7%
46 -23.0%
48 -23.1%
4 -23.9%
49 -26.1%
10 largest districts
10 smallest districts
Ideal Population = 36,852
-50% -25% 0% 25% 50% 75% 100% 125% 150%
SOURCE: Source: United States Census Bureau
24

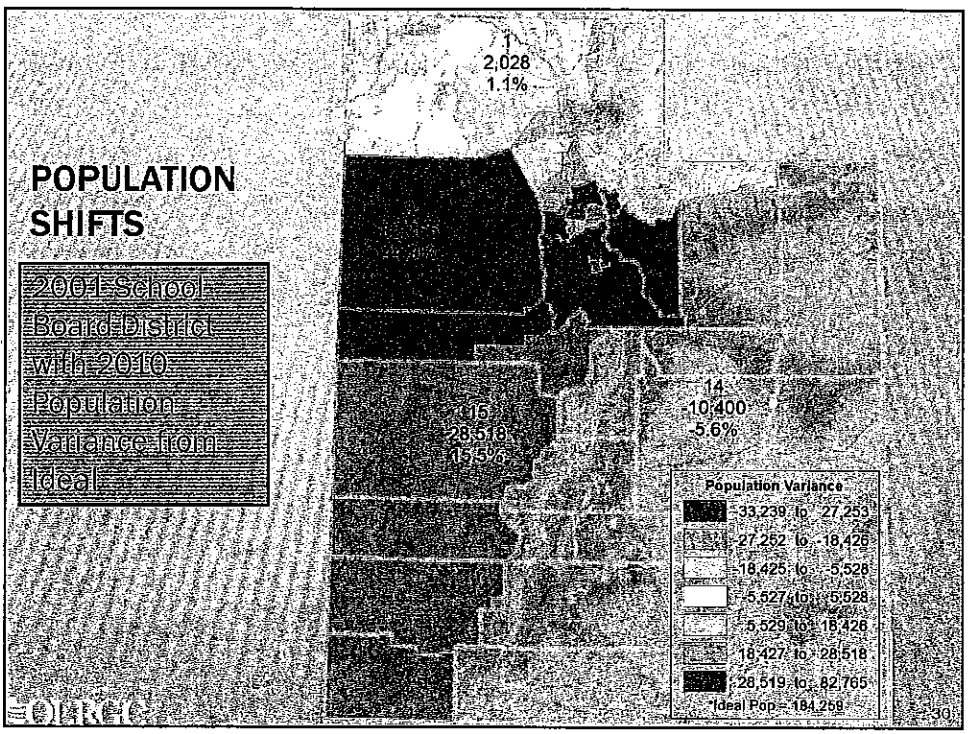

POPULATION SHIFTS
2001 House Districts with 2010 Population Variance from Ideal
Population Variance
-9,624 to -7,739
-7,715 to -4,208
-4,007 to -1,100
-814 to 1,100
1,303 to 8,554
9,718 to 15,744
17,578 to 53,661
*Ideal Pop = 36,852

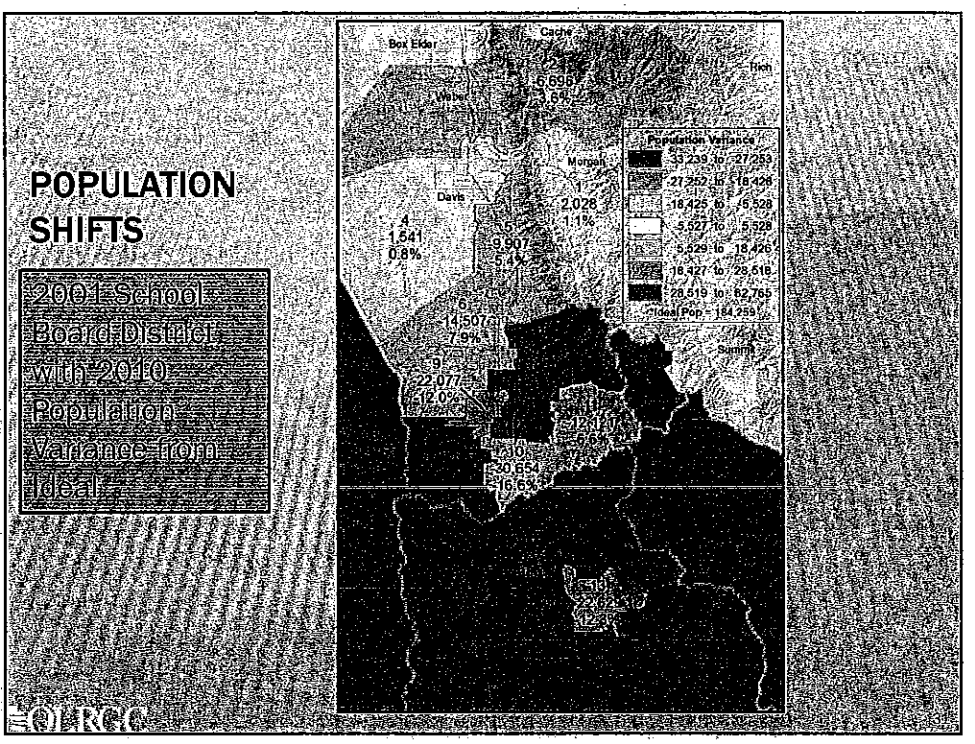

POPULATION SHIFTS
2001 HOUSE DISTRICTS WITH 2010 POPULATION VARIANCE FROM IDEAL
Weber County
Morgan County
Davis County
Tooele County
Salt Lake County
Population Variance
-9,624 to -7,739
-7,715 to -4,208
-4,007 to -1,100
-814 to 1,100
1,303 to 8,554
9,718 to 15,744
17,578 to 53,661
*Ideal Pop = 36,852

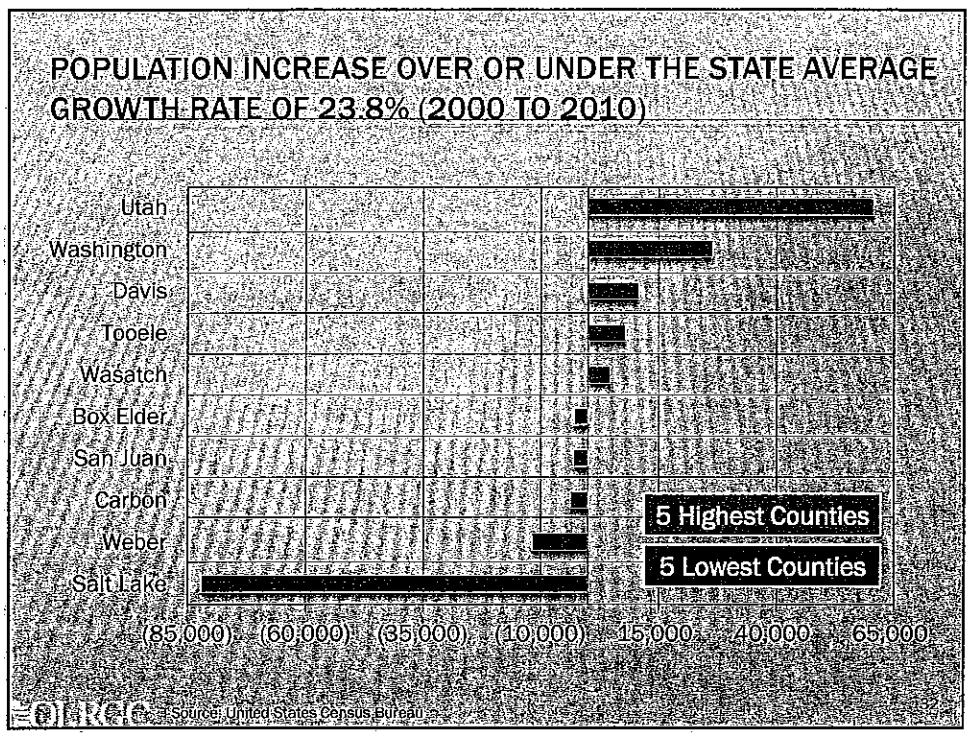

POPULATION SHIFTS
2001 HOUSE DISTRICTS WITH 2010 POPULATION VARIANCE FROM IDEAL
Davis County
Morgan
Tooele County
Summit County
Salt Lake County
Population Variance
-9,624 to -7,735
-7,715 to -4,208
-4,007 to -1,100
-314 to 1,100
1,303 to 5,564
9,719 to 15,744
17,578 to 53,651
Ideal Pop = 36,852


POPULATION SHIFTS
2001 HOUSE DISTRICTS WITH 2010 POPULATION VARIANCE FROM IDEAL
Salt Lake County
Wasatch County
Tooele County
County
Population Variance
-9,624 to -7,735
-7,715 to -4,208
-4,007 to -1,100
-314 to 1,100
1,303 to 5,564
9,719 to 15,744
17,578 to 53,651
Ideal Pop = 36,852

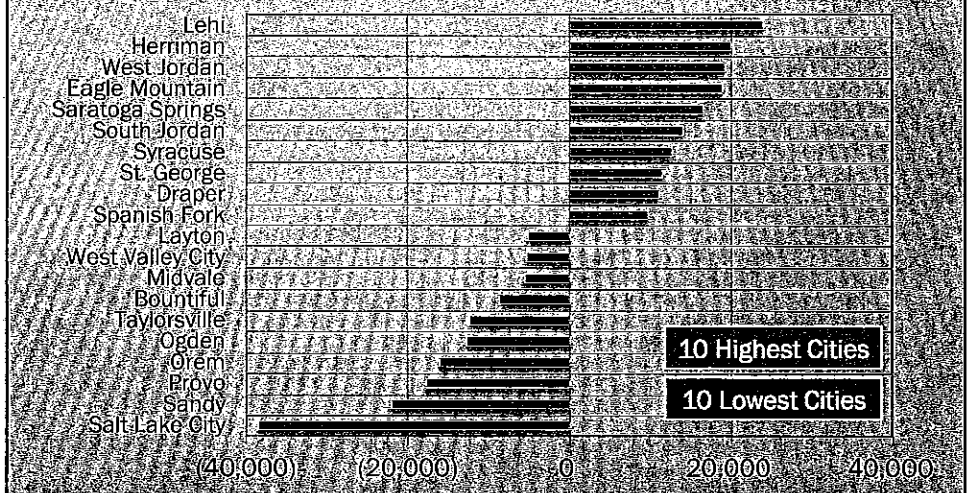

POPULATION SHIFTS
PERCENT OVER OR UNDER IDEAL SCHOOL BOARD DISTRICT POPULATION
State School Board District
3 44.9%
12 40.5%
15 15.5%
1 1.1%
4 0.8%
2 -3.6%
5 -5.4%
14 -5.6%
11 -6.6%
6 -7.9%
9 -12.0%
13 -12.3%
8 -14.8%
10 -16.6%
7 -18.0%
Ideal Population = 184,259
-40% -20% 0% 20% 40% 60% 80%
Source: Legislative Research and General Counsel
26


POPULATION SHIFTS
2001 School Board District with 2010 Population Variance from Ideal
1
2,028
1.1%
15
28,518
15.5%
14
-10,400
-5.6%
Population Variance
-33,239 to -27,253
-27,252 to -18,426
-18,425 to -5,528
-5,527 to -5,528
-5,529 to -18,426
-18,427 to -28,518
-28,519 to -82,765
*Ideal Pop = 184,259
30


POPULATION SHIFTS
2001 School Board District with 2010 Population Variance from Ideal
Box Elder
Cache
Rich
Weber
Morgan
Davis
Summit
Population Variance
33,239 to -27,253
-27,252 to -18,426
-18,425 to -5,528
-5,527 to 5,528
5,529 to 18,426
18,427 to 28,518
28,519 to 62,765
Ideal Pop = 184,259


POPULATION INCREASE OVER OR UNDER THE STATE AVERAGE GROWTH RATE OF 23.8% (2000 TO 2010)
Utah
Washington
Davis
Tooele
Wasatch
Box Elder
San Juan
Carbon
Weber
Salt Lake
5 Highest Counties
5 Lowest Counties
(85,000)
(60,000)
(35,000)
(10,000)
15,000
40,000
65,000
Source: United States Census Bureau

POPULATION INCREASE OVER OR UNDER THE STATE AVERAGE GROWTH RATE OF 23.8% (2000 TO 2010)



Source: United States Census Bureau

UTAH STATE LEGISLATURE'S RESPONSIBILITY CONSTITUTIONAL MANDATE

"...the Legislature shall divide the state into congressional, legislative, and other districts..."

Utah Constitution – Article IX, Section 1

REDISTRICTING PRINCIPLES AND PROCEDURES

TRADITIONAL REDISTRICTING PRINCIPLES

SIZE OF UTAH HOUSE AND SENATE

- Senate is set at 29 seats
- House has a range of 58-87 seats
- State Board of Education is statutorily set at 15 members

"The Senate shall consist of a membership not to exceed twenty-nine, and the number of representatives shall never be less than twice nor greater than three times the number of senators."

Utah Constitution Article IX, Section 2

TRADITIONAL REDISTRICTING PRINCIPLES
EQUAL POPULATION

Congressional

- Equal, as practicable

Legislative Districts

- Minor deviations in population between districts

OLRC

TRADITIONAL REDISTRICTING PRINCIPLES
CRITERIA FOR DRAWING NEW DISTRICTS IN 2001

- Equal Population
- Number of Districts
- Census Bureau Counts
- Contiguity
- Compactness
- Other Redistricting Principles

OLRC 38

TRADITIONAL REDISTRICTING PRINCIPLES
LEVELS OF GEOGRAPHY

Level of Geography	Number of Units
Blocks	115,406
Block Groups	1,690
Voting Precincts	2,299
Census Tracts	588
Counties	29

REDISTRICTING PROCEDURES USED IN 2001
MEETINGS AND PLANS

To organize staff work, all requests must first be cleared by a member of the committee and one committee chairman

Use of redistricting computers and software restricted to staff

- Security of information
- Protect software licensing agreements

Committee meetings are open and public

Written information provided at committee meetings will be accessible to the public

REDISTRICTING PROCEDURES
PAST ACTIVITIES

2005-2008 Phase I Census 2000

- Added block boundaries to Census maps statewide

2009-2010 Phase II Census 2000

- Added voting precincts to Census maps statewide

March 2011

- Received redistricting population data from Census Bureau
- Identified population shifts

April/May 2011

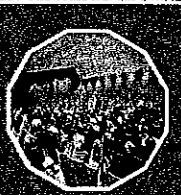
- Identified population shifts in existing districts
- Joint Redistricting Committee appointed by Speaker and President
- Committee established guidelines and principles for redistricting

OLRCC

REDISTRICTING PROCEDURES
LIKELY SCHEDULE

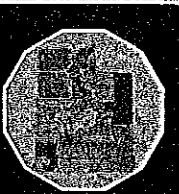
April 2011

- Redistricting Committee Appointed



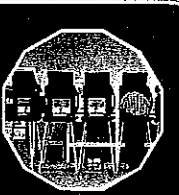
April – August 2011

- Public meetings
- Input
- Prepare plans



Summer / Fall

- Create new districts (special session)



November 2012

- Conduct elections in new districts

OLRCC

QUESTIONS?

John Cannon
Managing Policy Analyst
Legislative Research and General Counsel
801-538-1032
jcannon@utah.gov

Redistricting Committee

Monday, April 25, 2011
9:00 a.m.
Room 30 • House Building

ENCLOSURES — PAGE

OLRGC *For further information, please contact John Cannon at 801-538-1032*
Prepared by the Office of Legislative Research and General Counsel

OLRGC
Office of Legislative Research and General Counsel

Michael E. Christensen
Director

John L. Fellows
General Counsel

NOTICE OF MEETING

Redistricting Committee

The committee chairs have scheduled the following meeting:

DATE:	**Monday, April 25, 2011**
TIME:	**9:00 a.m.**
PLACE:	**House Building Room 30**

If committee members would like to be excused from the meeting, they may call John Cannon or Kimberly Heiner at 801-538-1032.

COMMITTEE MEMBERS

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 Barrus
Rep. Jackie Biskupski
Rep. Melvin R. Brown
Rep. Gage Froerer
Rep. Francis D. Gibson
Rep. Don L. Ipson
Rep. Brian S. King
Rep. Todd E. Kiser
Speaker Rebecca D. Lockhart
Rep. Merlynn T. Newbold
Rep. Curt Webb
Rep. Christine F. Watkins

STAFF
John Q. Cannon, Managing Policy Analyst
John L. Fellows, General Counsel
Eric Weeks, Deputy General Counsel
Emily Brown, Assoc. GeneralCounsel
J Brian Allred, Policy Analyst
Mark D. Andrews, Plicy Analyst
Benjamin Christensen, Policy Analyst
Phil Dean, Policy Analyst
Leif Elder, Policy Analyst
Jerry D. Howe, Policy Analyst
Art L. Hunsaker, Policy Analyst
Allison Morgan Nicholson, Policy Analyst
Richard C. North, Policy Analyst
Joseph T. Wade, Policy Analyst
Kimberly A. Heiner, Legislative Secretary

Utah State Capitol Complex
House Building, Suite W210
PO Box 145210
Salt Lake City, Utah
84114-5210
Phone (801) 538-1032
Fax (801) 538-1712
www.le.utah.gov

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call Nancy McPherson at 801-538-1032 or TTY 801-326-1634, giving her at least three working days' notice.

2001 Redistricting Principles

1. Congressional districts must be as nearly equal as practicable with a deviation not greater than + .5 %.

2. State legislative districts and state school board districts must have substantial equality of population among the various districts with a deviation not greater than + 4%.

3. Districts will be single member districts.

4. Plans will be drawn to create three Congressional Districts, four Congressional Districts, 29 State Senate Districts, 75 State House Districts, and 15 State School Board Districts.

5. In drawing districts, the official population enumeration of the 2000 decennial census will be used.

6. Districts will be contiguous and reasonably compact.

The above redistricting principles were adopted by the Legislative Redistricting Committee at their April 26th and May 10th meetings in 2001.

2001 Redistricting Procedural Guidelines

3. All requests to use staff time and redistricting resources must first be cleared by a member of the committee and by one of the committee chairman. A committee chairman will not unreasonably deny a legitimate request.

4. To ensure the security of information and to protect licensing agreements with software manufacturers, access to computer information and the computer system used in the redistricting process will be restricted to redistricting committee staff. With permission from a chairman, individual legislators may be present and direct staff in drawing plans.

1. Redistricting Committee meetings will be open to the public.

2. Members of the public may obtain any copies of written information provided at Redistricting Committee meetings.

5. Political data will not be included in the redistricting computer system. Political data should not be shown to or discussed with redistricting committee staff nor at Redistricting Committee meetings.

6. Every change to a proposed plan by any committee member must also resolve the ripple effect on the entire plan caused by that change.

The above redistricting procedural guidelines were adopted by the Legislative Redistricting Committee at their May 10, 2001 meeting.

2011 Redistricting Procedural Guidelines

1. Redistricting Committee meetings will be open to the public.

2. Members of the public may obtain any copies of written information provided at Redistricting Committee meetings.

3. All requests to use staff time and redistricting resources must first be cleared by a member of the committee and by one of the committee chairs. A committee chair will not unreasonably deny a legitimate request.

4. To ensure the security of information and to protect licensing agreements with software manufacturers, access to computer information and the computer system used in the redistricting process will be restricted to redistricting committee staff. With permission from a chair, individual legislators may be present and direct staff in drawing plans.

5. Political data will not be included in the redistricting computer system. Political data should not be shown to or discussed with redistricting committee staff nor at Redistricting Committee meetings.

6. Every change to a proposed plan by any committee member must also resolve the ripple effect on the entire plan caused by that change.

The above redistricting procedural guidelines were adopted by the Redistricting Committee at the 25 April 2011 meeting.