

Senate Joint Resolution 10

Sponsored by Senator FERRIOLI (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution establishing independent redistricting commission to adopt redistricting plans for state Senate, state House of Representatives and United States House of Representatives.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by repealing sections 6 and 7, Article IV, and by adopting the following new section 6 in lieu thereof:

SECTION 6. (1) In each year following the year of the federal decennial census, a Legislative Reapportionment Commission shall be constituted for the purpose of reapportioning state legislative and congressional districts. The commission shall consist of five members and act by a majority of its members.

(2)(a) Four members of the commission shall be appointed as follows:

(A) The highest ranking officer of the Senate or the officer's designee;

(B) The minority party leader of the Senate or the minority party leader's designee;

(C) The highest ranking officer of the House of Representatives or the officer's designee;

and

(D) The minority party leader of the House of Representatives or the minority party leader's designee.

(b) In the event that there are two or more minority parties within the Senate or the House of Representatives, the leader of the largest minority party as determined by statewide political party affiliation shall make the appointment.

(c) The members of the commission appointed under this subsection shall be appointed not later than 60 days following the official reporting of the federal decennial census.

(3)(a) Within 45 calendar days after being appointed as members of the commission, the four commission members appointed under subsection (2) of this section shall by majority vote select a fifth member of the commission to serve as chairperson of the commission.

(b) A chairperson selected under this subsection:

(A) Must be an elector of this state; and

(B) May not hold public office.

(c) If a chairperson is not selected under paragraph (a) of this subsection, the chairperson shall be selected by a majority of the members of the Supreme Court. This selection shall be made within 30 days after the deadline established in paragraph (a) of this subsection.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (4) A vacancy in the commission shall be filled within 15 calendar days of its occurrence
2 in the same manner in which the position was originally filled.

3 (5)(a) Not later than 90 days after either the commission is fully comprised or the popu-
4 lation data for this state as determined by the federal decennial census are available,
5 whichever is later, the commission shall file a preliminary reapportionment plan with the
6 Secretary of State for both state legislative and congressional districts.

7 (b) During the 30 calendar day period immediately following the submission of the pre-
8 liminary reapportionment plan:

9 (A) The commission may make corrections to the preliminary reapportionment plan; or

10 (B) Any elector may file with the commission an objection to the preliminary reappor-
11 tionment plan.

12 (c)(A) If an elector files an objection to the preliminary reapportionment plan under
13 subparagraph (B) of paragraph (b) of this subsection, the commission has 30 days from the
14 date the objection was filed to prepare and file with the Secretary of State a revised reap-
15 portionment plan.

16 (B) If no objection to the preliminary reapportionment plan is filed, if the commission
17 reviews all objections and determines that the reapportionment plan does not need to be re-
18 vised or if the commission has revised the reapportionment plan based on an objection, the
19 commission's reapportionment plan shall be final and enter into law.

20 (6) Any elector may file an appeal of the final reapportionment plan directly to the Su-
21 preme Court within 30 after the plan becomes final under subsection (5) of this section. If
22 the elector establishes that the final plan is contrary to law, the Supreme Court shall issue
23 an order remanding the plan to the commission and directing the commission on how to re-
24 apportion this state in a manner consistent with law.

25 (7) When the Supreme Court has finally decided an appeal, or when the last day for filing
26 an appeal has passed with no appeal filed, the reapportionment plan shall have the force of
27 law and the districts therein provided shall be used thereafter in elections to the United
28 States Congress and to the Legislative Assembly until the next reapportionment as required
29 under this section.

30 (8)(a) The Legislative Assembly shall appropriate sufficient moneys for the compensation
31 and expenses of members and staff appointed by the commission, and other necessary ex-
32 penses.

33 (b)(A) Except as provided in subparagraphs (B) and (C) of this paragraph, members of the
34 commission are eligible for compensation and reimbursement of expenses pursuant to law.

35 (B) Members of the commission may not receive compensation or reimbursement of ex-
36 penses before a preliminary reapportionment plan is filed under subsection (5) of this section.

37 (C) If the commission files a preliminary reapportionment plan, but fails to file a revised
38 or final plan within the time prescribed by this section, the commission members forfeit all
39 right to any compensation not paid.

40 (9) If a preliminary, revised or final reapportionment plan is not filed by the commission
41 within the time prescribed by this section, unless the time is extended by the Supreme Court
42 for cause shown, the Supreme Court shall immediately proceed on its own motion to reap-
43 portion this state.

44 (10) Any reapportionment plan filed by the commission, or ordered or prepared by the
45 Supreme Court upon the failure of the commission to act, shall be published by the Secretary

1 of State once in at least one newspaper of general circulation in each senatorial and repre-
2 sentative district. The publication must contain a map of this state showing the complete
3 reapportionment of the Legislative Assembly and the United States Congress by districts,
4 and a map showing the reapportionment districts in the area normally served by the news-
5 paper in which the publication is made. The publication must also state the population of the
6 congressional, senatorial and representative districts having the smallest and largest popu-
7 lation and the percentage variation of those districts from the average population for con-
8 gressional, senatorial and representative districts.

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10 PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the
11 people for their approval or rejection at the next regular general election held throughout
12 this state.

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