

Senate Joint Resolution 25

Sponsored by Senator GIROD (Pre-session 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 maps for Senate, House of Representatives and United States Congress.

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

JOINT RESOLUTION

1
2 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

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

5 **SECTION 6. Redistricting. (1) In January of each year ending in one, an independent re-**
6 **districting commission shall be established to provide for the reapportionment of congres-**
7 **sional and state legislative districts according to population.**

8 **(2) Notwithstanding any other provision of this Constitution, the independent redistrict-**
9 **ing commission shall be composed of 36 members to be appointed as follows:**

10 **(a) By January 15 of each year ending in one, each county in this state, through the**
11 **majority vote of all of the county commissioners for the county, shall appoint one member.**

12 **(b)(A) To the degree possible, each member appointed by a county under this subsection**
13 **must be either a state law judge or a former state law judge who resides in the county.**

14 **(B) If no state law judge or former state law judge who resides in the county is able to**
15 **serve on the commission, the county clerks of the county shall appoint a state law judge or**
16 **a former state law judge who resides in the judicial district for state law judges that the**
17 **county is located in.**

18 **(C) If no state law judge or former state law judge who resides in the judicial district of**
19 **the county is able to serve on the commission, the county shall appoint an inhabitant of the**
20 **county who the county commissioners determine best possesses the knowledge and skills**
21 **needed to effectively serve on the commission.**

22 **(c) If the county commissioners are unable to agree on an appointment to the commis-**
23 **sion by the date set forth in paragraph (a) of this subsection, the Secretary of State shall**
24 **make the appointment not later than February 1 of the redistricting year.**

25 **(3) After the initial 36 appointments are made, any vacancy in an independent redis-**
26 **tricting commission position shall be filled by the appointing county commissioners within**
27 **30 days of the vacancy. The commission may not delay its work due to any vacancy.**

28 **(4) An affirmative vote of a majority of the members of the independent redistricting**
29 **commission is necessary for the adoption of any final redistricting plan. In all other respects,**
30 **the commission may establish its own rules and procedures as necessary to accomplish its**
31 **work.**

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 **(5) The independent redistricting commission shall consider the following criteria when**
2 **apportioning the state into congressional and state legislative districts:**

3 **(a) Each district, as nearly as practicable, shall:**

4 **(A) Be contiguous;**

5 **(B) Be of equal population;**

6 **(C) Utilize existing geographic or political boundaries;**

7 **(D) Not divide communities of interest; and**

8 **(E) Be connected by transportation links.**

9 **(b) The commission may not draw a district for the purpose of favoring any political**
10 **party, incumbent legislator or other person.**

11 **(c) The commission may not draw a district for the purpose of affecting the voting**
12 **strength of any language or ethnic minority group.**

13 **(d) For state legislative districts:**

14 **(A) Each senatorial district shall consist of two representative districts.**

15 **(B) Any Senator whose term continues through the next odd-numbered year regular**
16 **legislative session after the operative date of the reapportionment shall be specifically as-**
17 **signed to a senatorial district.**

18 **(C) Notwithstanding section 18, Article II of this Constitution, after the convening of the**
19 **next odd-numbered year regular legislative session following the reapportionment, a Senator**
20 **whose term continues through that legislative session is subject to recall by the electors of**
21 **the district to which the Senator is assigned and not by the electors of the district existing**
22 **before the latest reapportionment. The number of signatures required on the recall petition**
23 **is 15 percent of the total votes cast for all candidates for Governor at the most recent**
24 **election at which a candidate for Governor was elected to a full term in the two represen-**
25 **tative districts comprising the senatorial district to which the Senator was assigned.**

26 **(6) The independent redistricting commission shall adopt final reapportionment plans for**
27 **congressional and state legislative districts no later than August 15 of the redistricting year.**

28 **(7) Original jurisdiction is vested in the Supreme Court, upon the petition of any elector**
29 **of this state filed with the Supreme Court on or before September 15 of the redistricting**
30 **year, to review a final reapportionment plan adopted under subsection (6) of this section.**

31 **(8)(a) If, upon challenge properly filed with the Supreme Court, the Supreme Court de-**
32 **termines that a final reapportionment plan conforms to the requirements of federal law, the**
33 **Constitution of the United States and this Constitution, the Supreme Court shall dismiss the**
34 **challenge and approve the plan.**

35 **(b) If the Supreme Court finds that a final reapportionment plan violates federal law, the**
36 **Constitution of the United States or this Constitution, the Supreme Court shall itself correct**
37 **the final reapportionment plan.**

38 **(c) The Supreme Court shall render its final decision as to any challenge no later than**
39 **December 15 of the redistricting year.**

40 **(9) If the independent redistricting commission does not adopt one or both of the final**
41 **reapportionment plans by August 15, the commission shall be disbanded and the Supreme**
42 **Court shall prepare the final reapportionment plan by December 15 of the redistricting year.**

43 **(10) Upon completion of the reapportionment process described in this section, the inde-**
44 **pendent redistricting commission shall be disbanded.**

45 **(11)(a) Any final reapportionment plan adopted under this section is a law of the state**

1 **except for purposes of initiative and referendum.**

2 **(b) Notwithstanding paragraph (a) of this subsection, a final reapportionment plan that**
3 **is approved, corrected or prepared by the Supreme Court, or for which no challenge is timely**
4 **filed, is not subject to revision by the Legislative Assembly.**

5 **(12) The Legislative Assembly shall:**

6 **(a) Enact laws providing for the implementation of this section; and**

7 **(b) Appropriate moneys sufficient to enable the independent redistricting commission to**
8 **carry out its duties.**

9
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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