

Senate Joint Resolution 8

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Amends the Constitution to create a body that draws district maps. Refers the amendment to a vote of the people at the next general election. (Flesch Readability Score: 62.1).

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

Refers the proposed amendment to the people for their approval or rejection at the next 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 January of each year ending in one, an independent redistricting commission shall be established to provide for the reapportionment of congressional and state legislative districts according to population.

(2) Notwithstanding any other provision of this Constitution, the independent redistricting commission shall be composed of nine members to be appointed as follows:

(a) By January 15 of each year ending in one, all nine members of the independent redistricting commission must be appointed through the majority vote of all of the county commissioners in this state.

(b) Each member appointed under this subsection must be either a state law judge or a former state law judge.

(c) Three members of the independent redistricting commission must be registered with the political party that has the greatest number of electors registered with that party in this state. Three members of the commission must be registered with the political party that has the second greatest number of electors registered with that party in this state. Three members of the commission must be registered as not affiliated with any political party in this state.

(d) If the county commissioners are unable to agree on an appointment to the independent redistricting commission by the date set forth in paragraph (a) of this subsection, the Secretary of State shall make the appointment not later than February 1 of the redistricting year.

(3) Any vacancy on the independent redistricting commission must be filled by the county commissioners within 30 days of the vacancy. The independent redistricting commission may not delay its work due to any vacancy on the commission.

(4) An affirmative vote of a majority of the members of the independent redistricting

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 commission is necessary for the adoption of any final reapportionment plan. The commission
2 may establish any rules and procedures the commission deems necessary to accomplish its
3 duties under this section.

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

6 (a) Each district, as nearly as practicable, must:

7 (A) Be contiguous;

8 (B) Be of equal population;

9 (C) Utilize existing geographic or political boundaries;

10 (D) Not divide communities of interest; and

11 (E) Be connected by transportation links.

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

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

16 (d) For state legislative districts:

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

18 (B) Any Senator whose term continues through the next odd-numbered year regular
19 legislative session after the operative date of the reapportionment plan shall be specifically
20 assigned to a senatorial district.

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

29 (6) The independent redistricting commission shall adopt final reapportionment plans for
30 congressional and state legislative districts not later than August 15 of the redistricting
31 year.

32 (7) Original jurisdiction is vested in the Supreme Court, upon the petition of any elector
33 of this state filed with the Supreme Court not later than September 15 of the redistricting
34 year, to review a final reapportionment plan adopted under subsection (6) of this section.

35 (8)(a) If, upon a challenge properly filed with the Supreme Court, the Supreme Court
36 determines that a final reapportionment plan conforms to the requirements of federal law,
37 the Constitution of the United States and this Constitution, the Supreme Court shall dismiss
38 the challenge and approve the plan.

39 (b) If the Supreme Court finds that a final reapportionment plan violates federal law, the
40 Constitution of the United States or this Constitution, the Supreme Court shall adjust the
41 final reapportionment plan to comply with federal law, the United States Constitution and
42 this Constitution.

43 (c) The Supreme Court shall render its final decision as to any challenge not later than
44 December 15 of the redistricting year.

45 (9) If the independent redistricting commission does not adopt one or both of the final

1 reapportionment plans by August 15, the commission shall be disbanded and the Supreme
2 Court shall prepare the final reapportionment plan not later than December 15 of the redistricting year.
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4 (10) Upon completion of the reapportionment process described in this section, the independent redistricting commission shall be disbanded.
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6 (11)(a) Any final reapportionment plan adopted under this section is a law of this state except for purposes of initiative and referendum.
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8 (b) Notwithstanding paragraph (a) of this subsection, a final reapportionment plan that is approved, corrected or prepared by the Supreme Court, or for which no challenge is timely filed, is not subject to revision by the Legislative Assembly.
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11 (12) The Legislative Assembly shall:

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

13 (b) Appropriate moneys sufficient to enable the independent redistricting commission to carry out its duties.
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16 PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.
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