

SENATE BILL NO. 389

INTRODUCED BY J. BALYEAT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN
5 AMENDMENT TO ARTICLE V, SECTION 14, OF THE MONTANA CONSTITUTION LIMITING THE DISTRICT
6 POPULATION IN REDISTRICTING TO A MAXIMUM DEVIATION OF NO MORE THAN PLUS OR MINUS 1
7 PERCENT FROM THE IDEAL DISTRICT POPULATION."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Article V, section 14, of The Constitution of the State of Montana is amended to read:
12 **"Section 14. Districting and apportionment.** (1) The state shall be divided into as many districts as
13 there are members of the house, and each district shall elect one representative. Each senate district shall be
14 composed of two adjoining house districts, and shall elect one senator. Each district shall consist of compact
15 and contiguous territory. All districts shall be as nearly equal in population as is practicable, within a maximum
16 deviation of no more than plus or minus 1% from the ideal district population.

17 (2) In the legislative session following ratification of this constitution and thereafter in each session
18 preceding each federal population census, a commission of five citizens, none of whom may be public officials,
19 shall be selected to prepare a plan for redistricting and reapportioning the state into legislative districts and a
20 plan for redistricting the state into congressional districts. The majority and minority leaders of each house shall
21 each designate one commissioner. Within 20 days after their designation, the four commissioners shall select
22 the fifth member, who shall serve as chairman of the commission. If the four members fail to select the fifth
23 member within the time prescribed, a majority of the supreme court shall select him.

24 (3) Within 90 days after the official final decennial census figures are available, the commission shall
25 file its final plan for congressional districts with the secretary of state and it shall become law.

26 (4) The commission shall submit its plan for legislative districts to the legislature at the first regular
27 session after its appointment or after the census figures are available. Within 30 days after submission, the
28 legislature shall return the plan to the commission with its recommendations. Within 30 days thereafter, the
29 commission shall file its final plan for legislative districts with the secretary of state and it shall become law.

30 (5) Upon filing both plans, the commission is then dissolved."

