

decennial census. Therefore, the apparent result of sec. 11(3), Ch. 546, L. 2003, is to apply the repeal of Ch. 3, L. 2003, only to proceedings for redistricting based on the 2010 decennial census.

Section 1, Ch. 3, L. 2003, provided: "Redistricting criteria. (1) In the drawing of legislative districts, the districting and apportionment commission shall comply with the following criteria:

- (a) the districts must be compact and contiguous; and
- (b) the districts must be as equal as practicable.

(2) For the purposes of this section, "as equal as practicable" means within a plus or minus 1% relative deviation from the ideal population of a district as calculated from information provided by the federal decennial census."

Repealer: Section 1, Ch. 278, L. 2003, provided: "Section 3 of the districting and apportionment plan of 2003, the transition provision assigning holdover senators to new legislative districts, is repealed." Effective April 9, 2003.

Retroactive Applicability: Section 3, Ch. 278, L. 2003, provided: "[This act] applies retroactively, within the meaning of 1-2-109, to the districting and apportionment plan adopted by the districting and apportionment commission on February 5, 2003."

5-1-116. Assignment of holdover senators. (1) In the session in which the legislative redistricting plan is submitted to the legislature for recommendations, the legislature, by joint resolution, shall assign holdover senators to districts for the remainder of those senators' terms. The districting and apportionment commission may not assign holdover senators to districts for the remainder of those senators' terms. The assignments must occur after the plan becomes law.

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(2) In making the assignments provided for in subsection (1), the legislature, if possible, shall assign a holdover senator to a district based upon the greatest percentage of population in the new district that voted for the senator in the prior election and the senator's residence.

(3) For the purposes of this section, a holdover senator is a senator who is not required to seek election at the general election held immediately following the districting plan becoming law.

History: En. Sec. 1, Ch. 4, L. 2003.

Compiler's Comments

Effective Date: Section 3, Ch. 4, L. 2003, provided: "[This act] is effective on passage and approval." Approved February 4, 2003.

Repealer: Section 1, Ch. 278, L. 2003, provided: "Section 3 of the districting and apportionment plan of 2003, the transition provision assigning holdover senators to new legislative districts, is repealed." Effective April 9, 2003.

Retroactive Applicability: Section 3, Ch. 278, L. 2003, provided: "[This act] applies retroactively, within the meaning of 1-2-109, to the districting and apportionment plan adopted by the districting and apportionment commission on February 5, 2003."

2003 Amendment Void: The amendments to this section made by Ch. 546, L. 2003, were rendered void by sec. 11, Ch. 546, L. 2003, a coordination section.

CHAPTER 2
LEGISLATURE — COMPOSITION AND ORGANIZATION