

1 SENATE RESOLUTION NO. 4

2 INTRODUCED BY J. KEANE

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4 A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA URGING THE MONTANA DISTRICTING
5 AND APPORTIONMENT COMMISSION TO UPHOLD ITS CRITERIA; AND PROVIDING RECOMMENDATIONS
6 ON THE LEGISLATIVE REDISTRICTING PLAN TO THE COMMISSION.

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8 WHEREAS, the Montana Districting and Apportionment Commission submitted its legislative redistricting
9 plan to the Legislature on January 8, 2013, as required by Article V, section 14, of the Montana Constitution; and

10 WHEREAS, the Commission adopted criteria to guide the drawing of district lines that preserve the
11 principle of "one person, one vote"; and

12 WHEREAS, the Commission formed districts that successfully comply with all requirements of the federal
13 Voting Rights Act and that protect the voting rights of minority populations; and

14 WHEREAS, the Senate contends that incumbent protection is not one of the Commission's mandatory
15 or discretionary criteria; and

16 WHEREAS, the Senate contends that district lines should not be moved for the sole purpose of adhering
17 to incumbent preferences on which district they would like to live in; and

18 WHEREAS, the Senate contends that the proposed plan does not pass a general appearance test
19 regarding functional compactness, particularly House District 33 in Hill, Blaine, Phillips, and Valley Counties,
20 House Districts 43, 45, 46, and 54 in Yellowstone County, and House District 80 in Lewis and Clark and Powell
21 Counties; and

22 WHEREAS, the Senate contends that pairings of House Districts made to form Senate Districts fractures
23 communities of interest, particularly the assignments of House Districts 3, 4, 5, 6, 27, 28, 29, 30, 33, 34, 35, 36,
24 37, 38, 39, and 40; and

25 WHEREAS, the Senate contends that holdover Senator Sales has been assigned to a Senate District
26 predominantly composed of citizens who have never had the opportunity to vote for him, when it is possible to
27 assign him to a district that includes a significant population from his original Senate District; and

28 WHEREAS, the Legislature is required to return the plan to the Commission with its recommendations
29 on or before February 7, 2013.

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1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

2 That the Senate recommends that the Commission consider the following amendments:

3 (1) adjust lines that were moved for the sole purpose of protecting incumbents and placing them in their
4 preferred districts, and return legislators to the House Districts they resided in on the map adopted in August prior
5 to these politically motivated changes. These changes include adjusting the boundary lines between the following
6 districts:

7 (a) House District 15 and House District 93;

8 (b) House District 17 and House District 18;

9 (c) House District 37 and House District 39;

10 (d) House District 37 and House District 41; and

11 (e) House District 61 and House District 69.

12 (2) redraw House Districts 28, 33, and 34 in Hill, Blaine, Phillips, Valley, Daniels, Sheridan, and
13 Roosevelt Counties to avoid cutting the town of Glasgow in half and splitting North Havre off from Havre and to
14 better meet the standard of functional compactness;

15 (3) redraw House Districts 43, 45, 46, and 54 in Yellowstone County to better meet the standard of a
16 general appearance test regarding compactness;

17 (4) redraw House District 80 in Lewis and Clark and Powell Counties to better meet the standard of
18 functional compactness;

19 (5) preserve communities of interest and functional compactness by reassigning the following House
20 Districts into Senate District pairings:

21 (a) House Districts 3 and 5;

22 (b) House Districts 4 and 6;

23 (c) House Districts 27 and 30;

24 (d) House Districts 28 and 33;

25 (e) House Districts 29 and 40;

26 (f) House Districts 34 and 35;

27 (g) House Districts 36 and 37; and

28 (h) House Districts 38 and 39;

29 (6) reassign Senator Sales from Senate District 35 to Senate District 34, which includes the community
30 from which he was originally elected.

