

1 SENATE RESOLUTION NO. 3

2 INTRODUCED BY J. ESSMANN

3
 4 A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA PROVIDING RECOMMENDATIONS ON
 5 THE LEGISLATIVE REDISTRICTING PLAN TO THE MONTANA DISTRICTING AND APPORTIONMENT
 6 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 Senate ~~commends the Commission for establishing~~ RECOGNIZES THAT THE COMMISSION
 13 ESTABLISHED a maximum 3% population deviation, which surpasses the standard of a 5% population deviation,
 14 and COMMENDS THE COMMISSION for accomplishing a deviation of less than 1% for both House and Senate
 15 Districts; and

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

18 WHEREAS, the Senate contends that criteria directing the creation of compact and contiguous districts
 19 that preserve communities of interest and, when possible, follow the lines of political and geographic boundaries
 20 have not been satisfactorily adhered to; and

21 ~~WHEREAS, the Senate contends that the proposed plan does not pass a general appearance test~~
 22 ~~regarding compactness in numerous instances, particularly House Districts 24 and 25 in Cascade County, House~~
 23 ~~Districts 47, 48, 49, and 50 in Yellowstone County, House District 66 in Gallatin County, House District 81 in~~
 24 ~~Lewis and Clark County, and House District 96 in Missoula County; and~~

25 WHEREAS, the Senate contends that pairings of House Districts made to form Senate Districts fracture
 26 communities of interest, particularly the assignments of House Districts 73, 74, 75, 76, 77, and 79 in Deer Lodge,
 27 Jefferson, and Silver Bow Counties; and

28 WHEREAS, PAIRING HOUSE DISTRICTS 75 AND 78 RESULTS IN A SENATE DISTRICT THAT IS PRIMARILY RURAL
 29 IN NATURE AND PAIRING HOUSE DISTRICTS 73 AND 76 AND HOUSE DISTRICTS 74 AND 77 RESULTS IN TWO SENATE
 30 DISTRICTS THAT ARE TIED TOGETHER BY COMMON INTERESTS, INCLUDING THE HISTORICAL COPPER MINING INDUSTRY;

1 AND

2 WHEREAS, the Senate contends that holdover Senator Webb has been assigned to a Senate District
3 predominantly composed of citizens who have never had the opportunity to vote for him, when it is possible to
4 assign him to a district that includes more than 80% of the population from his original Senate District; and

5 ~~WHEREAS, the Senate contends that holdover Senator Kaufmann has been assigned to a Senate
6 District that is composed primarily of rural and suburban voters, while in her former Senate District she has
7 primarily represented urban and suburban voters; and~~

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

10

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

12 That the Senate urges the passage of amendments necessary for the Legislative Redistricting Plan to
13 conform to the Commission's established criteria. To this end, the Senate recommends that the Commission
14 consider the following amendments:

15 ~~(1) redraw House Districts 24 and 25 in Cascade County, House Districts 47, 48, 49, and 50 in
16 Yellowstone County, House District 66 in Gallatin County, House District 81 in Lewis and Clark County, and
17 House District 96 in Missoula County to better meet the standard of a general appearance test regarding
18 compactness. A compact district would be more square-like, as opposed to a long rectangle.~~

19 ~~(2)(1) preserve both compactness and communities of interest by reassigning the following House
20 Districts into Senate District pairings: House Districts 73 and 76, House Districts 74 and 77, and House Districts
21 75 and 78. The House District lines for Districts 74 and 77 should be moved together in order to meet the
22 contiguous standard in the Commission's criteria.~~

23 ~~(3)(2) reassign the following holdover Senators to Senate Districts that include SENATOR WEBB FROM
24 SENATE DISTRICT 23 TO SENATE DISTRICT 22, WHICH INCLUDES the communities from which ~~they were~~ HE WAS
25 originally elected:~~

26 ~~(a) Senator Webb from Senate District 23 to Senate District 22; and~~

27 ~~(b) Senator Kaufmann from Senate District 40 to Senate District 41.~~

28 BE IT FURTHER RESOLVED, that a copy of this resolution be kept on file by the Secretary of State and
29 that copies be sent by the Secretary of State to the presiding officer and each member of the Montana Districting
30 and Apportionment Commission.

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