

1 SENATE RESOLUTION NO. 3

2 INTRODUCED BY J. ESSMANN

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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 a maximum 3% population deviation,
13 which surpasses the standard of a 5% population deviation, and for accomplishing a deviation of less than 1%
14 for both House and Senate Districts; and

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

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

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

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

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

30 WHEREAS, the Senate contends that holdover Senator Kaufmann has been assigned to a Senate

1 District that is composed primarily of rural and suburban voters, while in her former Senate District she has
2 primarily represented urban and suburban voters; and

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

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

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

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

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

18 (3) reassign the following holdover Senators to Senate Districts that include the communities from which
19 they were originally elected:

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

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

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

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