1   HOUSE RESOLUTION NO. 3

2   INTRODUCED BY P. NOONAN

3

4   A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE

5   MONTANA DISTRICTING AND APPORTIONMENT COMMISSION TO UPHOLD ITS CRITERIA; AND

6   PROVIDING RECOMMENDATIONS 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 House of Representatives contends that incumbent protection is not one of the

15   Commission's mandatory or discretionary criteria; and

16   WHEREAS, the House of Representatives contends that district lines should not be moved for the sole

17   purpose of adhering to incumbent preferences on which district they would like to live in; and

18   WHEREAS, the House of Representatives contends that the proposed plan does not pass a general

19   appearance test regarding functional compactness, particularly House District 33 in Hill, Blaine, Phillips, and

20   Valley Counties, House Districts 43, 45, 46, and 54 in Yellowstone County, and House District 80 in Lewis and

21   Clark and Powell Counties; and

22   WHEREAS, the House of Representatives contends that pairings of House Districts made to form Senate

23   Districts fractures communities of interest, particularly the assignments of House Districts 3, 4, 5, 6, 27, 28, 29,

24   30, 33, 34, 35, 36, 37, 38, 39, and 40; and

25   WHEREAS, the House of Representatives contends that holdover Senator Sales has been assigned to

26   a Senate District predominantly composed of citizens who have never had the opportunity to vote for him, when

27   it is possible to 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 HOUSE OF REPRESENTATIVES OF THE STATE OF

2   MONTANA:

3   That the House of Representatives recommends that the Commission consider the following

4   amendments:

5   (1) adjust lines that were moved for the sole purpose of protecting incumbents and placing them in their

6   preferred districts, and return legislators to the House Districts they resided in on the map adopted in August prior

7   to these politically motivated changes. These changes include adjusting the boundary lines between the following

8   districts:

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

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

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

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

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

14   (2)   redraw House Districts 28, 33, and 34 in Hill, Blaine, Phillips, Valley, Daniels, Sheridan, and

15   Roosevelt Counties to avoid cutting the town of Glasgow in half and splitting North Havre off from Havre and to

16   better meet the standard of functional compactness;

17   (3) redraw House Districts 43, 45, 46, and 54 in Yellowstone County to better meet the standard of a

18   general appearance test regarding compactness;

19   (4)   redraw House District 80 in Lewis and Clark and Powell Counties to better meet the standard of

20   functional compactness;

21   (5) preserve communities of interest and functional compactness by reassigning the following House

22   Districts into Senate District pairings:

23   (a) House Districts 3 and 5;

24   (b) House Districts 4 and 6;

25   (c) House Districts 27 and 30;

26   (d) House Districts 28 and 33;

27   (e) House Districts 29 and 40;

28   (f) House District 34 and 35;

29   (g) House Districts 36 and 37; and

30   (h) House Districts 38 and 39;

1   (6) reassign Senator Sales from Senate District 35 to Senate District 34, which includes the community

2   from which he was originally elected.

3   BE IT FURTHER RESOLVED, that a copy of this resolution be kept on file by the Secretary of State and

4   that copies be sent by the Secretary of State to the presiding officer and each member of the Montana Districting

5   and Apportionment Commission.

6   - END -