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SENATE BILL NO. 534

INTRODUCED BY T. MCGILLVRAY, J. HINKLE

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE V, SECTION 14, OF THE MONTANA CONSTITUTION TO REVISE THE CRITERIA FOR LEGISLATIVE AND CONGRESSIONAL DISTRICTS; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Article V, section 14, of The Constitution of the State of Montana is amended to read:

**"Section 14. Districting and apportionment.** (1) The state shall be divided into as many districts as there are members of the house, and each district shall elect one representative. Each senate district shall be composed of two adjoining house districts, and shall elect one senator.

(2) Each district shall consist of compact and contiguous territory. All districts shall be as nearly equal in population as is practicable. All districts shall comply with the United States constitution. The geographical integrity of any city, town, county, or community of interest shall be ~~respected~~ preserved in a manner that minimizes their division to the extent possible without violating any of the requirements of this subsection. Communities of interest do not include relationships with political parties, incumbents, and political candidates. ~~In establishing districts, the commission may not consider any data pertaining to the political affiliation of electors or prior election results.~~

(2)(3) In the legislative session following ratification of this constitution and thereafter in each session preceding each federal population census, a commission of five citizens, none of whom may be public officials, shall be selected to prepare a plan for redistricting and reapportioning the state into legislative districts and a plan for redistricting the state into congressional districts. The majority and minority leaders of each house shall each designate one commissioner. Within 20 days after their designation, the four commissioners shall select the fifth member, who shall serve as chairman of the commission. If the four members fail to select the fifth member within the time prescribed, a majority of the supreme court shall select him.

