## Amendment - 1st Reading-white - Requested by: Bill Mercer - (S) State Administration

68th L	gislature - 2023 Drafter: Rachel Weiss, 406-444-5367 SJ0008.001.004
1	SENATE JOINT RESOLUTION NO. 8
2	INTRODUCED BY J. ELLSWORTH
3	
4	A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5	MONTANA PROVIDING RECOMMENDATIONS ON THE LEGISLATIVE REDISTRICTING PLAN TO THE
6	MONTANA DISTRICTING AND APPORTIONMENT COMMISSION.
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8	WHEREAS, the Montana Districting and Apportionment Commission submitted its legislative
9	redistricting plan to the Legislature on January 6, 2023, as required by Article V, section 14, of the Montana
10	Constitution; and
11	WHEREAS, the Montana Constitution requires the Commission to submit a proposed plan to the
12	Legislature for recommendations to alter the proposal; and
13	WHEREAS, the Montana Constitution mandates that districts must be as equal in population as is
14	practicable and be compact and contiguous; and
15	WHEREAS, many other states do not have statutory or constitutional directives requiring districts to be
16	compact and contiguous, and, for those states that do have directives, many qualify the requirement with
17	language saying that it must be done only "to the extent practicable"; and
18	WHEREAS, Montana's constitutional imperative for compact and contiguous districts is not diluted with
19	this type of exception; and
20	WHEREAS, the Commission established a maximum average standard deviation of plus or minus 1%,
21	which surpasses the standards of the 2013 Commission, which maintained a standard deviation of 3%; and
22	WHEREAS, the Commission formed districts that successfully comply with all requirements of the
23	federal Voting Rights Act and that protect the voting rights of minority populations; and
24	WHEREAS, the Legislature finds that the Commission's tentative map does not meet Montana's state
25	constitutional mandate of compactness in urban areas in Missoula County, Lewis and Clark County, and
26	Gallatin County; and
27	WHEREAS, the Legislature finds that the Commission's tentative map does follow its own criterion for
28	functional compactness in several areas around the state; and



## Amendment - 1st Reading-white - Requested by: Bill Mercer - (S) State Administration 68th Legislature - 2023 Drafter: Rachel Weiss, 406-444-5367 SJ0008.001.004 1 WHEREAS, the Legislature finds the Commission did not follow its criterion to minimize the splitting of 2 municipalities whenever possible, such as the city of Whitefish; and 3 WHEREAS, the Legislature finds the Commission did not follow its criterion to consider 4 competitiveness of proposed districts; and 5 WHEREAS, the Legislature finds the Commission did not follow its mandatory criterion for keeping 6 communities of interest whole; and 7 WHEREAS, the Legislature finds the Commission did not apply its criterion consistently when drawing 8 legislative districts; and 9 WHEREAS, the Legislature finds the Commission did not follow its criterion to keep communities of 10 interest intact when pairing House districts into Senate districts, including in Flathead County and districts in 11 Granite, Powell, Lewis and Clark, and Jefferson Counties. 12 13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF 14 THE STATE OF MONTANA: 15 That the Legislature exercises its constitutional role of recommendation to urge the passage of 16 amendments necessary for the Legislative Redistricting Plan to conform to the Commission's established 17 criteria. To this end, the Legislature recommends that the Commission consider the following amendments: 18 (1) redraw as necessary to keep cities intact; redraw noncompact districts while also following the Commission's criterion of looking at district 19 (2) 20 competitiveness; and 21 (3) keep established communities of interest intact by reconfiguring House pairings to Senate 22 seats. 23 BE IT FURTHER RESOLVED, that a copy of this resolution be kept on file with the Secretary of State 24 and that copies be sent by the Secretary of State to the presiding officer and each member of the Montana 25 Districting and Apportionment Commission. 26 - END -

