

1 SENATE JOINT RESOLUTION NO. 8

2 INTRODUCED BY J. ELLSWORTH

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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, the Commission established a maximum average standard deviation of plus or minus 1%,  
16 which surpasses the standards of the 2013 Commission, which maintained a standard deviation of 3%; and

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

19 WHEREAS, the Legislature finds that the Commission's tentative map does not meet Montana's state  
20 constitutional mandate of compactness in urban areas in Missoula County, Lewis and Clark County, and  
21 Gallatin County; and

22 WHEREAS, the Legislature finds that the Commission's tentative map does follow its own criterion for  
23 functional compactness in several areas around the state; and

24 WHEREAS, the Legislature finds the Commission did not follow its criterion to minimize the splitting of  
25 municipalities whenever possible, such as the city of Whitefish; and

26 WHEREAS, the Legislature finds the Commission did not follow its criterion to consider  
27 competitiveness of proposed districts; and

28 WHEREAS, the Legislature finds the Commission did not follow its mandatory criterion for keeping

**Amendment - 1st Reading-white - Requested by: Jason Ellsworth - (S) Judiciary**

68th Legislature - 2023

Drafter: Rachel Weiss, 406-444-5367

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1 communities of interest whole; and

2 WHEREAS, the Legislature finds the Commission did not apply its criterion consistently when drawing  
3 legislative districts; and

4 WHEREAS, the Legislature finds the Commission did not follow its criterion to keep communities of  
5 interest intact when pairing House districts into Senate districts, including in Flathead County and districts in  
6 Granite, Powell, Lewis and Clark, and Jefferson Counties; and

7 WHEREAS, the Legislature finds that the Commission's tentative map includes a minor split of  
8 Musselshell County.

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10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF  
11 THE STATE OF MONTANA:

12 That the Legislature exercises its constitutional role of recommendation to urge the passage of  
13 amendments necessary for the Legislative Redistricting Plan to conform to the Commission's established  
14 criteria. To this end, the Legislature recommends that the Commission consider the following amendments:

15 (1) redraw as necessary to keep cities intact;

16 (2) redraw noncompact districts while also following the Commission's criterion of looking at district  
17 competitiveness; ~~and~~

18 (3) redraw as necessary to keep Musselshell County whole; and

19 (3)(4) keep established communities of interest intact by reconfiguring House pairings to Senate  
20 seats.

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

24 - END -