

Amendment - 2nd Reading/2nd House-tan - Requested by: Kim Abbott - (H) Committee of the Whole

68th Legislature - 2023

Drafter: Rachel Weiss, 406-444-5367

SJ0008.002.008

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.

7
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

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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~~

7 WHEREAS, THE MONTANA CONSTITUTION REQUIRES DISTRICTS TO PROTECT MINORITY VOTING RIGHTS; AND

8 WHEREAS, THE MONTANA CONSTITUTION FURTHER MANDATES DISTRICTS BE COMPACT AND CONTIGUOUS;

9 AND

10 WHEREAS, the Legislature finds that despite Montana being the fourth largest state geographically
11 and the third least densely populated state, the Commission's tentative House map is more compact on
12 average on the Know It When You See It compactness score than at least 28 other lower chamber legislative
13 maps across the country, including 1-Alabama, 2-Alaska, 3-Arizona, 4-Arkansas, 5-California, 6-Colorado, 7-
14 Georgia, 8-Illinois, 9-Iowa, 10-Kentucky, 11-Louisiana, 12-Massachusetts, 13-Mississippi, 14-Missouri, 15-New
15 Jersey, 16-New Mexico, 17-New York, 18-Ohio, 19-Oregon, 20-Pennsylvania, 21-Rhode Island, 22-South
16 Carolina, 23-Tennessee, 24-Texas, 25-Virginia, 26-Washington, 27- West Virginia, and 28-Wisconsin; and

17 WHEREAS, THE MONTANA DISTRICTING AND APPORTIONMENT COMMISSION ADOPTED ADDITIONAL
18 DISCRETIONARY CRITERIA TO GUIDE ITS REDISTRICTING PLAN, INCLUDING PREVENTING FAVORITISM TOWARD POLITICAL
19 PARTIES, MINIMIZING THE DIVISION OF CITIES, TOWNS, COUNTIES, AND FEDERAL RESERVATIONS, AND KEEPING
20 COMMUNITIES OF INTEREST INTACT.

21
22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
23 THE STATE OF MONTANA:

24 (Refer to Introduced Bill)

25 Strike everything after the resolving clause and insert:

26

27 In an era of significant political division, Montana's elected representatives still believe in working
28 together. After evaluating the public comments and reviewing the proposal of the Montana Districting and