

Mandatory Criteria for Legislative Districts

1. Legislative Districts must be as equal in population as is practicable meaning within a maximum deviation of no more than plus or minus one per cent from the ideal population of 10,842 persons. (Art I, Sec 2. US Const. and MT Constitution Art. V, Sec. 14)
2. Legislative Districts must comply with Section 2 of the Voting Rights Act. Race cannot be the predominant factor to which other criteria are subordinated. (Voting Rights Act, Equal Protection Clause)
3. Legislative Districts must be compact. Compactness is greatest when a district's length and its width are equal, as is a circle.
4. Legislative Districts must be contiguous, meaning that a district must be in one piece. Areas that meet only at points of adjoining corners or areas separated by natural geographic or artificial barriers that prevent transportation within a district by vehicle on a maintained road shall not be considered to be contiguous.
5. Legislative District boundaries shall coincide with political subdivisions of the state, including towns, cities, counties, and school districts, and federal reservations to the greatest extent possible. The number of towns, cities, counties, school districts and federal reservations divided among more than one district shall be as small as possible. When there is a choice between dividing these entities the more populous of same must be divided before the less populous, unless the boundary is drawn along a county line or reservation boundary that passes through a city or school district.
6. Holdover Senators shall be assigned to the Senate District which contains the greatest number of residents of the district from which they were previously elected.
7. Criteria shall be prioritized and uniformly applied in the order listed above.

Discretionary Criteria for Legislative Districts

1. No districting plan shall be drawn with the intent to favor or disfavor a political party or an incumbent. (Florida Constitution)
2. Legislative Districts should keep communities of interest intact. In rural areas of expanse, communities of interest shall include the districts and divisions created by the Montana High School Association. In areas of density inside cities, communities of interest shall include elementary school boundaries and city ward boundaries. In suburban areas outside of cities but adjacent thereto communities of interest shall include elementary and high school districts.
3. Communities of interest may also be based upon economic, geographic, social and community commonalities.
4. Discretionary Criteria shall be prioritized and uniformly applied in the order listed above.