

Senate Joint Resolution 9

Sponsored by Senator FERRIOLI (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution establishing commission to adopt legislative and congressional redistricting plans.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by repealing sections 6 and 7, Article IV, and by adopting the following new section 6 in lieu thereof:

SECTION 6. REDISTRICTING.

(1) In January of each year ending in one, a commission shall be established to provide for the redistricting of congressional and legislative districts.

(2) The commission shall be composed of five members to be appointed as follows:

(a) By January 15th of each year ending in one, one voting member shall be appointed to the commission by each of the following:

(A) The highest ranking officer elected by the House of Representatives;

(B) The minority party leader of the House of Representatives;

(C) The highest ranking officer elected by the Senate; and

(D) The minority party leader of the Senate.

(b) In the event that there are two or more minority parties within the House of Representatives or Senate, the leader of the largest minority party as determined by statewide political party affiliation shall make the appointment.

(c) By January 31st of each year ending in one, the four members of the commission appointed under paragraph (a) of this subsection shall by majority vote appoint a fifth member to the commission. The member of the commission appointed under this paragraph shall:

(A) Be a nonvoting member of the commission; and

(B) Serve as chairperson of the commission.

(3) If any appointing authority fails to make the required appointment by the dates established under subsection (2) of this section, the Supreme Court, by majority decision, shall make the required appointment not later than five calendar days following the required appointment date set forth in subsection (2) of this subsection.

(4) During the two years before appointment, a member of the commission may not have been elected to, or served in, any elected office, or held a position within a major political party or minor political party at the state, county or district level.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(b) The prohibition in paragraph (a) of this subsection does not apply to serving as a**
2 **precinct committeeperson.**

3 **(5) The Legislative Assembly shall:**

4 **(a) Enact laws providing for the implementation of this section. These laws may include**
5 **the imposition of additional qualifications for members of the commissioner and additional**
6 **standards to govern the commission.**

7 **(b) Appropriate moneys sufficient to enable the commission to carry out its duties.**

8 **(6)(a) Each district shall contain a population, excluding nonresident military personnel,**
9 **as nearly equal as practicable to the population of any other district.**

10 **(b) To the extent reasonable, each district shall:**

11 **(A) Contain contiguous territory;**

12 **(B) Be compact and convenient; and**

13 **(C) Be separated from adjoining districts by natural geographic barriers, artificial barri-**
14 **ers or political subdivision boundaries.**

15 **(c) A redistricting plan adopted by the commission may not be drawn purposely to favor**
16 **or discriminate against any political party or group.**

17 **(7)(a) The commission shall complete redistricting as soon as possible following the fed-**
18 **eral decennial census, but not later than by January 1st of each year ending in two.**

19 **(b)(A) In order for a redistricting plan to be adopted, at least three of the voting mem-**
20 **bers of the commission must approve the plan.**

21 **(B) If the commission cannot adopt a redistricting plan within the time frame specified**
22 **under paragraph (a) of this subsection, the Supreme Court shall adopt a plan by April 30th**
23 **of the year ending in two. Any plan adopted by the Supreme Court shall comply with the**
24 **standards set forth in subsection (6) of this section.**

25 **(8) The Legislative Assembly may amend any redistricting plan adopted by the commis-**
26 **sion under this section by a two-thirds vote by both the Senate and the House of Represen-**
27 **tatives. Any legislative amendment to a redistricting plan adopted by the commission must**
28 **have passed both the Senate and House of Representatives by a two-thirds vote by the end**
29 **of the 30th day of the first regular session of the Legislative Assembly that is convened after**
30 **the commission has adopted its plan.**

31 **(9)(a) The Legislative Assembly shall enact laws providing for the reconvening of the**
32 **commission for the purpose of modifying a redistricting plan adopted under this section.**
33 **Such reconvening requires a two-thirds vote of the members of the Legislative Assembly**
34 **from both the Senate and the House of Representatives.**

35 **(b) Any redistricting plan adopted by a commission reconvened under this subsection:**

36 **(A) Must be approved by a majority of the members of the commission in the manner**
37 **set forth in subsection (7) of this section;**

38 **(B) Shall conform to the standards prescribed under subsection (6) of this section and**
39 **any other standards or procedures that the Legislative Assembly may provide by law; and**

40 **(C) May be amended by the Legislative Assembly in the manner set forth in subsection**
41 **(8) of this section.**

42 **(11) The Legislative Assembly shall prescribe by law the terms of the members of the**
43 **commission and the method of filling vacancies on the commission.**

44 **(12) The Supreme Court has original jurisdiction to hear and decide all cases involving**
45 **congressional and legislative redistricting.**

1 **(13) Legislative and congressional districts may not be changed or established except**
2 **pursuant to this section. Notwithstanding section 15b, Article V of this Constitution, a leg-**
3 **islative or congressional redistricting plan adopted under this section is not subject to veto**
4 **by the Governor.**

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6 **PARAGRAPH 2.** **The amendment proposed by this resolution shall be submitted to the**
7 **people for their approval or rejection at the next regular general election held throughout**
8 **this state.**

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