

Senate Joint Resolution 10

Sponsored by Senators THATCHER, GOLDEN, HANSELL, Representatives LIVELY, SMITH G; Senator WEBER, Representatives CATE, HIEB, LEVY B, MORGAN, OWENS, SCHARF (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 Citizens Redistricting Commission to adopt redistricting maps for Senate, House of Representatives and United States Congress.

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

JOINT RESOLUTION

1
2 Whereas election day is when Oregonians exercise their right to vote and make their voices
3 heard, and the people of Oregon need an independent commission to draw fair and impartial districts
4 so that every vote matters; and

5 Whereas under current law, Oregon politicians draw the boundaries for their own state legisla-
6 tive and congressional districts, a serious conflict of interest that harms voters; and

7 Whereas state and national level districting and redistricting rules should be determined by a
8 politically neutral entity; and

9 Whereas Oregon state legislators draw district boundary maps every 10 years based on national
10 census data; and

11 Whereas in general elections going back 20 years, 97.4 percent of incumbent politicians of the
12 Oregon Legislative Assembly were reelected in the districts they had drawn for themselves; and

13 Whereas current law allows politicians to draw districts to serve their own interests, not those
14 of our communities, dividing places like Clackamas, Salem and Eugene into multiple oddly shaped
15 districts to protect incumbent legislators; and

16 Whereas in past redistrictings where incumbents have been protected, many Oregonians have
17 had no political voice because communities have been packed into one district or split into many
18 districts with no input from the public; and

19 Whereas the people of Oregon believe in fairness, accountability and transparency in political
20 processes; and

21 Whereas 40 percent of Oregonians are not registered with either the Democratic or Republican
22 parties, are now the largest segment of registered voters and have virtually no representation in the
23 Legislative Assembly or United States Congress; and

24 Whereas Oregon legislative and congressional districts should be drawn to represent voters from
25 all party affiliations, income levels, backgrounds, identities and corners of this state; and

26 Whereas voters across the country, in states such as Arizona, California, Colorado and
27 Michigan, have been moving to reject partisan gerrymandering, adopting reforms to make the re-
28 districting process open and impartial so it is controlled by people, not partisan politicians; and

29 Whereas an independent Oregon Citizens Redistricting Commission would provide greater op-
30 portunity for underrepresented communities such as low-income Oregonians, persons of color, rural

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 Oregonians and seniors to have a voice in their own representation; and

2 Whereas the people of Oregon find it necessary to create an independent Citizens Redistricting
3 Commission to draw the state legislative and congressional districts in an impartial and fully
4 transparent manner that will promote inclusion and representation of all Oregonians; and

5 Whereas the people of Oregon find it necessary to give otherwise-affiliated voters whose voices
6 are underrepresented in the Legislative Assembly and United States Congress an equal voice and
7 vote on the commission alongside registered Democrats and Republicans; and

8 Whereas the people of Oregon find it necessary to require the independent Citizens Redistricting
9 Commission to draw state legislative and congressional districts based on strict, nonpartisan rules
10 designed to ensure fair representation, to propose reform that will take redistricting out of the
11 partisan battles of the Legislative Assembly and guarantee that redistricting is carried out by a
12 group of impartial Oregonians in open public meetings without favor to incumbents or parties, and
13 to open every aspect of this process to scrutiny by the public and the press; and

14 Whereas the people of Oregon find it necessary to create an independent Citizens Redistricting
15 Commission because we believe Oregon voters should choose their representatives and represen-
16 tatives should not choose their voters; now, therefore,

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

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

20 **SECTION 6. (1) The Citizens Redistricting Commission is established. The commission**
21 **shall consist of 12 commissioners and be created no later than December 31 in each year**
22 **ending in the number zero.**

23 **(2) The Secretary of State shall adopt rules the secretary considers necessary to facili-**
24 **tate and assist in achieving and maintaining a maximum degree of correctness, impartiality**
25 **and efficiency in the administration of subsections (3) and (5) of this section by the Office**
26 **of the Secretary of State.**

27 **(3)(a) No later than August 15 in each year ending in the number nine, the Secretary of**
28 **State shall initiate a process for individuals to apply for membership on the commission. The**
29 **process must promote a diverse and qualified applicant pool.**

30 **(b) An individual may serve on the commission if the individual:**

31 **(A) Is registered to vote in this state;**

32 **(B) For the three years preceding the initiation of the application process has been reg-**
33 **istered in Oregon with the same political party or unaffiliated with a political party; and**

34 **(C) Voted in at least two of the three most recent general elections or has been a resi-**
35 **dent of Oregon for at least the previous three years.**

36 **(c) Notwithstanding paragraph (b) of this subsection, an individual may not serve on the**
37 **commission if the individual is or, within four years of the initiation of the application pro-**
38 **cess, was:**

39 **(A) A holder of or candidate for federal, state, county or other elective office for which**
40 **the holder receives compensation other than for expenses;**

41 **(B) An officer, employee or paid consultant of a political party;**

42 **(C)(i) An officer, director or employee of a campaign committee of a candidate for or**
43 **holder of a federal or state office; or**

44 **(ii) A paid contractor or member of the staff of a paid contractor of a campaign com-**
45 **mittee of a candidate for or holder of a federal or state office;**

1 (D) A member of a political party central committee;

2 (E) A registered federal, state or local lobbyist;

3 (F) A paid congressional or legislative employee;

4 (G) A member of the staff of a holder of a federal or state office;

5 (H) A legislative or campaign contractor, or staff of the contractor, to a holder of a
6 federal or state office;

7 (I) An individual who has contributed more in a calendar year to any single candidate for
8 federal or state office than the amount allowed per election by federal law for contributions
9 to federal candidates; or

10 (J) A spouse, parent, child, sibling, in-law or cohabiting member of a household of an
11 individual described in subparagraphs (A) to (I) of this paragraph.

12 (d) For purposes of this subsection, "state office" means the office of Governor, Secre-
13 tary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and
14 Industries, state Senator, state Representative, judge or district attorney and any other
15 elected statewide public office created by law.

16 (4)(a) No later than January 5 in each year ending in the number zero, the chief admin-
17 istrative law judge of the Office of Administrative Hearings or its successor agency shall
18 designate a review panel composed of three administrative law judges to review the applica-
19 tions identified in paragraph (a) of subsection (5) of this section. Notwithstanding any state
20 law, the chief administrative law judge shall appoint individuals who possess the most rele-
21 vant analytical skills, who have the ability to be impartial and promote consensus on the
22 commission and who demonstrate an appreciation for and are reasonably reflective of the
23 diversity of this state, including but not limited to racial, ethnic, geographic and gender di-
24 versity.

25 (b) The review panel shall include only administrative law judges who have been regis-
26 tered to vote in Oregon and continuously employed by the Office of Administrative Hearings
27 for at least the two years prior to their appointment, who shall be appointed as follows:

28 (A) One administrative law judge must have been registered for at least the previous two
29 years with the political party with the largest registration in this state.

30 (B) One administrative law judge must have been registered for at least the previous two
31 years with the political party with the second largest registration in this state.

32 (C) One administrative law judge must not have been registered for at least the previous
33 two years with either of the two largest political parties in this state.

34 (c) An administrative law judge may not serve on the review panel if the administrative
35 law judge is an individual described in paragraph (c) of subsection (3) of this section.

36 (5)(a) No later than March 15 in each year ending in the number zero, after removing
37 applicants with conflicts of interest from the applicant pool as described in paragraph (c) of
38 subsection (3) of this section, the Secretary of State shall publicize the names of the indi-
39 viduals in the applicant pool in a manner that ensures widespread public access and provide
40 the applications to the review panel.

41 (b) If the pool of qualified applicants is greater than or equal to 900, the review panel
42 shall randomly select by lot from all of the eligible applicants the names of 300 applicants
43 registered with the largest party, 300 applicants registered with the second largest party and
44 300 applicants not registered with either of the two largest parties. If any individual subpool
45 of eligible applicants contains fewer than 300 applicants, no random selection shall occur for

1 that subpool.

2 (c) No later than May 15 in each year ending in the number zero, the review panel shall
3 present to the Secretary of State the names of 150 individuals from the applicant pool who
4 possess the most relevant analytical skills, who have the ability to be impartial and promote
5 consensus on the commission and who demonstrate an appreciation for and are reasonably
6 reflective of the diversity of this state, including but not limited to racial, ethnic, geographic
7 and gender diversity.

8 (d) The review panel shall choose the individuals for the applicant pool by unanimous
9 vote, with three subpools of applicants chosen as follows:

10 (A) Fifty individuals must be registered with the largest political party in this state;

11 (B) Fifty individuals must be registered with the second largest political party in this
12 state; and

13 (C) Fifty individuals must not be registered with either of the two largest political parties
14 in this state.

15 (e) If fewer than 50 qualified individuals within each subpool have applied, the review
16 panel shall choose all of the qualified individuals within such subpool.

17 (f) The members of the review panel may not communicate with a member of the Leg-
18 islative Assembly or the United States Congress, or their agents, about any matter related
19 to the selection of commissioners prior to the presentation of the 150-member applicant pool
20 to the Secretary of State.

21 (6) No later than July 5 in each year ending in the number zero, at a time and place ac-
22 cessible to members of the public, the Secretary of State shall randomly select by lot six
23 individuals to serve on the commission from the individuals presented under paragraphs (c)
24 to (e) of subsection (5) of this section as follows:

25 (a) Two individuals must be from the subpool of individuals registered with the largest
26 political party in this state;

27 (b) Two individuals must be from the subpool of individuals registered with the second
28 largest political party in this state; and

29 (c) Two individuals must be from the subpool of individuals who are not registered with
30 either of the two largest political parties in this state.

31 (7)(a) No later than August 15 in each year ending in the number zero, the six commis-
32 sioners selected under subsection (6) of this section shall review the remaining names in the
33 subpools and select six additional commissioners. The commissioners shall, without the use
34 of specific ratios or formulas, select additional commissioners who possess the most relevant
35 analytical skills, who have the ability to be impartial and promote consensus on the com-
36 mission and who demonstrate an appreciation for and are reasonably reflective of the diver-
37 sity of this state, including but not limited to racial, ethnic, geographic and gender diversity.
38 When selecting the six additional commissioners, the commissioners may take into account
39 the applicants' experience in organizing, representing, advocating for, adjudicating the in-
40 terest of or actively participating in groups, organizations or associations in Oregon. The
41 selection shall occur as follows:

42 (A) Two individuals must be from the subpool of individuals registered with the largest
43 political party in this state;

44 (B) Two individuals must be from the subpool of individuals registered with the second
45 largest political party in this state; and

1 (C) Two individuals must be from the subpool of individuals who are not registered with
2 either of the two largest political parties in this state.

3 (b) Approval of the six additional commissioners requires four affirmative votes of the
4 six initial commissioners, including at least one vote cast by a commission member regis-
5 tered with the largest political party in this state, one vote cast by a commission member
6 registered with the second largest political party in this state and one vote cast by a com-
7 mission member who is not registered with either of the two largest political parties in this
8 state.

9 (8)(a) The Governor may remove a member of the commission in the event of a sub-
10 stantial neglect of duty or gross misconduct in office, or if a commission member is unable
11 to discharge the duties of the office. To remove a member, the Governor must:

12 (A) Serve the member with written notice;

13 (B) Provide the member with an opportunity to respond; and

14 (C) Obtain concurring votes from two-thirds of the members of the Senate, which shall
15 convene in special session if necessary.

16 (b) The member may contest the removal by means of an evidentiary hearing in circuit
17 court in an action in the manner of an action for a declaratory judgment. The circuit court's
18 determination shall take precedence over other matters before the circuit court. Any party
19 may appeal the decision of the circuit court directly to the Supreme Court, which shall ac-
20 cord the highest priority to the matter.

21 (c) The removal, if contested by the member, shall not be effective until judicial review
22 is concluded.

23 (9)(a) If a position among the first six randomly selected commissioners on the commis-
24 sion becomes vacant, the commission shall fill the vacancy within 30 days by randomly se-
25 lecting an appointee from the same subpool from which the vacating member was selected.
26 If a position among the final six appointed commissioners becomes vacant, the commission
27 shall fill the vacancy within 30 days by a vote of a simple majority of the remaining com-
28 missioners, with at least one vote cast by a commission member registered with the largest
29 political party in this state, one vote cast by a commission member registered with the sec-
30 ond largest political party in this state and one vote cast by a commission member who is
31 not registered with either of the two largest political parties in this state.

32 (b) If no individual in the applicable subpool is available to serve, the review panel shall
33 establish a new subpool as provided in paragraph (d) of subsection (5) of this section, and the
34 commission shall fill the vacancy from the new subpool.

35 (10)(a) The commission shall make all purchasing and hiring decisions and shall hire
36 commission staff, legal counsel and consultants as needed. The commission shall establish
37 clear criteria for the hiring and removal of individuals, conflicts of interest, communication
38 protocols and a code of conduct. A member of the staff or a contractor of the commission
39 or the Secretary of State may not serve the commission or the review panel designated un-
40 der subsection (4) of this section if the staff member or contractor is an individual described
41 in paragraph (c) of subsection (3) of this section other than by virtue of the individual being
42 an employee or contractor of the Secretary of State.

43 (b) The Secretary of State shall provide staff and office support to the commission and
44 the commission staff as needed.

45 (c)(A) For each day a member is engaged in the business of the commission, the member

1 shall be compensated at a rate equivalent to the amount fixed for per diem allowance that
2 is authorized by the United States Internal Revenue Service to be excluded from gross in-
3 come without itemization.

4 (B) For each day a member of the review panel or a member of the commission is en-
5 gaged in the business of the commission, the member shall receive mileage and reimburse-
6 ment for other reasonable travel expenses.

7 (d)(A) An employer may not discharge, threaten to discharge, intimidate, coerce or re-
8 taliate against any employee by reason of the employee's service as a commissioner or staff
9 of commission.

10 (B) If the employment of a member of the commission is interrupted because of the
11 performance of official duties as a member of the commission, the member's employer shall
12 restore the member to the employment status the member would have enjoyed if the mem-
13 ber had continued in employment during the performance of the official duties.

14 (C) Subparagraph (B) of this paragraph does not apply if the employer is a small business.
15 As used in this subparagraph, "small business" means an independent business with fewer
16 than 20 employees and with average annual gross receipts over the preceding three years
17 not exceeding \$1 million for construction firms and \$300,000 for nonconstruction firms.
18 "Small business" does not include a subsidiary or parent company belonging to a group of
19 firms that are owned and controlled by the same individuals and that have average aggregate
20 annual gross receipts in excess of \$1 million for construction firms or \$300,000 for noncon-
21 struction firms over the preceding three years.

22 (D) Prior to the initiation of the process for individuals to apply for membership on the
23 commission in each year ending in the number nine, the dollar amounts specified in subpar-
24 agraph (C) of this paragraph shall be increased or decreased by the Secretary of State based
25 upon any increase or decrease in the Consumer Price Index for All Urban Consumers, West
26 Region (All Items), as published by the Bureau of Labor Statistics of the United States De-
27 partment of Labor or its successor during the preceding 10-year period. The amount deter-
28 mined under this subparagraph shall be rounded to the nearest \$1,000.

29 (11)(a) Commissioners shall serve a term of office that expires upon the appointment of
30 the first member of the succeeding commission. Other than activities expressly authorized
31 by this section and section 7 of this Article, the commission shall expend funds only if there
32 is active litigation or other ongoing commission business.

33 (b) During the term of office of the commissioners or for a period of three years after
34 resignation or removal, a member of the commission may not:

35 (A) Hold, or be a candidate for, federal, state, county or other elective office for which
36 the holder receives compensation other than expenses;

37 (B) Serve in an office for which the holder is appointed or selected by the Legislative
38 Assembly or United States Congress, or by a member, committee or house of the Legislative
39 Assembly or United States Congress;

40 (C) Receive compensation for serving as a consultant or advisor to a member of or candi-
41 didate for the Legislative Assembly or United States Congress, or to a committee or house
42 of the Legislative Assembly or United States Congress; or

43 (D) Receive compensation for lobbying the Legislative Assembly or United States Con-
44 gress.

45 (12) The Legislative Assembly shall:

1 (a) Appropriate the funds necessary to permit the commission to fulfill the commission's
2 obligations. For the first year of the redistricting process, the Legislative Assembly shall
3 dedicate funds for the commission from general tax revenues otherwise available for the
4 operation of the Legislative Assembly. For the first year of the redistricting process, the
5 Legislative Assembly shall appropriate or allocate funds to the commission in an amount not
6 less than the Legislative Assembly appropriated or allocated to the legislative branch for
7 redistricting in the 2019-2021 biennium. In all future redistricting cycles, the appropriation
8 may not be less than the amount appropriated in the previous redistricting cycle. If new
9 expenditures are required, the dedicated funding source for the commission shall be the in-
10 come tax. If, after the conclusion of any litigation involving the redistricting, the appropri-
11 ations to the commission exceed the expenses of the commission, the commission shall
12 return the excess to the General Fund.

13 (b) Make available to the commission a complete and accurate computerized database and
14 precinct shapefiles for redistricting.

15 (13) Except for an Act appropriating moneys in a manner described in subsection (12) of
16 this section, the Legislative Assembly may enact an Act that directly impacts the function-
17 ing of the commission only when:

18 (a) The commission recommends by a vote meeting the requirements set forth in para-
19 graph (c) of subsection (2) of section 7 of this Article that the Legislative Assembly enact
20 an Act in order to enhance the ability of the commission to carry out the purposes of the
21 commission;

22 (b) The commission provides language for the Act to the Legislative Assembly; and

23 (c) The Legislative Assembly enacts the exact language provided under paragraph (b) of
24 this subsection.

25 SECTION 7. (1) The Citizens Redistricting Commission shall:

26 (a) Conduct an open and transparent process enabling full public participation, including
27 public consideration of and comment on the drawing of state legislative and congressional
28 district lines.

29 (b) Draw district lines according to the redistricting criteria specified in this section.

30 (c) Conduct all business of the commission with integrity, impartiality and fairness in a
31 manner that reinforces public confidence in the integrity of the redistricting process, in-
32 cluding adopting rules that further these purposes.

33 (2)(a) Seven commissioners constitutes a quorum for the conduct of business.

34 (b) The commission shall select, by a majority vote, one member to serve as chairperson
35 and one member to serve as vice chairperson. The chairperson and vice chairperson may not
36 be of the same political affiliation.

37 (c) Official action by the commission requires an affirmative vote by seven or more
38 commissioners.

39 (d) Approval of the final redistricting maps described in subsection (6) of this section
40 requires seven or more affirmative votes, including at least one vote cast by a commission
41 member registered with the largest political party in this state, one vote cast by a commis-
42 sion member registered with the second largest political party in this state and one vote cast
43 by a member who is not registered with either of the two largest political parties in this
44 state.

45 (e) No more than three commissioners may discuss the business of the commission other

1 than in a public meeting.

2 (3)(a) The commission shall provide at least 14 days' public notice for each meeting or
3 hearing, except that meetings held within 15 days of August 15 in the year ending in the
4 number one may be held with three days' notice. In the event that the commission must
5 reconvene following a court order according to paragraph (d) of subsection (7) of this section,
6 meetings and hearings may be held with three days' notice.

7 (b)(A) The records of the commission pertaining to redistricting and all data considered
8 by the commission in redistricting are public records.

9 (B) The commission must post records and data in a manner that ensures immediate and
10 widespread public access.

11 (c) A member of the commission or commission staff or commission consultant may not
12 communicate with an individual who is not a member of the commission or commission staff
13 or commission consultant about redistricting other than in a public hearing. Any written
14 communications regarding redistricting received by a member of the commission or com-
15 mission staff or a commission consultant shall be considered a public record and shall be
16 made available in a manner that ensures widespread public access.

17 (4)(a) The commission shall use a mapping process to establish districts for the state
18 Senate and House of Representatives and congressional districts, using the following criteria,
19 to:

20 (A) Comply with provisions of the United States Constitution and the federal Voting
21 Rights Act (52 U.S.C. 10101 et seq.) or its successor law.

22 (B) Achieve population equality as nearly as practicable using the total population of
23 Oregon as determined by the decennial census preceding the redistricting process.

24 (C) Be geographically contiguous.

25 (D) To the extent practicable, and if possible without conflicting with the criteria set
26 forth in subparagraphs (A), (B) and (C) of this paragraph, respect the geographic integrity
27 and minimize the division of a city, county, local neighborhood, government jurisdiction or
28 community of interest or other contiguous population that shares common social and eco-
29 nomic interests and is cohesive for purposes of its effective and fair representation.

30 (E) To the extent practicable, and if possible without conflicting with the criteria set
31 forth in subparagraphs (A), (B) and (C) of this paragraph, achieve competitiveness.

32 (b) The commission shall determine and adopt a measure or measures of
33 competitiveness, as defined in paragraph (d) of this subsection, prior to any vote or dis-
34 cussion regarding any legislative or congressional district plans or proposals. The commis-
35 sion shall then apply such measure or measures when adopting legislative or congressional
36 district plans or proposals.

37 (c) When establishing districts under this subsection, the commission may not:

38 (A) Consider the place of residence of a holder of or candidate for public office;

39 (B) Favor or discriminate against a holder of or candidate for public office or a political
40 party; or

41 (C) Create a district for the purpose of or with the effect of diluting the voting strength
42 of any language or ethnic identity group.

43 (d) As used in this subsection:

44 (A) "Common social and economic interests" are those interests common to an urban
45 area, a rural area, an industrial area or an agricultural area and those common to areas in

1 which individuals share similar living standards, use the same transportation facilities, re-
2 side in the same watershed, have similar work opportunities or have access to the same
3 media of communication relevant to the election process. “Common social and economic in-
4 terests” do not include relationships with political parties, incumbents or political candi-
5 dates.

6 (B) “Competitiveness” means that voting blocs, including partisan and nonaffiliated vot-
7 ers, must be substantially and similarly able to translate their popular support into repre-
8 sentation in an elected body and that such representation is substantially and similarly
9 reflective of shifts in the electorate’s preferences.

10 (5)(a) The commission shall hold at least 10 public hearings at locations throughout this
11 state prior to proposing a redistricting plan.

12 (b) In addition to the hearings required under paragraph (a) of this subsection, the
13 commission shall:

14 (A) Hold at least five public hearings after a redistricting plan is proposed, but before the
15 plan is adopted; and

16 (B) Conduct the hearings required under this subsection so that at least one hearing is
17 held in each congressional district of this state and at least one hearing is held in each of
18 Oregon’s regions, including coastal, Portland, Willamette Valley, southern, central, and east
19 of the Cascade Range.

20 (c) The adoption of a redistricting plan may not be delayed by the impracticability of
21 holding one or more of the hearings required under this subsection.

22 (d) In holding the hearings required under paragraphs (a) and (b) of this subsection, the
23 commission must:

24 (A) Provide appropriate public notice of the time and location of each hearing in a man-
25 ner that ensures widespread public access;

26 (B) Hold at least one hearing required under paragraph (a) of this subsection and one
27 hearing required under paragraph (b) of this subsection in areas that have experienced the
28 largest shifts in population since the previous redistricting and prioritize holding additional
29 public hearings in these areas; and

30 (C) Permit and make provision for individuals at remote sites throughout this state to
31 provide public testimony at the hearings through the use of video technology.

32 (6)(a) No later than August 15 in each year ending in the number one, the commission
33 shall approve final maps that separately set forth the district boundary lines for congress-
34 sional districts and district boundary lines for the Senate and the House of Representatives.

35 (b) The commission shall issue, along with the final maps, a report that includes an ex-
36 planation of the basis on which the commission established the districts, responded to public
37 input, and achieved compliance with the criteria listed in subsection (4) of this section and
38 definitions of the terms and standards used in drawing each final map.

39 (c) If the commission does not approve a final map under subsection (2) of this section,
40 any group of four or more commissioners that includes at least one commissioner from each
41 subpool may submit a map to the Supreme Court by August 29.

42 (7)(a) The Supreme Court shall adopt rules of procedure for review of redistricting maps.
43 The Supreme Court’s review shall take precedence over other matters before the Supreme
44 Court.

45 (b) Any voter registered in this state may file with the Supreme Court a petition for re-

1 view of final maps approved by the commission. The petition must be filed on or before
2 September 1 in the year in which the maps are approved under subsection (6) of this section.

3 (c) If the Supreme Court determines that a map approved by the commission under
4 paragraph (a) of subsection (6) of this section substantially complies with the criteria set
5 forth in subsection (4) of this section, the Supreme Court shall approve the map, which shall
6 go into effect.

7 (d) If the Supreme Court determines that a map approved by the commission under
8 paragraph (a) of subsection (6) of this section does not substantially comply with the criteria
9 set forth in subsection (4) of this section, the Supreme Court shall remand the map to the
10 commission for correction. The commission shall submit a corrected map within 14 days of
11 the issuance of the remand. If the Supreme Court approves the corrected map, the corrected
12 map shall go into effect. If the Supreme Court does not approve the corrected map, the Su-
13 preme Court shall remand the map to the commission for correction. The process of cor-
14 rection and approval or remand shall repeat until the Supreme Court approves a corrected
15 map.

16 (e) To assist the Supreme Court in reviewing maps, the Supreme Court may appoint a
17 special master and vest the special master with the powers needed to assist the Supreme
18 Court. The powers of the special master shall not include the development of alternative
19 maps.

20 (f) If one or more maps are submitted under paragraph (c) of subsection (6) of this sec-
21 tion, the Supreme Court shall:

22 (A) Establish a process for interested persons to become parties;

23 (B) Review all submitted maps for compliance with the criteria set forth in subsection
24 (4) of this section; and

25 (C) Select the submitted map that best complies with the criteria set forth in subsection
26 (4) of this section.

27 (g) The map selected by the Supreme Court shall go into effect without any further
28 action by the commission.

29 (h) The Supreme Court must complete review or selection of redistricting maps by De-
30 cember 31 of the year in which the maps are due to be approved by the commission under
31 subsection (6) of this section.

32 (i) Notwithstanding any other law, the Supreme Court has original and exclusive juris-
33 diction in all proceedings in which an approved final map is challenged.

34 (8) The provisions of this section and section 6 of this Article supersede any section of
35 this Constitution with which the provision may conflict. If any provision of this section or
36 section 6 of this Article is held to be invalid, the court shall sever the provision and the re-
37 maining provisions shall remain in full force and effect.

38
39 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the
40 people for their approval or rejection at the next regular general election held throughout
41 this state.