

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE JOINT
4 RESOLUTION 1019

By: Goodwin

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6
7 AS INTRODUCED

8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection a proposed amendment to the Constitution of
11 the State of Oklahoma by adding a new Section 11F to
12 Article V which establishes an independent
13 redistricting commission; repealing Sections 11A,
14 11B, 11C, 11D and 11E of Article V, which relate to
15 apportionment of the Legislature; providing ballot
16 title; and directing filing.

17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
18 1ST SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Secretary of State shall refer to the people for
20 their approval or rejection, as and in the manner provided by law,
21 the following proposed amendment to the Constitution of the State of
22 Oklahoma by adding a new Section 11F to Article V thereof, to read
23 as follows:

24 Section 11F. A. There shall be an independent redistricting
commission established to redistrict congressional and state
legislative districts after each Federal Decennial Census. The

1 commission shall have sole power to redistrict legislative
2 districts.

3 B. The commission shall consist of nine (9) members, who shall
4 serve without compensation, appointed as follows:

5 1. Two members shall be appointed by the President Pro Tempore
6 of the Senate and two members by the Speaker of the House of
7 Representatives. Two members shall also be appointed by the Senate
8 minority leader and two members shall be appointed by the minority
9 leader of the House of Representatives. The commission members must
10 be registered voters in the State of Oklahoma, but not have been in
11 the last three (3) years:

12 a. members of the State Legislature or Congress or a
13 statewide official, or the spouse of any of these
14 elected officials,

15 b. a state, county or local officer or employee or
16 legislative employee,

17 c. a registered lobbyist, or

18 d. a political party chairperson;

19 2. One member, who shall be Chairperson and who shall be a
20 voting member, selected by at least five of the members appointed
21 pursuant to paragraph 1 of this subsection. The Chairperson shall
22 not be an enrolled member of a recognized political party; and

23 3. The appointment of members to the commission shall be made
24 no earlier than one (1) year and eight (8) months before, and no

1 later than one (1) year and six (6) months before, the general
2 election of the U.S. Congress and State Legislature to be held in
3 the year 2022 and every ten (10) years thereafter in accordance with
4 the provisions of this section.

5 C. In the event of a vacancy by death, resignation or
6 otherwise, a new member shall be appointed in the same manner as the
7 member whose departure from the redistricting commission created the
8 vacancy to serve the balance of the term remaining.

9 D. The commission shall develop and approve a plan for dividing
10 the state into legislative districts for the election of members of
11 the U.S. Congress and the State Legislature that complies with
12 applicable law and provisions of this section as follows:

13 1. All districts shall be as nearly equal in population as is
14 practical except as necessary to satisfy the requirements of
15 paragraphs 2, 4 and 5 of this subsection, but the difference in
16 population between the most and least populous district shall not
17 exceed ten percent (10%) of the mean population of all districts;

18 2. Each district shall consist of contiguous territory; no
19 district shall consist of parts entirely separated by the territory
20 of another district of the same body, whether such territory be land
21 or water, populated or unpopulated. A populated census block shall
22 not be divided by a district boundary, unless it can be determined
23 that the populated part of such block is within a single district;

24

1 3. The whole number of persons reported in the Federal
2 Decennial Census or another database of comparable quality shall be
3 the basis for determining district populations except that no person
4 shall be deemed to have gained or lost a residence by reason of
5 conviction and incarceration in a federal or state correctional
6 facility;

7 4. No districts shall be established that result in a denial to
8 members of racial and linguistic minority groups (as recognized by
9 the federal Voting Rights Act of 1965 (as amended)) of an equal
10 opportunity with other citizens to participate in the political
11 process and to elect the representatives of their choice. The
12 principles stated in paragraph 5 of this subsection shall be used to
13 create districts that will afford fair representation to the members
14 of those racial and linguistic minority groups who are sufficiently
15 numerous and whose residential patterns afford the opportunity of
16 creating districts in which they will be able to elect
17 representatives of their choice; and

18 5. Subject and subsidiary to the requirements of paragraphs 1,
19 2, 3 and 4 of this subsection, the following principles listed in
20 order of importance shall be followed in the creation of districts.

21 a. Cities shall not be divided in the formation of
22 districts.

23 b. To the extent possible, counties and towns shall not
24 be divided in the formation of districts.

1 c. Districts shall be as compact in form as possible.

2 Districts shall be compared using average numerical
3 measures, for:

4 (1) geographic dispersion, the degree to which the
5 territory of districts is either tightly packed
6 or widely spread out,

7 (2) the relation of the perimeter lengths to the
8 areas of districts, and

9 (3) the dispersion of the populations of districts.

10 d. To the extent possible, a district shall unite
11 communities defined by actual shared interests, taking
12 account of geographic, social, economic and other
13 factors that indicate commonality of interest, and
14 districts shall be formed so as to promote the orderly
15 and efficient administration of elections.

16 e. To the extent possible, the residences of two or more
17 incumbent legislators shall not be placed in the same
18 district.

19 E. The commission is authorized, with the Chairperson's
20 approval, to hire experts, counsel, consultants and staff as
21 provided for in the budget of the Senate and House of
22 Representatives and as the commission deems necessary. Agencies and
23 departments of state government shall be required to provide
24 technical assistance to the commission.

1 F. Public hearings shall be held by the commission to solicit
2 public comment before plans are considered by the commission and
3 again after a plan is developed but before it is approved. Such
4 hearings shall be scheduled in each city and town at times and
5 places convenient to residents by automobile or mass transportation,
6 including afternoon and evening sessions. The commission shall
7 conduct all meetings in accordance with applicable law and shall
8 utilize all methods of social media and electronic means to
9 publicize its work and to permit the public to provide comment. All
10 reports, data and meeting and hearing transcripts of the commission
11 shall be available for public inspection at the offices of the
12 Secretary of the Senate and Clerk of the House of Representatives.
13 Materials must be made available within two (2) business days of an
14 event or publication.

15 G. No later than ten (10) months before the general election of
16 the U.S. Congress, Senate and House of Representatives, the
17 commission shall approve a plan for dividing the state into
18 districts. The approved plan shall go into effect immediately.

19 SECTION 2. The Secretary of State shall refer to the people for
20 their approval or rejection, as and in the manner provided by law,
21 the repeal of Sections 11A, 11B, 11C, 11D and 11E of Article V of
22 the Constitution of the State of Oklahoma, which relate to
23 apportionment of the Legislature.

24

1 SECTION 3. The Ballot Title for the proposed Constitutional
2 amendment as set forth in SECTIONS 1 and 2 of this resolution shall
3 be in the following form:

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. It changes the
8 way the voting districts for the State Legislature and Oklahoma
9 Congressional seats are selected. Currently the State
10 Legislature draws up the plans for these voting districts. This
11 amendment would abolish that method. It would establish an
12 independent redistricting commission to draw up redistricting
13 plans.

14 SHALL THE PROPOSAL BE APPROVED?

15 FOR THE PROPOSAL - YES _____

16 AGAINST THE PROPOSAL - NO _____

17 SECTION 4. The Chief Clerk of the House of Representatives,
18 immediately after the passage of this resolution, shall prepare and
19 file one copy thereof, including the Ballot Title set forth in
20 SECTION 3 hereof, with the Secretary of State and one copy with the
21 Attorney General.

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23 57-1-7613 SD 01/13/19
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