



2011 ASSEMBLY JOINT RESOLUTION 78

December 1, 2011 - Introduced by Representatives KESSLER, DOYLE, HEBL, POPE-ROBERTS, ROYS, SINICKI and BERCEAU, cosponsored by Senators T. CULLEN and HOLPERIN. Referred to Committee on Homeland Security and State Affairs.

1 **To renumber** section 3 of article IV; and **to create** section 3 (2) to (4) of article IV
2 of the constitution; **relating to:** establishing a competitive election criteria for
3 redistricting the legislature (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2011 legislature on first consideration, defines demographic and political standards for the drawing of legislative districts and establishes criteria for the drawing of legislative districts. Following the canvass of the general election in each year that is divisible by ten, the amendment requires the superintendent of public instruction to determine the mean percentage of the vote received by candidates of the two major political parties for certain statewide offices in the prior decade and to certify those mean percentages to the legislature.

A proposed constitutional amendment requires adoption by two successive legislatures, and ratification by the people, before it can become effective.

4 **Resolved by the assembly, the senate concurring, That:**

5 **SECTION 1.** Section 3 of article IV of the constitution is renumbered section 3
6 (1) of article IV.

1 **SECTION 2.** Section 3 (2) to (4) of article IV of the constitution are created to
2 read:

3 [Article IV] Section 3 (2) Within 10 days after receipt of the final census report
4 of the population count by census block, the superintendent of public instruction
5 shall determine the combined mean percentage of the vote for governor and
6 president for the 2 major political parties in the 5 general elections held during the
7 prior decade, and certify those numbers, each rounded to the nearest one-hundredth
8 of a percent, to the legislature.

9 (3) Each apportionment of the members of the senate and assembly shall
10 conform to the following criteria:

11 (a) Each assembly district shall contain a number of inhabitants that does not
12 deviate more than 2 percent from the statewide mean district population.

13 (b) African Americans, Hispanic Americans, Native Americans, and members
14 of any other demographic group protected by the laws of the United States shall be
15 the voting age majority in the number of assembly and senate districts in proportion
16 to the percentage of the population in counties or groups of counties having a
17 sufficient geographic concentration of their members.

18 (c) At least one-half of the assembly districts, if the number of districts is
19 divisible by 2, or rounded up to the next whole number in other cases, shall have a
20 percentage above the average 5 general election percentage for the majority party;
21 at least one-half of the senate districts, if the number of districts is divisible by 2, or
22 rounded up to the next whole number in other cases, shall have a percentage above
23 the average 5 general election percentage for the minority party; at least 20 assembly
24 districts, and at least 7 senate districts, shall have a percentage for each of the 2
25 major political parties that does not exceed 1 percent above the 5 general election

1 percentage for that party; and no district may have a percentage in excess of 85
2 percent for either political party.

3 (4) Any senator or representative to the assembly whose district is altered as
4 a result of the adopted plan shall continue in office for the balance of his or her term
5 if he or she continues to reside in the district from which he or she was elected.

6 **SECTION 3. Numbering of new provisions.** If another constitutional
7 amendment ratified by the people creates the number of any provision created in this
8 joint resolution, the chief of the legislative reference bureau shall determine the
9 sequencing and the numbering of the provisions whose numbers conflict.

10 ***Be it further resolved, That*** this proposed amendment be referred to the
11 legislature to be chosen at the next general election and that it be published for 3
12 months previous to the time of holding such election.

13 (END)