

Senate Resolution 857

By: Senator Gingrey of the 37th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to create an independent commission of
2 balanced appointments to oversee the mapping of congressional and legislative districts; and
3 for other purposes.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 SECTION 1.

6 Article III, Section II of the Constitution is amended by striking Paragraph II thereof and
7 inserting in lieu thereof a new Paragraph II to read as follows:

8 "Paragraph II. *Apportionment of General Assembly and congressional districts.* The
9 General Assembly shall apportion the Senate and House districts. Such districts shall be
10 composed of contiguous territory. The apportionment of the Senate and of the House of
11 Representatives shall be changed by the General Assembly as necessary after each United
12 States decennial census. (a) There shall be an Independent Redistricting Commission
13 which shall consist of five members to provide for the redistricting of congressional and
14 state legislative districts. No more than two members of the Independent Redistricting
15 Commission shall affiliated with the same political party. Of the first four members
16 appointed, no more than two shall reside in the same county. Each member shall be a
17 registered Georgia voter who is committed to applying the provisions of this Paragraph in
18 an honest, independent, and impartial fashion and to upholding public confidence in the
19 integrity of the redistricting process. Within three years previous to appointment, members
20 shall not have been appointed to, elected to, or a candidate for any other public office and
21 shall not have served as an officer of a political party, as a registered paid lobbyist, or as
22 an officer of a candidate's campaign committee.

23 (b) The Georgia Supreme Court shall nominate candidates for appointment to the
24 Independent Redistricting Commission.

25 (c) The Georgia Supreme Court shall establish a pool of persons who are willing to serve
26 on and are qualified for appointment to the Independent Redistricting Commission. The
27 pool of candidates shall consist of 25 nominees, with ten nominees who are affiliated with

1 each of the two largest political parties in Georgia and five who are not affiliated with
2 either of the two largest political parties in Georgia.

3 (d) Each of the following shall make one appointment to the Independent Redistricting
4 Commission from the pool of nominees: the Speaker of the House of Representatives, the
5 minority party leader of the House of Representatives, the President Pro Tempore of the
6 Senate, and the minority party leader of the Senate. Members shall serve for terms of ten
7 years beginning July 1, 1995, and each tenth year thereafter.

8 (e) The four Independent Redistricting Commission members shall select by majority vote
9 from the nomination pool a fifth member who shall not be affiliated with any party already
10 represented on the Independent Redistricting Commission and who shall serve as
11 chairperson.

12 (f) The five commissioners shall then select by majority vote one of their members to
13 serve as vice chairperson.

14 (g) After having been served with written notice and provided with an opportunity for a
15 response, a member of the Independent Redistricting Commission may be removed by the
16 Governor, with the concurrence of two-thirds of the Senate, for substantial neglect of duty,
17 gross misconduct in office, or inability to discharge the duties of office.

18 (h) If a commissioner or chairperson does not complete the term of office for any reason,
19 the Commission on Appellate Court Appointments shall nominate a pool of three
20 candidates within the first 30 days after the vacancy occurs. The nominees shall be of the
21 same political party affiliation as was the member who vacated the office at the time of his
22 or her appointment, and the appointment other than the chairperson shall be made by the
23 current holder of the office designated to make the original appointment. The appointment
24 of a new chairperson shall be made by the remaining commissioners. The newly appointed
25 commissioner shall serve out the remainder of the original term.

26 (i) Three commissioners, including the chairperson or vice chairperson, constitute a
27 quorum. Where a quorum is present, the Independent Redistricting Commission shall
28 conduct business in meetings open to the public.

29 (j) A commissioner, during the commissioner's term of office and for three years
30 thereafter, shall be ineligible for Georgia public office or for registration as a paid lobbyist.

31 (k) The Independent Redistricting Commission shall establish congressional and
32 legislative districts. The commencement of the mapping process for both the congressional
33 and legislative districts shall be the creation of districts of equal population in a grid-like
34 pattern across the state. Adjustments to the grid shall then be made as necessary to
35 accommodate the goals as set forth below:

36 (1) Districts shall comply with the United States Constitution and the federal Voting
37 Rights Act of 1965, as amended;

1 (2) Congressional districts and state legislative districts shall have equal population to
 2 the extent practicable;

3 (3) Districts shall be geographically compact and contiguous to the extent practicable;

4 (4) District boundaries shall respect communities of interest to the extent practicable;

5 (5) To the extent practicable, district lines shall use visible geographic features; city,
 6 town, and county boundaries; and undivided census tracts; and

7 (6) To the extent practicable, competitive districts should be favored where to do so
 8 would create no significant detriment to the other goals.

9 (l) Party registration and voting history data shall be excluded from the initial phase of the
 10 mapping process but may be used to test maps for compliance with the above goals. The
 11 places of residence of incumbents or candidates shall not be identified or considered.

12 (m) The Independent Redistricting Commission shall advertise a draft map of
 13 congressional and legislative districts to the public for comment, which comment shall be
 14 taken for at least 30 days. Either or both bodies of the General Assembly may act within
 15 this period to make recommendations to the Independent Redistricting Commission. The
 16 Independent Redistricting Commission shall then establish final district boundaries.

17 (n) The provisions regarding this Paragraph are self-executing but the General Assembly
 18 may provide by law for matters appropriate to the administration of this Paragraph. The
 19 Independent Redistricting Commission shall certify to the Secretary of State the
 20 establishment of congressional and legislative districts."

21 **SECTION 2.**

22 The above proposed amendment to the Constitution shall be published and submitted as
 23 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
 24 above proposed amendment shall have written or printed thereon the following:

25 "() YES Shall the Constitution be amended so as to create an independent
 26 commission of balanced appointments to oversee the mapping of
 27 () NO congressional and legislative districts?"

28 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

29 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
 30 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
 31 become a part of the Constitution of this state.