

Senate Resolution 344

By: Senators Chance of the 16th, Carter of the 13th, Heath of the 31st and Cowser of the 46th

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide for the creation of the Citizens´
 2 Redistricting Commission; to provide for its membership, duties, and procedures; to provide
 3 for the submission of a redistricting plan for approval by the General Assembly; to provide
 4 for procedures for the consideration of such plan; to provide for related matters; to provide
 5 for the submission of this amendment for ratification or rejection; and for other purposes.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

8 Article III, Section II, Paragraph II of the Constitution is amended by revising such paragraph
 9 as follows:

10 "Paragraph II. *Apportionment of General Assembly.* (a) The General Assembly shall
 11 apportion the Senate and House districts. Such districts shall be composed of contiguous
 12 territory. The apportionment of the Senate and of the House of Representatives shall be
 13 changed by the General Assembly as necessary after each United States decennial census.
 14 (b) No later than January 31 of the year following the year in which a United States
 15 decennial census is conducted, there shall be constituted the Citizens´ Redistricting
 16 Commission. The commission shall be composed of seven members appointed as follows:
 17 (1) One member appointed by the Lieutenant Governor;
 18 (2) One member appointed by the minority leader of the Senate;
 19 (3) One member appointed by the Speaker of the House of Representatives;
 20 (4) One member appointed by the minority leader of the House of Representatives;
 21 (5) Two members appointed by the Governor, only one of whom may be a member of
 22 the same political party as the Governor; and
 23 (6) One member who shall be selected and appointed by the other six members of the
 24 commission not later than March 1 of the year following the year in which a United
 25 States decennial census is conducted.

1 The failure by the six members of the commission to agree upon a seventh member by
2 March 1 of the year following the year in which a United States decennial census is
3 conducted shall result in the dissolution of the commission and the redistricting of
4 congressional and legislative districts by the General Assembly without assistance from the
5 commission.

6 (c) A person shall be eligible for appointment to serve on the commission if such person:

7 (1) As of the date of his or her appointment, is registered to vote for federal and state
8 offices in Georgia and was registered to vote in the two most recent general elections held
9 in Georgia;

10 (2) Is not a current member of the General Assembly and does not hold any federal or
11 state elective office while serving on the commission; and

12 (3) Certifies and agrees at the time of such person's appointment that such person will
13 not run as a candidate for any federal or state elective office while serving on the
14 commission and for a period of two years thereafter.

15 (d) Vacancies on the commission shall be filled in the same manner in which the original
16 appointment was made.

17 (e) Members of the commission shall be reimbursed for actual and reasonable expenses
18 incurred in the performance of their duties on the commission. The General Assembly is
19 authorized to provide for the payment of reasonable compensation to the members of the
20 commission. The General Assembly shall provide adequate funding to the commission,
21 including the employment of a competent staff, in order for the commission to carry out
22 its duties. The General Assembly shall provide adequate funding for the representation of
23 the commission in any litigation; and the Department of Law shall have the responsibility
24 for such representation.

25 (f) The commission shall have the following duties:

26 (1) To create proposed congressional and House of Representatives and Senate
27 legislative districts for submission to the General Assembly for approval or rejection;

28 (2) Prior to developing a proposed plan or making any recommendations, to conduct
29 public hearings throughout all areas of the state, including at least one hearing in each
30 congressional district in this state, after adequate advance notice to the public so that all
31 interested citizens would have a reasonable opportunity to express their views with regard
32 to redistricting plans; and

33 (3) To inform the media of and encourage the attendance of the media at all public
34 hearings and meetings of the commission.

35 (g) In developing proposed redistricting plans for submission to the General Assembly for
36 approval or rejection, the commission shall adhere to the following criteria:

1 (1) The plan shall be in compliance with the constitutions of this state and the United
 2 States;

3 (2) The plan shall be in compliance with the federal Voting Rights Act of 1965, as
 4 amended;

5 (3) The plan shall contain only contiguous districts;

6 (4) The plan shall contain districts that are as compact as possible or practicable;

7 (5) The plan shall maintain communities of interest, as determined by the commission
 8 from time to time to the extent that it is reasonably possible to do so; and

9 (6) The plan, if for congressional redistricting, shall provide for zero deviation among
 10 the districts and, if for legislative redistricting, shall provide for as close as practicable
 11 to zero deviation among the districts.

12 (h) The commission shall, no later than July 1 of the year following the year in which a
 13 United States decennial census is conducted, submit its report with a proposed
 14 congressional redistricting plan, a proposed redistricting plan for the House of
 15 Representatives, and a proposed redistricting plan for the Senate to the General Assembly
 16 for approval. Such plans shall be voted upon by the General Assembly without
 17 amendment. If either house of the General Assembly declines to approve a plan, the plan
 18 and the report shall be returned to the commission with such specific suggestions as the
 19 Senate or the House of Representatives, as applicable, believes would eliminate the basis
 20 for disapproval of the plan. The commission shall then meet and revise the plan and submit
 21 a new report and proposed plan to the General Assembly within 15 days following the
 22 disapproval of the plan. Such revised plan shall be voted upon by the General Assembly
 23 without amendment. If either house of the General Assembly declines to approve the
 24 revised plan, the General Assembly shall proceed to formulate and enact a redistricting
 25 plan on its own.

26 (i) Upon the approval or final rejection of each of the proposed plans by the General
 27 Assembly, the commission shall be dissolved."

28 SECTION 2.

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

32 "() YES Shall the Constitution of Georgia be amended so as to provide for the
 33 creation of the Citizens' Redistricting Commission for the purpose of
 34 () NO assisting the General Assembly in congressional and legislative redistricting
 35 following each United States decennial census?"

- 1 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
- 2 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
- 3 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
- 4 become a part of the Constitution of this state.