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## DIGEST

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HB 82 Original

2016 Regular Session

Richard

**Abstract:** Establishes and provides for a redistricting commission to propose alternative redistricting plans for each house of the legislature. Requires the legislature to enact one of those plans for each house without amendment.

Proposed constitutional amendment provides for a redistricting commission as follows:

- (1) Establishes a redistricting commission in each year in which the federal decennial census is taken to propose plans for redistricting of the districts for the election of members to each house of the legislature. Provides for the commission to be composed of 13 members selected to be representative of the state's population by race and gender to ensure diversity as follows:
  - (a) Two elected by the membership of the House of Representatives and two elected by the membership of the Senate by May 1 of the year in which the federal decennial census is taken; one member elected by each house to be a voter registered as affiliated with the recognized political party in the state with the greatest number of voters registered as affiliated with the party who is nominated by the members of the house who are registered as affiliated with that party and the other to be a voter registered as affiliated with the recognized political party in the state with the second greatest number of voters registered as affiliated with the party who is nominated by the members of the house who are registered as affiliated with that party.
  - (b) Eight appointed by the La. Supreme Court within 30 days of the election of the members above, including one registered voter from each congressional district, from separate lists of at least eight names each (at least one registered voter from each congressional district) submitted by May 1 by the president of Centenary College at Shreveport, the president of Dillard University at New Orleans, the president of La. College at Pineville, the president of Loyola University at New Orleans, the president of Tulane University of La. at New Orleans, and the president of Xavier University at New Orleans. Provides that if any nominating authority ceases to exist or fails to submit nominees in the time required, the court shall make the appointments from the nominees submitted or, if none are submitted, the court shall make the appointments without nominations.
  - (c) One appointed by the chief justice within 30 days of the members elected above. Provides that the member be a voter who is not affiliated with any political party and

provides that the member shall serve as chairman of the commission.

- (d) Provides that no person shall be eligible or selected to serve on the commission who: holds elected or appointed public or political party office; is a member of the immediate family of a legislator; is a state employee; or is a registered voter in any other state.
  - (e) Provides for filling vacancies in the manner of the original selection within 20 days of the vacancy.
  - (f) Provides that commission members serve until redistricting of each house has been completed after the decennial census and has become effective, at which time the commission shall be dissolved until a new commission is established in the year of the next federal census. Provides, however, if a new redistricting is required during the time between decennial censuses, a new commission shall be established as provided in proposed law. Specifies that each member shall receive the same per diem and travel allowance as provided to legislators.
- (3) Requires all meetings to be public, requires at least one meeting in each congressional district, and requires all communications to the commission or any member thereof about redistricting to be placed into the official record of the commission. Requires all communications from legislators to the commission to be in writing or occur on the record during a public hearing.
  - (4) Requires the commission to submit three alternative plans for redistricting of each house to the legislature at least three days prior to the final date for prefilings of legislation at the regular session in the year following the year in which the population of the state is reported to the president of the U.S.
  - (5) Requires that each plan shall redistrict the districts in accordance with the requirements of the La. constitution and in accordance with federal law.
  - (6) Requires the legislature to enact one of the three plans for each house without amendment. Requires the legislature to enact such plan not later than the time as provided in present constitution (Const. Art. III, §6; see below) relative to legislative redistricting.
  - (7) Provides that if the commission fails to submit three plans for each house or if the legislature fails to enact one of those plans for each house, the La. Supreme Court, upon petition of any elector, shall redistrict the legislature.
  - (8) Provides that the proposed constitutional amendment is self-operative, but authorizes the legislature to provide by law relative to the redistricting commission and procedures to implement the proposed constitutional amendment, including but not limited to expenses and staffing for the commission, such law to be consistent with the proposed constitutional amendment and the present constitution.

Present constitution (Const. Art. III, §6) provides for legislative reapportionment. Requires the legislature to reapportion each house as equally as practicable on the basis of population shown by the census not later than the end of the year following the year in which the state's population is reported to the president of the U.S. for each decennial federal census.

Proposed constitutional amendment changes the terminology in the present constitution to reflect a change from "reapportion" and "reapportionment" to "redistrict" and "redistricting" and further requires that such redistricting comply with the proposed constitutional amendment (summarized above). Also retains present constitution that provides for "redistricting of the districts to elect members" of the legislature by the supreme court upon petition of any elector if the legislature fails to "redistrict" as required by the present constitution and proposed constitutional amendment. Also retains present constitution that provides that procedure for review and for petition shall be provided by law.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 8, 2016.

(Amends Const. Art. III, §6; Adds Const. Art. III, §6.1)