



MINUTES

Redistricting Committee of the Legislative Council

January 16, 2001

MEMBERS PRESENT:

Senator Jo Ann Johnson, Cochairperson
Senator Jeff Angelo
Senator John Kibbie

Representative Bob Brunkhorst, Cochairperson
Representative Steve Falck
Representative Janet Metcalf

Others in attendance: Senator Steve King; Senator Patricia Harper; Representative Jeffrey Elgin; Representative Pam Jochum; Representative Rebecca Reynolds; Representative Russ Teig; Representative Mike O'Brien; Representative Bill Dix; Representative Rick Larkin; Diane Bolender, Ed Cook, and Gary Rudicil, Legislative Service Bureau; and other interested persons.

MEETING IN BRIEF

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Organizational staffing provided by: Diane Bolender, Director, Ed Cook, Legal Counsel, and Gary Rudicil, Senior Computer Systems Analyst, LSB, 515-281-3566

Minutes prepared by: Gary Rudicil, Senior Computer Systems Analyst, LSB, 515-242-5925

- I. **Procedural Business.**
 - II. **Redistricting Basics: the Iowa Redistricting Process.**
 - III. **Redistricting Data Updates.**
 - IV. **Redistricting Process.**
 - V. **Miscellaneous Redistricting Issues.**
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Redistricting Committee of the Legislative Council

I. Procedural Business.

Call to Order. The third meeting of the Redistricting Committee of the Legislative Council was called to order by Senator JoAnn Johnson, Cochairperson, at 11:35 a.m., Tuesday, January 16, 2001, in the Reagan Committee Room of the State Capitol, Des Moines, Iowa.

Adjournment. The meeting was adjourned at approximately 1:00 p.m.

II. Redistricting Basics: the Iowa Redistricting Process.

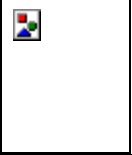
Ms. Diane Bolender, Director, Legislative Service Bureau, informed the Committee that Mr. Ed Cook, Legal Counsel, Mr. Gary Rudicil, Senior Computer Systems Analyst, and Ms. Jodi Steenhoek, Redistricting Specialist, are the Legislative Service Bureau personnel who will develop the new congressional and legislative redistricting plans this year. Ms. Bolender discussed the recent history of the Iowa redistricting process, noting redistricting plan rejections by the Iowa Supreme Court in the early 1970s, the enactment of chapter 42 of the Code of Iowa in 1980, and the redistricting process used in 1981 and 1991. The Legislative Service Bureau considers only total population when creating redistricting plans; and existing congressional and legislative districts, political data, and demographic data are not considered. For legislative redistricting plans, the goal is to create contiguous, compact districts that split political subdivisions as little as possible and still meet the population deviation requirements identified in Iowa Code chapter 42.

Mr. Cook discussed the Legislative Service Bureau's unique role in Iowa's redistricting process, summarizing the guidelines identified in Iowa Code chapter 42. The Legislative Service Bureau can present up to three redistricting plans to the Legislature. However, if a redistricting plan is rejected, then the next plan must be statistically better than the preceding plan in order to make the second plan defensible to a court challenge. If a district in a redistricting plan deviates from its ideal population by more than one percent, then the Legislature has the burden of proof to show why the deviation exceeded one percent. Mr. Cook noted that current U.S. Supreme Court case law would probably not allow much deviation from the ideal district population for congressional districts but would allow a 10 percent deviation for legislative districts although Iowa's statutes do not allow this 10 percent variance.

For legislative redistricting, Iowa law requires that as many counties, townships, and cities as possible be kept whole within a single district. During the 2001 redistricting, it is anticipated that five congressional districts will be drawn first, and then 10 new Senate districts and 20 new House districts will be drawn within each of the five new congressional districts although the legislation does not mandate that the congressional district lines be followed. New Senate districts are numbered so that as many Senators as possible, who were elected in the 2000 general election, will remain in an even-numbered district.

III. Redistricting Data Updates.

Mr. Cook discussed the 2000 Iowa resident population and apportionment data released by the U.S. Census Bureau in December 2000. Iowa will retain five seats in the U.S. House of



Representatives, and has a resident population of 2,926,324. For purposes of redistricting in 2001, the ideal Iowa congressional district population, based on this population figure, is 585,526, the ideal Iowa Senate district population is 58,526, and the ideal Iowa House district population is 29,263. The Census Bureau will not release the 2000 population data for other levels of geography (e.g., county, township, city, census block) until March 2001. The Census Bureau has released the geography boundary files (TIGER), and once the block-level census data is received in March 2001, ArcView geographic information system (GIS) software will be used to create new redistricting plans. The population information will be available on the Census Bureau's website the day following its release to Iowa. The Iowa data will then be placed on the General Assembly's website.

IV. Redistricting Process.

Mr. Cook discussed the redistricting timetable for this year. If the 2000 census data is received in March 2001 as expected, then the Legislative Service Bureau would probably submit the first proposed redistricting plan to the Legislature between late April and May 29. If a redistricting plan is rejected by the Legislature, the Legislative Service Bureau has 21 days from the date of rejection to submit a second (or third) plan.

Mr. Cook informed the Committee about the redistricting bill process used in 1991. He discussed House Study Bill 327 and Senate File 546, both from the 1991 Legislative Session, that described the proposed congressional and legislative districts implementing the redistricting plan. The document that accompanied the first redistricting plan in 1991 is on file in the Legislative Service Bureau.

In response to a question by Senator King, Mr. Cook said that Iowa Code chapter 42 does give the Legislature the option to separate the congressional redistricting plan and the legislative redistricting plan into two separate bills, but only if the Census Bureau delivers county-level census data before the block-level census data. The county-level census data was received prior to the block-level census data in 1991, but only a single redistricting bill was submitted. In 2001, the Census Bureau will deliver all county-level and block-level census data to Iowa at the same time. Therefore, the redistricting bill could not be split into separate congressional plan and legislative plan bills.

Senator Angelo asked whether the Legislative Service Bureau has devised a process for release of the first redistricting plan if the General Assembly is not in session at the time the plan is released. He suggested that the plan should be provided to the members prior to its release to the general public. Cochairperson Brunkhorst suggested that the Legislative Service Bureau work with legislative leaders to accomplish Senator Angelo's request, but he recommended that it will be best if the first plan can be released while the General Assembly is still in session.

V. Miscellaneous Redistricting Issues.

A. Joint Rules.



Redistricting Committee of the Legislative Council

Mr. Cook suggested that the Committee may wish to recommend the adoption of amendments to the joint rules of the House and Senate governing the consideration of redistricting bills during the 2001 Legislative Session similar to those adopted in 1991.

Cochairperson Brunkhorst moved that the Committee recommend that the joint rules of the House and Senate in 2001 shall include the following:

1. Redistricting bills prepared by the Legislative Service Bureau are not subject to the deadlines for consideration of bills.
2. The legislative body rejecting a proposed redistricting plan shall provide reasons for that rejection.
3. Amendments to the third proposed redistricting plan shall encompass an entire redistricting plan for legislative districts, congressional districts, or both.

The Committee approved the motion unanimously by voice vote.

B. Temporary Redistricting Advisory Commission.

Mr. Cook stated that the Senate and House majority and minority leaders must each appoint one person to serve on the Temporary Redistricting Advisory Commission, as required in Iowa Code section 42.5. These four appointees then choose a fifth person to chair the Commission. The Commission's purpose is to 1) provide advice and guidance to the Legislative Service Bureau if requested, 2) make information about the first proposed redistricting plan available to the public, 3) schedule and conduct three public hearings in order to obtain input regarding the redistricting plan, and 4) issue a report to the Secretary of the Senate and Chief Clerk of the House summarizing the information and testimony received at the public hearings and including any comments and conclusions deemed necessary.

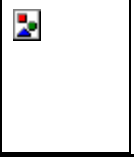
Mr. Cook opined that any redistricting plans generated by the public should be submitted to the Commission and not to the Legislative Service Bureau directly. He concluded his remarks by adding that once the Legislative Service Bureau submits a third proposed redistricting plan to the Legislature, if necessary, then the role of the Legislative Service Bureau ceases with regard to redistricting plan creation.

C. Redistricting Compactness Measure.

Mr. Cook informed the Committee that the Legislative Council must approve the use of any method, other than that specified in Iowa Code section 42.4, used to determine the geographic unit center of a population data unit which is then used to measure district compactness. He noted that in 1991, the redistricting computer software utilized latitude and longitude measures to compute district compactness.

VI. Additional Business.

Cochairperson Brunkhorst moved that the Committee recommend that the Legislature should schedule a joint session of the House and Senate within the next three weeks for the purpose of having the Legislative Service Bureau provide the members of the Legislature with an



overview and increased understanding of Iowa's redistricting process. The Committee approved the motion unanimously by voice vote.

Cochairperson Brunkhorst moved that the Temporary Redistricting Advisory Commission should seriously consider the use of the Iowa Communications Network during at least one of the three public hearings the Commission conducts concerning the first proposed redistricting plan. The Committee approved the motion unanimously by voice vote.

VII. Attachment.

The following attachment is included with these minutes:

Memorandum to the legislative leaders from Diane Bolender, Legislative Service Bureau, dated January 18, 2001. Attached to the memorandum is the January 16, 2001, Report of the Redistricting Committee of the Legislative Council.

VIII. Materials Distributed to the Redistricting Committee.

- a) Redistricting Quick Takes (LSB memo)
- b) Redistricting Population Equality – Historical Information (LSB memo)
- c) U.S. Census – Resident Population and Apportionment of the U.S. House of Representatives for Iowa
- d) U.S. Census Bureau letter – delivery of Redistricting Census 2000 TIGER/Line Files
- e) Iowa Congressional and Legislative Redistricting Timetable by Event (LSB memo)
- f) First Redistricting Plan – April 15, 1991
- g) House Study Bill 327 (1991) – selected excerpts
- h) Senate File 546 (1991) – selected excerpts
- i) Joint Rules – redistricting – 1991
- j) Temporary Redistricting Advisory Commission (LSB memo)
- k) Temporary Redistricting Advisory Commission – 1991 appointment letters
- l) Compactness – Geographic Unit Center Determination (LSB memo)
- m) 1981 – Selected newspaper articles concerning redistricting
- n) 1991 – Selected newspaper articles concerning redistricting

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