



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

April 17, 2007

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

Senate File 479, an Act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

The above Senate File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester J. Culver".

Chester J. Culver
Governor

CJC:bdj

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 479

AN ACT

MAKING CHANGES TO THE TIME FRAMES AND THE DUTIES OF THE LEGISLATIVE SERVICES AGENCY CONCERNING THE PROCESS OF CONGRESSIONAL AND LEGISLATIVE REDISTRICTING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 42.2, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Upon each delivery by the legislative services agency to the general assembly of a bill embodying a plan, pursuant to section 42.3, the legislative services agency shall at the earliest feasible time make available to the public the following information:

- a. Copies of the bill delivered by the legislative services agency to the general assembly.
- b. Maps illustrating the plan.
- c. A summary of the standards prescribed by section 42.4 for development of the plan.
- d. A statement of the population of each district included in the plan, and the relative deviation of each district population from the ideal district population.

Sec. 2. Section 42.3, subsection 1, Code 2007, is amended to read as follows:

1. a. Not later than April 1 of each year ending in one, the legislative services agency shall deliver to the secretary of the senate and the chief clerk of the house of representatives identical bills embodying a plan of legislative and congressional districting prepared in accordance with section 42.4. It is the intent of this chapter that the general assembly shall bring the bill to a

vote in either the senate or the house of representatives expeditiously, but not less than ~~seven~~ three days after the report of the commission required by section 42.6 is received and made available to the members of the general assembly, under a procedure or rule permitting no amendments except those of a purely corrective nature. It is further the intent of this chapter that if the bill is approved by the first house in which it is considered, it shall expeditiously be brought to a vote in the second house under a similar procedure or rule. If the bill embodying the plan submitted by the legislative services agency under this subsection fails to be approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate or the chief clerk of the house, as the case may be, shall at once, but in no event later than seven days after the date the bill failed to be approved, transmit to the legislative services agency information which the senate or house may direct by resolution regarding reasons why the plan was not approved.

b. However, if the population data for legislative districting which the United States census bureau is required to provide this state under Pub. L. No. 94-171 and, if used by the legislative services agency, the corresponding topologically integrated geographic encoding and referencing data file for that population data are not available to the legislative services agency on or before February 15 of the year ending in one, the dates set forth in this subsection shall be extended by a number of days equal to the number of days after February 15 of the year ending in one that the federal census population data and the topologically integrated geographic encoding and referencing data file for legislative districting become available.

Sec. 3. Section 42.3, subsection 2, Code 2007, is amended to read as follows:

2. If the bill embodying the plan submitted by the legislative services agency under subsection 1 fails to be ~~approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate or the chief clerk of the house, as the case may be, shall at once transmit to the legislative services agency information~~

~~which the senate or house may direct regarding reasons why the plan was not approved.~~ The enacted, the legislative services agency shall prepare a bill embodying a second plan of legislative and congressional districting. The bill shall be prepared in accordance with section 42.4, and taking into account, insofar as it is possible to do so within the requirements of section 42.4, with the reasons cited by the senate or house of representatives by resolution, or the governor by veto message, for its the failure to approve the plan insofar as it is possible to do so within the requirements of section 42.4. If a second plan is required under this subsection, the bill embodying it shall be delivered to the secretary of the senate and the chief clerk of the house of representatives not later than ~~May 1 of the year ending in one, or twenty-one~~ thirty-five days after the date of the vote by which the senate or the house of representatives fails to approve the bill submitted under subsection 1, ~~whichever date is later~~ or the date the governor vetoes or fails to approve the bill. ~~It is the intent of this chapter that, if~~ If it is necessary to submit a bill under this subsection, the bill shall be brought to a vote not less than seven days after the bill is ~~printed~~ submitted and made available to the members of the general assembly, ~~in the same manner as prescribed for the bill required under subsection 1~~ under a procedure or rule permitting no amendments except those of a purely corrective nature. It is further the intent of this chapter that if the bill is approved by the first house in which it is considered, it shall expeditiously be brought to a vote in the second house under a similar procedure or rule. If the bill embodying the plan submitted by the legislative services agency under this subsection fails to be approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate or the chief clerk of the house, as the case may be, shall transmit to the legislative services agency information which the senate or house may direct by resolution regarding reasons why the plan was not approved in the same manner as described in subsection 1.

Sec. 4. Section 42.3, subsection 3, Code 2007, is amended to read as follows:

3. If the bill embodying the plan submitted by the legislative services agency under subsection 2 fails to be ~~approved by a constitutional majority in either the senate or the house of representatives~~ enacted, the same procedure as prescribed by subsection 2 shall be followed. If a third plan is required under this subsection, the bill embodying it shall be delivered to the secretary of the senate and the chief clerk of the house of representatives not later than ~~June 1 of the year ending in one, or twenty-one~~ thirty-five days after the date of the vote by which the senate or the house of representatives fails to approve the bill submitted under subsection 2, ~~whichever date is later. It is the intent of this chapter that, if~~ or the date the governor vetoes or fails to approve the bill. The legislative services agency shall submit a bill under this subsection sufficiently in advance of September 1 of the year ending in one to permit the general assembly to consider the plan prior to that date. If it is necessary to submit a bill under this subsection, the bill shall be brought to a vote within the same time period after its delivery to the secretary of the senate and the chief clerk of the house of representatives as is prescribed for the bill submitted under subsection 2, but shall be subject to amendment in the same manner as other bills.

Sec. 5. Section 42.3, subsection 4, Code 2007, is amended by striking the subsection.

Sec. 6. Section 42.4, subsection 4, Code 2007, is amended to read as follows:

4. ~~It is preferable that districts~~ Districts shall be reasonably compact in form, but to the extent consistent with the standards established by subsections 1, 2, and 3 take precedence over compactness where a conflict arises between compactness and these standards. In general, reasonably compact districts are those which are square, rectangular, or hexagonal in shape, and not irregularly shaped, to the extent permitted by natural or political boundaries. ~~When~~ If it is necessary to compare the relative compactness of two or more districts, or of two or more alternative districting plans, the tests prescribed by paragraphs "a" and "b" ~~and "c" of this subsection shall be used. Should the results of these two tests be contradictory, the standard referred to in paragraph~~

"b" of this subsection shall be given greater weight than the standard referred to in paragraph "c" of this subsection.

a.--As used in this subsection:

(1)--"Population data unit" means a civil township, election precinct, census enumeration district, census city block group, or other unit of territory having clearly identified geographic boundaries and for which a total population figure is included in or can be derived directly from certified federal census data.

(2)--The "geographic unit center" of a population data unit is that point approximately equidistant from the northern and southern extremities, and also approximately equidistant from the eastern and western extremities, of a population data unit.--This point shall be determined by visual observation of a map of the population data unit, unless it is otherwise determined within the context of an appropriate coordinate system developed by the federal government or another qualified and objective source and obtained for use in this state with prior approval of the legislative council.

(3)--The "x" co-ordinate of a point in this state refers to the relative location of that point along the east-west axis of the state.--Unless otherwise measured within the context of an appropriate co-ordinate system obtained for use as permitted by subparagraph 2 of this paragraph, the "x" co-ordinate shall be measured along a line drawn due east from a due north and south line running through the point which is the northwestern extremity of the state of Iowa, to the point to be located.

(4)--The "y" co-ordinate of a point in this state refers to the relative location of that point along the north-south axis of the state.--Unless otherwise measured within the context of an appropriate co-ordinate system obtained for use as permitted by subparagraph (2) of this paragraph, the "y" co-ordinate shall be measured along a line drawn due south from the northern boundary of the state or the eastward extension of that boundary, to the point to be located.

b. a. LENGTH-WIDTH COMPACTNESS. The compactness of a district is greatest when the length of the district and the width of the district are equal. The measure of a district's compactness is the absolute value of the difference between the length and the width of the district.

(1)--In-measuring-the-length-and-the-width-of-a-district-by means-of-electronic-data-processing, the-difference-between the-"x"-co-ordinates-of-the-easternmost-and-the-westernmost geographic-unit-centers-included-in-the-district-shall-be compared-to-the-difference-between-the-"y"-co-ordinates-of-the northernmost-and-southernmost-geographic-unit-centers-included in-the-district.

(2)--To-determine-the-length-and-width-of-a-district-by manual-measurement, In general, the length-width compactness of a district is calculated by measuring the distance from the northernmost point or portion of the boundary of a district to the southernmost point or portion of the boundary of the same district and the distance from the westernmost point or portion of the boundary of the district to the easternmost point or portion of the boundary of the same district shall each be measured. If-the-northernmost-or-southernmost-portion of-the-boundary, or-each-of-these-points, is-a-part-of-the boundary-running-due-east-and-west, the-line-used-to-make-the measurement-required-by-this-paragraph-shall-either-be-drawn due-north-and-south-or-as-nearly-so-as-the-configuration-of the-district-permits.--If-the-easternmost-or-westernmost portion-of-the-boundary, or-each-of-these-points, is-a-part-of the-boundary-running-due-north-and-south, a-similar-procedure shall-be-followed.--The-lines-to-be-measured-for-the-purpose of-this-paragraph-shall-each-be-drawn-as-required-by-this paragraph, even-if-some-part-of-either-or-both-lines-lies outside-the-boundaries-of-the-district-which-is-being-tested for-compactness.

(3) The absolute values computed for individual districts under this paragraph may be cumulated for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the state, or for a portion of the state. However, it-is-not-valid-to-cumulate-or compare-absolute-values-computed-under-subparagraph-(1)-with those-computed-under-subparagraph-(2)-of-this-paragraph.

e. b. PERIMETER COMPACTNESS. The compactness of a district is greatest when the ratio-of-the-dispersion-of population-about-the-population-center-of-the-district-to-the dispersion-of-population-about-the-geographic-center-of-the district-is-one-to-one, the-nature-of-this-ratio-being-such

~~that it is always greater than zero and can never be greater than one to one.~~

~~(1)--The population dispersion about the population center of a district, and about the geographic center of a district, is computed as the sum of the products of the population of each population data unit included in the district multiplied by the square of the distance from that geographic unit center to the population center or the geographic center of the district, as the case may be.--The geographic center of the district is defined by averaging the locations of all geographic unit centers which are included in the district. The population center of the district is defined by computing the population weighted average of the "x" co ordinates and "y" co ordinates of each geographic unit center assigned to the district, it being assumed for the purpose of this calculation that each population data unit possesses uniform density of population.~~

~~(2)--The ratios computed for individual districts under this paragraph may be averaged for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the state, or for a portion of the state distance needed to traverse the perimeter boundary of a district is as short as possible. The total perimeter distance computed for individual districts under this paragraph may be cumulated for all districts in a plan in order to compare the overall compactness of two or more alternative districting plans for the state, or for a portion of the state.~~

Sec. 7. Section 42.4, subsection 8, Code 2007, is amended to read as follows:

8. Each bill embodying a plan drawn under this section shall include provisions for election of senators to the general assemblies which take office in the years ending in three and five, which shall be in conformity with Article III, section 6, of the Constitution of the State of Iowa. With respect to any plan drawn for consideration in the a year 2001 ending in one, those provisions shall be substantially as follows:

a. Each odd-numbered senatorial district in the plan which is not a holdover senatorial district shall elect a senator in

2002 the year ending in two for a four-year term commencing in January 2003 of the year ending in three. If an incumbent senator who was elected to a four-year term which commenced in January 2001 of the year ending in one, or was subsequently elected to fill a vacancy in such a term, is residing in an odd-numbered a senatorial district in the plan which is not a holdover senatorial district on the first Wednesday in February 17-2002 of the year ending in two, that senator's term of office shall be terminated on January 17-2003 of the year ending in three.

b. Each even-numbered holdover senatorial district in the plan shall elect a senator in 2004 the year ending in four for a four-year term commencing in January 2005 of the year ending in five.

(1) If one and only one incumbent state senator is residing in an-even-numbered a holdover senatorial district in the plan on the first Wednesday in February 17-2002 of the year ending in two, and that senator meets all of the following requirements, the senator shall represent the district in the senate for the Eightieth-General-Assembly general assembly commencing in January of the year ending in three:

(a) The senator was elected to a four-year term which commenced in January 2001 of the year ending in one or was subsequently elected to fill a vacancy in such a term.

(b) The senatorial district in the plan which includes the place of residence of the state senator on the date of the senator's last election to the senate is the same as the even-numbered holdover senatorial district in which the senator resides on the first Wednesday in February 17-2002 of the year ending in two, or is contiguous to such even-numbered holdover senatorial district and-the-senator's-declared residence-as-of-February-17-2002, was within the district from which-the-senator-was-last-elected. Areas which meet only at the points of adjoining corners are not contiguous.

The-secretary-of-state-shall-prescribe-a-form-to-be completed-by-all-senators-to-declare-their-residences-as-of February-17-2002.--The-form-shall-be-filed-with-the-secretary of-state-no-later-than-five-p.m.-on-February-17-2002.

(2) Each even-numbered holdover senatorial district to which subparagraph (1) ~~of this paragraph~~ is not applicable shall elect a senator in ~~2002~~ the year ending in two for a two-year term commencing in January ~~2003~~ of the year ending in three. However, if more than one incumbent state senator is residing in ~~an even-numbered~~ a holdover senatorial district on the first Wednesday in February 17-2002 of the year ending in two, and, on or before the first Wednesday in February 157-2002 of the year ending in two, all but one of the incumbent senators resigns from office effective no later than January ~~17-2003~~ of the year ending in three, the remaining incumbent senator shall represent the district in the senate for the ~~Eightieth-General-Assembly~~ general assembly commencing in January of the year ending in three. A copy of the resignation must be filed in the office of the secretary of state no later than five p.m. on the third Wednesday in February 157-2002 of the year ending in two.

c. For purposes of this subsection:

(1) "Holdover senatorial district" means a senatorial district in the plan which is numbered with an even or odd number in the same manner as senatorial districts, which were required to elect a senator in the year ending in zero, were numbered.

(2) "Incumbent state senator" means a state senator who holds the office of state senator on the first Wednesday in February of the year ending in two, and whose declared residence on that day is within the district from which the senator was last elected.

d. The secretary of state shall prescribe a form to be completed by all senators to declare their residences as of the first Wednesday in February of the year ending in two. The form shall be filed with the secretary of state no later than five p.m. on the first Wednesday in February of the year ending in two.

Sec. 8. Section 42.6, subsection 3, Code 2007, is amended by striking the subsection.

Sec. 9. Section 42.6, subsection 4, paragraph b, Code 2007, is amended to read as follows:

b. Following the hearings, promptly prepare and submit to the secretary of the senate and the chief clerk of the house a

report summarizing information and testimony received by the commission in the course of the hearings. The commission's report shall include any comments and conclusions which its members deem appropriate on the information and testimony received at the hearings, or otherwise presented to the commission. The report shall be submitted no later than fourteen days after the date the bill embodying an initial plan of congressional and legislative redistricting is delivered to the general assembly.



JOHN P. KIBBIE

President of the Senate



PATRICK J. MURPHY

Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 479, Eighty-second General Assembly.



MICHAEL E. MARSHALL

Secretary of the Senate

Approved April 17th, 2007



CHESTER J. CULVER

Governor