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Place On Calendar

HOUSE FILE 707

By COMMITTEE ON STATE GOVERNMENT

(Formerly House File 217)

Passed House, Date 3-28-79 (p. 1210) Passed Senate, Date _____

Vote: Ayes 97 Nays 0 Vote: Ayes _____ Nays _____

Approved May 19, 1980

A BILL FOR

1 An Act authorizing certain preparations for and prescribing
2 a procedure for the redistricting of the general assembly
3 and the redrawing of congressional districts following
4 the 1980 federal decennial census.

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

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707

1 Section 1. PREPARATIONS FOR REDISTRICTING.

2 1. The legislative service bureau shall acquire appropriate
3 information, review and evaluate available facilities, and
4 develop programs and procedures in preparation for drawing
5 congressional and legislative redistricting plans on the basis
6 of the 1980 federal decennial census. Funds shall be expended
7 for the purchase or lease of equipment and materials only
8 with prior approval of the legislative council.

9 2. By December 31, 1980, the legislative service bureau
10 shall obtain from the United States bureau of the census
11 information regarding geographic and political units in this
12 state for which 1980 census population data has been gathered
13 and will be tabulated. The legislative service bureau shall
14 use the data so obtained to:

15 a. Prepare necessary descriptions of geographic and
16 political units for which census data will be reported, and
17 which are suitable for use as components of legislative
18 districts.

19 b. Prepare maps of counties, cities and other geographic
20 units within the state, which may be used to illustrate the
21 locations of legislative district boundaries proposed in plans
22 drawn in accordance with section three (3) of this Act.

23 3. As soon as possible after January 1, 1981, the legis-
24 lative service bureau shall obtain from the United States
25 bureau of the census the population data needed for legislative
26 districting which the census bureau is required to provide
27 this state under United States Pub. L. 94-171, and shall use
28 that data to assign a population figure based upon certified
29 1980 census data to each geographic or political unit described
30 pursuant to subsection two (2), paragraph a of this section.
31 Upon completing that task, the legislative service bureau
32 shall begin the preparation of congressional and legislative
33 districting plans as required by section two (2) of this Act.

34 Sec. 2. TIMETABLE FOR PREPARATION OF PLAN.

35 1. Not later than April 1, 1981, the legislative service

1 bureau shall deliver to the secretary of the senate and the
2 chief clerk of the house of representatives identical bills
3 embodying a plan of legislative and congressional districting
4 prepared in accordance with section three (3) of this Act.
5 It is the intent of this Act that the general assembly shall
6 bring the bill to a vote in either the senate or the house
7 of representatives expeditiously, but not less than seven
8 days after the bill is printed and made available to the
9 members of the general assembly, under a procedure or rule
10 permitting no amendments except those of a purely corrective
11 nature. It is further the intent of this Act that if the
12 bill is approved by the first house in which it is considered,
13 it shall expeditiously be brought to a vote in the second
14 house under a similar procedure or rule.

15 2. If the bill embodying the plan submitted by the legis-
16 lative service bureau under subsection one (1) of this section
17 fails to be approved by a constitutional majority in either
18 the senate or the house of representatives, the secretary
19 of the senate or the chief clerk of the house, as the case
20 may be, shall at once transmit to the legislative service
21 bureau information which the senate or house may direct
22 regarding reasons why the plan was not approved. The
23 legislative service bureau shall prepare a bill embodying
24 a second plan of legislative and congressional districting
25 prepared in accordance with section three (3) of this Act,
26 and taking into account the reasons cited by the senate or
27 house of representatives for its failure to approve the plan
28 insofar as it is possible to do so within the requirements
29 of section three (3) of this Act. If a second plan is required
30 under this subsection, the bill embodying it shall be delivered
31 to the secretary of the senate and the chief clerk of the
32 house of representatives not later than May 1, 1981 or fourteen
33 days after the date of the vote by which the senate or the
34 house of representatives fails to approve the bill submitted
35 under subsection one (1) of this section, whichever date is

1 later. It is the intent of this Act that, if it is necessary
2 to submit a bill under this subsection, the bill be brought
3 to a vote within the same time and in the same manner as
4 prescribed for the bill required under subsection one (1)
5 of this section.

6 3. If the bill embodying the plan submitted by the
7 legislative service bureau under subsection two (2) of this
8 section fails to be approved by a constitutional majority
9 in either the senate or the house of representatives, the
10 same procedure as prescribed by subsection two (2) of this
11 section shall be followed. If a third plan is required under
12 this subsection, the bill embodying it shall be delivered
13 to the secretary of the senate and the chief clerk of the
14 house of representatives not later than June 1, 1981 or
15 fourteen days after the date of the vote by which the senate
16 or the house of representatives fails to approve the bill
17 submitted under subsection two (2) of this section, whichever
18 date is later. It is the intent of this Act that, if it is
19 necessary to submit a bill under this subsection, the bill
20 be brought to a vote within the same time period after its
21 delivery to the secretary of the senate and the chief clerk
22 of the house of representatives as is prescribed for the bill
23 submitted under subsection one (1) of this section and shall
24 be subject to amendment in the same manner as other bills.

25 4. Notwithstanding subsections one (1), two (2) and three
26 (3) of this section:

27 a. If population data from the 1980 decennial census which
28 is sufficient to permit preparation of a congressional
29 districting plan complying with article three (III), section
30 thirty-seven (37) of the Constitution of the state of Iowa
31 becomes available at an earlier time than the population data
32 needed to permit preparation of a legislative districting
33 plan in accordance with section three (3) of this Act, the
34 legislative service bureau shall so inform the presiding
35 officers of the senate and house of representatives. If the

1 presiding officers so direct, the legislative service bureau
2 shall prepare a separate bill establishing congressional
3 districts and submit it separately from the bill establishing
4 legislative districts. It is the intent of this Act that
5 the general assembly shall proceed to consider the
6 congressional districting bill in substantially the manner
7 prescribed by subsections one (1), two (2) and three (3) of
8 this section.

9 b. If the population data for legislative districting
10 which the United States census bureau is required to provide
11 this state under United States Pub. L. 94-171 is not available
12 to the legislative service bureau on or before February 1,
13 1981, the dates set forth in this section shall be extended
14 by a number of days equal to the number of days after February
15 1, 1981 that the 1980 census population data for legislative
16 districting becomes available.

17 Sec. 3. REDISTRICTING STANDARDS.

18 1. Legislative and congressional districts shall be es-
19 tablished on the basis of population.

20 a. Senatorial and representative districts, respectively,
21 shall each have a population as nearly equal as practicable
22 to the ideal population for such districts, determined by
23 dividing the number of districts to be established into the
24 population of the state reported in the federal decennial
25 census. Senatorial districts and representative districts
26 shall not vary in population from the respective ideal district
27 populations except as necessary to comply with one of the
28 other standards enumerated in this section. In no case shall
29 the quotient, obtained by dividing the absolute value of the
30 total deviations of all district populations from the
31 applicable ideal district population by the number of districts
32 established, exceed one percent of the applicable ideal
33 district population. In no case shall any single district
34 have a population which varies by more than five percent from
35 the applicable ideal district population.

1 b. Congressional districts shall each have a population
2 as nearly equal as practicable to the ideal district
3 population, derived as prescribed in paragraph a of this
4 subsection. No congressional district shall have a population
5 which varies by more than one percent from the applicable
6 ideal district population, except as necessary to comply with
7 article three (III), section thirty-seven (37) of the
8 Constitution of the state of Iowa.

9 c. If a challenge is filed with the supreme court alleging
10 excessive population variance among districts established
11 in a plan adopted by the general assembly, the general assembly
12 has the burden of justifying any variance in excess of one
13 percent between the population of a district and the applicable
14 ideal district population.

15 2. To the extent consistent with subsection one (1) of
16 this section, district boundaries shall coincide with the
17 boundaries of political subdivisions of the state. The number
18 of counties and cities divided among more than one district
19 shall be as small as possible. When there is a choice between
20 dividing local political subdivisions, the more populous
21 subdivisions shall be divided before the less populous, but
22 this statement does not apply to a legislative district
23 boundary drawn along a county line which passes through a
24 city that lies in more than one county.

25 3. Districts shall be composed of convenient contiguous
26 territory. Areas which meet only at the points of adjoining
27 corners are not contiguous.

28 4. It is preferable that districts be compact in form,
29 but the standards established by subsections one (1), two
30 (2) and three (3) of this section take precedence over compact-
31 ness where a conflict arises between compactness and these
32 standards. In general, compact districts are those which
33 are square, rectangular or hexagonal in shape to the extent
34 permitted by natural or political boundaries. When it is
35 necessary to compare the relative compactness of two or more

1 districts, or of two or more alternative districting plans,
2 the tests prescribed by paragraphs b and c of this subsection
3 shall be used.

4 a. As used in this subsection:

5 (1) "Population data unit" means a civil township, elec-
6 tion precinct, census enumeration district, census city block
7 group, or other unit of territory having clearly identified
8 geographic boundaries and for which a total population figure
9 is included in or can be derived directly from certified 1980
10 census data.

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

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

30 (4) The "y coordinate" of a point in this state refers
31 to the relative location of that point along the north-south
32 axis of the state. Unless otherwise measured within the
33 context of an appropriate coordinate system obtained for use
34 as permitted by subparagraph two (2) of this paragraph, the
35 y coordinate shall be measured along a line drawn due south

1 from the northern boundary of the state or the eastward
2 extension of that boundary, to the point to be located.

3 b. The compactness of a district is greatest when the
4 length of the district and the width of the district are
5 equal. The measure of a district's compactness is the absolute
6 value of the difference between the length and the width of
7 the district.

8 (1) In measuring the length and the width of a district
9 by means of electronic data processing, the difference between
10 the x coordinates of the easternmost and the westernmost
11 geographic unit centers included in the district shall be
12 compared to the difference between the y coordinates of the
13 northernmost and southernmost geographic unit centers included
14 in the district.

15 (2) To determine the length and width of a district by
16 manual measurement, the distance from the northernmost point
17 or portion of the boundary of a district to the southernmost
18 point or portion of the boundary of the same district and
19 the distance from the westernmost point or portion of the
20 boundary of the district to the easternmost point or portion
21 of the boundary of the same district shall each be measured.
22 If the northernmost or southernmost portion of the boundary,
23 or each of these points, is a part of the boundary running
24 due east and west, the line used to make the measurement
25 required by this paragraph shall either be drawn due north
26 and south or as nearly so as the configuration of the district
27 permits. If the easternmost or westernmost portion of the
28 boundary, or each of these points, is a part of the boundary
29 running due north and south, a similar procedure shall be
30 followed. The lines to be measured for the purpose of this
31 paragraph shall each be drawn as required by this paragraph,
32 even if some part of either or both lines lies outside the
33 boundaries of the district which is being tested for compact-
34 ness.

35 (3) The absolute values computed for individual districts

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

8 c. The compactness of a district is greatest when the
9 ratio of the dispersion of population about the population
10 center of the district to the dispersion of population about
11 the geographic center of the district is one to one, the
12 nature of this ratio being such that it is always greater
13 than zero and can never be greater than one to one.

14 (1) The population dispersion about the population center
15 of a district, and about the geographic center of a district,
16 is computed as the sum of the products of the population of
17 each population data unit included in the district multiplied
18 by the square of the distance from that geographic unit center
19 to the population center or the geographic center of the
20 district, as the case may be. The geographic center of the
21 district is defined by averaging the locations of all
22 geographic unit centers which are included in the district.
23 The population center of the district is defined by computing
24 the population-weighted average of the x coordinates and y
25 coordinates of each geographic unit center assigned to the
26 district, it being assumed for the purpose of this calculation
27 that each population data unit possesses uniform density of
28 population.

29 (2) The ratios computed for individual districts under
30 subparagraph one (1) of this paragraph may be averaged for
31 all districts in a plan in order to compare the overall
32 compactness of two or more alternative districting plans for
33 the state, or for a portion of the state.

34 5. No district shall be drawn for the purpose of favoring
35 a political party, incumbent legislator or member of congress,

1 or other person or group, or for the purpose of augmenting
2 or diluting the voting strength of a language or racial
3 minority group. In establishing districts, no use shall be
4 made of any of the following data:

5 a. Addresses of incumbent legislators or members of
6 congress.

7 b. Political affiliations of registered voters.

8 c. Previous election results.

9 d. Demographic information, other than population head
10 counts, except as required by the constitution and the laws
11 of the United States.

12 6. In order to minimize electoral confusion and to facili-
13 tate communication within state legislative districts, each
14 districting plan drawn under this section shall provide that
15 each representative district is wholly included within a
16 single senatorial district.

17 7. Each bill embodying a districting plan drawn under
18 this section shall provide that any vacancy in the Sixty-ninth
19 General Assembly, occurring at a time which makes it necessary
20 to fill the vacancy at a special election held pursuant to
21 section sixty-nine point fourteen (69.14) of the Code, shall
22 be filled from the same district which elected the senator
23 or representative whose seat is vacant. The bill shall also
24 include provisions for the election of senators to the
25 Seventieth and Seventy-first General Assemblies substantially
26 as follows:

27 a. Each odd-numbered senatorial district shall elect a
28 senator in 1982 for a four-year term commencing in January,
29 1983. If an incumbent senator who was elected to a four-year
30 term which commenced in January, 1981, or was subsequently
31 elected to fill a vacancy in such a term, is residing in an
32 odd-numbered senatorial district on April 2, 1982, that
33 senator's term of office shall be terminated on January 1,
34 1983.

35 b. Each even-numbered senatorial district shall elect

1 a senator in 1984 for a four-year term commencing in January,
2 1985.

3 (1) If one and only one incumbent state senator is residing
4 in an even-numbered senatorial district on April 2, 1982,
5 and that senator was elected to a four-year term which
6 commenced in January, 1981 or was subsequently elected to
7 fill a vacancy in such a term, the senator shall represent
8 the district in the senate for the Seventieth General Assembly.

9 (2) Each even-numbered senatorial district to which
10 subparagraph one (1) of this paragraph is not applicable shall
11 elect a senator in 1982 for a two-year term commencing in
12 January, 1983.

13 Sec. 4. ADDITIONAL POLICY GUIDANCE. There is created
14 a special legislative redistricting policy committee, whose
15 only function shall be to discharge the duties prescribed
16 by this section. The special committee shall consist of the
17 majority and minority floor leaders of the senate and the
18 majority and minority floor leaders of the house of
19 representatives, except that any of these persons may desig-
20 nate another member of the general assembly to serve on the
21 special committee in his or her place.

22 1. If, in preparation of districting plans as required
23 by this Act, the legislative service bureau is confronted
24 with the necessity to make any decision for which no clearly
25 applicable guideline is provided by section three (3) of this
26 Act, the legislative service bureau may submit a written
27 request for direction to the special committee.

28 2. Prior to delivering any redistricting plan and the
29 bill embodying that plan to the secretary of the senate and
30 the chief clerk of the house of representatives in accordance
31 with section two (2) of this Act, the legislative service
32 bureau shall provide to persons outside the bureau staff only
33 such information regarding the districting plan as may be
34 required by policies agreed upon by the special committee.
35 This subsection does not apply to population data furnished

1 the legislative service bureau by the United States bureau
2 of the census.

3 Sec. 5. SPECIAL ARRANGEMENTS.

4 1. Beginning not later than July 1, 1980 and continuing
5 until the legislative service bureau has discharged the
6 responsibilities imposed on it by this Act, the department
7 of general services shall provide the bureau space in the
8 same state office building in which is located the state
9 electronic data processing facilities which may be used to
10 assist in preparation of districting plans. The space shall
11 be reasonably near the data processing facilities, and shall
12 be suitably arranged and equipped for storage and use of the
13 maps and other materials necessary for preparation and drawing
14 of congressional and legislative districting plans.

15 2. If the general assembly fails to enact a legislative
16 districting plan by September 15, 1981, or a plan enacted
17 by the general assembly is nullified by the Iowa supreme
18 court, all materials gathered and prepared by the legislative
19 service bureau under section one (1) of this Act shall be
20 made available to the supreme court or any other person or
21 agency designated by the supreme court pursuant to article
22 three (III), sections thirty-five (35) and thirty-six (36)
23 of the Constitution of the state of Iowa.

24 Sec. 6. This Act is repealed effective December 31, 1981
25 or on the date a legislative districting plan based on the
26 1980 federal decennial census takes effect or is upheld by
27 the supreme court, whichever is later.

28 EXPLANATION

29 This bill delegates to the Legislative Service Bureau the
30 task of initially preparing congressional and legislative
31 districting plans for consideration by the 1981 Session of
32 the General Assembly. The bill mandates the Service Bureau
33 to obtain the necessary maps and population data from the
34 United States Bureau of the Census, and prepare a plan by
35 April 1, 1981. The intent of the bill is that the plan so

1 prepared be voted on with no substantive amendments permitted.
2 Should the plan be defeated by either the Senate or House,
3 the Service Bureau is to present a second plan by May 1, 1981,
4 for a vote without amendments. If that plan is also defeated,
5 a third plan must be prepared and presented by June 1, 1981,
6 but may be amended in the same manner as other bills.

7 Each of these legislative districting plans is to be
8 prepared in accordance with the criteria set forth in section
9 3 of the bill. A special legislative districting policy
10 committee is created, consisting of the majority and minority
11 floor leaders of each house or their legislator designees,
12 but its only function is to respond to written requests from
13 the Legislative Service Bureau for policy guidance in any
14 unanticipated situation not covered by the criteria and
15 guidelines in section 3. The committee will not exercise
16 any control over the specific content of any districting plan
17 being prepared by the Service Bureau, and the Service Bureau
18 will release to persons outside its staff only such information
19 about any plan it is preparing as the policy committee
20 authorizes.

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HOUSE FILE 707

H-3532

1 Amend House File 707 as follows:

2 1. Page 4, by striking lines 33, 34 and 35 and
3 inserting in lieu thereof the words "district popu-
4 lation. No senatorial district shall have a popu-
5 lation which exceeds that of any other senatorial
6 district by more than five percent, and no representa-
7 tive district shall have a population which exceeds
8 that of any other representative district by more
9 than five percent."

H-3532 FILED *adopted 2/28 (9.1206)*
MARCH 23, 1979

BY SHIMANEK of Jones
LLOYD-JONES of Johnson
ANDERSON of Audubon
CRAWFORD of Story

FISCAL NOTE

HOUSE FILE 707 (Amend.H-3574)

Requested by Representative Lloyd-Jones

March 27, 1979

In compliance with a written request, there is hereby submitted a Fiscal Note for H.F. 707. Amendment H-3574 pursuant to Joint Rule 16. Amendment H-3574 to House File 707

This amendment would reduce the size of the Legislature to 96 Representatives and 48 Senators.

This amendment would be an approximate savings to the state of \$100,000 annually.

FILED MARCH 28, 1979

GERRY D. RANKIN
Legislative Fiscal Bureau

HOUSE FILE 707

H-3559

1 Amend House File 707 as follows:
2 1. Page 2, line 14, by inserting after the word
3 "rule." the following: "It is further the intent of
4 this Act that the presiding officers of the senate
5 and the house of representatives of the Sixty-ninth
6 General Assembly shall see to it that a temporary,
7 special rule or procedure is approved and used as
8 necessary to carry out the provisions of this sub-
9 section."

H-3559 FILED *House 2/23 (p. 1203)*
MARCH 26, 1979

BY COCHRAN of Webster
HALVORSON of Webster

HOUSE FILE 707

H-3567

1 Amend House File 707 as follows:
2 1. Page 2, line 21, by inserting after the
3 word "house" the words "majority and minority
4 floor leaders".

H-3567 FILED *House 3/25 (p. 1203)*
MARCH 26, 1979

BY HULLINGER of Decatur
HALVORSON of Webster

HOUSE FILE 707

H-3574

1 Amend House File 707 as follows:
2 1. Page 3, by striking line 26 through page 4,
3 line 9 and inserting in lieu thereof the following:
4 "(3) of this section, if the population data for
5 legislative districting".
6 2. Page 9, by striking lines 15 and 16 and
7 inserting in lieu thereof the words "two representative
8 districts be wholly included within each senatorial
9 district, and that each senatorial district be wholly
10 included within a congressional district. The total
11 number of senatorial districts shall be the greatest
12 number, not exceeding fifty, which is evenly divisible
13 by the number of seats in congress apportioned to
14 Iowa for the Ninety-eighth Congress."

H-3574 FILED *House 3/28 (p. 1204)*
MARCH 26, 1979

BY WELDEN of Hardin
LLOYD-JONES of Johnson
WEST of Marshall
CUSACK of Scott

HOUSE FILE 707

H-3566

- 1 Amend House File 707 as follows:
- 2 1. Page 2, line 11, by inserting after the
- 3 word "nature." the words "If the general assembly
- 4 adopts amendments other than those of a purely
- 5 corrective nature the plan shall be considered to
- 6 have been rejected."
- 7 2. Page 2, line 18, by inserting after the
- 8 word "representatives;" the words "or is amended
- 9 in violation of the intent language in subsection
- 10 one (1) of section two (2),".
- 11 3. Page 3, line 9, by inserting after the
- 12 word "representatives," the words "or is amended
- 13 in violation of the intent language in subsection
- 14 one (1), of section two (2),".

H-3566 FILED *Adopted 3/28 (p. 1202)*
MARCH 26, 1979

BY DAVITT of Warren
HALVORSON of Webster

HOUSE FILE 707

H-3565

- 1 Amend House File 707 as follows:
- 2 1. Page 6, line 3, by inserting the following
- 3 new sentence after the word "used." "It is the
- 4 intent of the general assembly that the compactness
- 5 standard as defined in section three (3), subsec-
- 6 tion four (4), paragraph b, is preferable to the
- 7 compactness standard defined in section three (3),
- 8 subsection four (4), paragraph c."

H-3565 FILED
MARCH 26, 1979

BY HALVORSON of Webster

HOUSE FILE 707

H-3571

- 1 Amend House File 707 as follows:
- 2 1. Page 9, line 16, by inserting after the word
- 3 "district" the words "and that, so far as possible,
- 4 each representative and each senatorial district shall
- 5 be included within a single congressional district".

H-3571 FILED *Adopted 3/28 (p. 1209)*
MARCH 26, 1979

BY HALVORSON of Webster

HOUSE FILE 707

H-3570

- 1 Amend House File 707 as follows:
- 2 1. Page 9, by striking lines 9, 10 and 11.

H-3570 FILED *Adopted 3/28 (p. 1210)*
MARCH 26, 1979

BY HALVORSON of Webster

HOUSE FILE 707

H-3611

- 1 Amend amendment H-3532 to page 4 of House
- 2 File 707 as follows:
- 3 1. Page 1, line 6, by striking the word "five"
- 4 and inserting in lieu thereof the word "three".
- 5 2. Page 1, line 9, by striking the word "five"
- 6 and inserting in lieu thereof the word "three".

H-3611 FILED *Linn 3/28 (7.1207)* BY HALL of Linn
MARCH 28, 1979
LOST

HOUSE FILE 707

H-3619

- 1 Amend the Brandt amendment, H-3586, to House File
- 2 707 as follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "district" the words "having more than four sides".
- 5 2. Page 1, line 7, by inserting after the word
- 6 "district" the words "exceeding four".

H-3619 FILED BY BRANDT of Black Hawk
MARCH 28, 1979
ADOPTED *(7.1208)*

HOUSE FILE 707

H-3586

1 Amend House File 707 as follows:
2 1. Page 6, line 2, by striking the words "and c"
3 and inserting in lieu thereof the words ", c and d".
4 2. Page 8, by inserting after line 33, the
5 following new paragraph:
6 "d. The compactness of a district is greatest
7 when the number of sides of the district is fewest.
8 A side shall be defined as a portion of a district
9 boundary which runs in a single direction without
10 a bend of greater than thirty degrees; a portion of
11 a district boundary following a single natural
12 geographic feature, such as a river; or a portion
13 of a district boundary following a boundary of a
14 subdivision of this state which has a change in
15 direction caused by a land survey correction. Short
16 changes in direction occurring when a district
17 boundary follows a municipal boundary line shall be
18 ignored."

H-3586 FILED *Line 3/28 (p. 1205)* BY BRANDT of Black Hawk
MARCH 27, 1979

HOUSE FILE 707

H-3602

1 Amend House File 707 as follows:
2 1. Page 4, by striking lines 20, 21 and 22 and
3 inserting in lieu thereof the following:
4 "a. The ideal population for senatorial and
5 representative districts, respectively, shall be
6 determined by".
7 2. Page 4, line 28, by striking everything after
8 the period.
9 3. Page 4, by striking lines 29 through 35.
10 4. Page 5, line 2, by striking the words "is
11 practicable".
12 5. Page 5, by striking lines 4, 5 and 6 and
13 inserting in lieu thereof the words "subsection, as
14 can be achieved in compliance with".
15 6. Page 5, lines 12 and 13, by striking the words
16 "in excess of one percent".

H-3602 FILED *Line 3/28 (p. 1205)* BY PATCHETT of Johnson
MARCH 27, 1979 BRANDT of Black Hawk

HOUSE FILE 707

H-3604

1 Amend House File 707 as follows:
2 1. Page 6, line 3, by inserting after the period
3 the words "Should the results of these two tests be
4 contradictory, the standard referred to in paragraph
5 b of this subsection shall be given greater weight
6 than the standard referred to in paragraph c of this
7 subsection."

H-3604 FILED *Adopted 3/28 (p. 1208)* BY HALVORSON of Webster
MARCH 27, 1979

Sen. State Govt 4/3
Do Pass 4/6 (p. 1132)

HOUSE FILE 707

Re. State Govt. 3/11
(Amend par 566.3 - Do Pass 4/3 (p. 1292))

By COMMITTEE ON STATE
GOVERNMENT

(As Amended and Passed by the House)

Re. Passed House, Date 4/24/80 (p. 2031) Passed Senate, Date 4/9/80 (p. 1248)

Vote: Ayes 91 Nays 2 Vote: Ayes 46 Nays 2

Approved May 19 1980

Repassed Senate 4/25/80 (p. 1764)
45-0

A BILL FOR

1 An Act authorizing certain preparations for and prescribing
2 a procedure for the redistricting of the general assembly
3 and the redrawing of congressional districts following
4 the 1980 federal decennial census.

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

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_____ House Amendments

1 Section 1. PREPARATIONS FOR REDISTRICTING.

2 1. The legislative service bureau shall acquire appropriate
3 information, review and evaluate available facilities, and
4 develop programs and procedures in preparation for drawing
5 congressional and legislative redistricting plans on the basis
6 of the 1980 federal decennial census. Funds shall be expended
7 for the purchase or lease of equipment and materials only
8 with prior approval of the legislative council.

9 2. By December 31, 1980, the legislative service bureau
10 shall obtain from the United States bureau of the census
11 information regarding geographic and political units in this
12 state for which 1980 census population data has been gathered
13 and will be tabulated. The legislative service bureau shall
14 use the data so obtained to:

15 a. Prepare necessary descriptions of geographic and
16 political units for which census data will be reported, and
17 which are suitable for use as components of legislative
18 districts.

19 b. Prepare maps of counties, cities and other geographic
20 units within the state, which may be used to illustrate the
21 locations of legislative district boundaries proposed in plans
22 drawn in accordance with section three (3) of this Act.

23 3. As soon as possible after January 1, 1981, the legis-
24 lative service bureau shall obtain from the United States
25 bureau of the census the population data needed for legislative
26 districting which the census bureau is required to provide
27 this state under United States Pub. L. 94-171, and shall use
28 that data to assign a population figure based upon certified
29 1980 census data to each geographic or political unit described
30 pursuant to subsection two (2), paragraph a of this section.

31 Upon completing that task, the legislative service bureau
32 shall begin the preparation of congressional and legislative
33 districting plans as required by section two (2) of this Act.

34 Sec. 2. TIMETABLE FOR PREPARATION OF PLAN.

35 1. Not later than April 1, 1981, the legislative service

1 bureau shall deliver to the secretary of the senate and the
2 chief clerk of the house of representatives identical bills
3 embodying a plan of legislative and congressional districting
4 prepared in accordance with section three (3) of this Act.
5 It is the intent of this Act that the general assembly shall
6 bring the bill to a vote in either the senate or the house
7 of representatives expeditiously, but not less than seven
8 days after the bill is printed and made available to the
9 members of the general assembly, under a procedure or rule
10 permitting no amendments except those of a purely corrective
11 nature. It is further the intent of this Act that if the
12 bill is approved by the first house in which it is considered,
13 it shall expeditiously be brought to a vote in the second
14 house under a similar procedure or rule.

15 2. If the bill embodying the plan submitted by the legis-
16 lative service bureau under subsection one (1) of this section
17 fails to be approved by a constitutional majority in either
18 the senate or the house of representatives, the secretary
19 of the senate or the chief clerk of the house, as the case
20 may be, shall at once transmit to the legislative service
21 bureau information which the senate or house may direct
22 regarding reasons why the plan was not approved. The
23 legislative service bureau shall prepare a bill embodying
24 a second plan of legislative and congressional districting
25 prepared in accordance with section three (3) of this Act,
26 and taking into account the reasons cited by the senate or
27 house of representatives for its failure to approve the plan
28 insofar as it is possible to do so within the requirements
29 of section three (3) of this Act. If a second plan is required
30 under this subsection, the bill embodying it shall be delivered
31 to the secretary of the senate and the chief clerk of the
32 house of representatives not later than May 1, 1981 or fourteen
33 days after the date of the vote by which the senate or the
34 house of representatives fails to approve the bill submitted
35 under subsection one (1) of this section, whichever date is

1 later. It is the intent of this Act that, if it is necessary
2 to submit a bill under this subsection, the bill be brought
3 to a vote within the same time and in the same manner as
4 prescribed for the bill required under subsection one (1)
5 of this section.

6 3. If the bill embodying the plan submitted by the
7 legislative service bureau under subsection two (2) of this
8 section fails to be approved by a constitutional majority
9 in either the senate or the house of representatives, the
10 same procedure as prescribed by subsection two (2) of this
11 section shall be followed. If a third plan is required under
12 this subsection, the bill embodying it shall be delivered
13 to the secretary of the senate and the chief clerk of the
14 house of representatives not later than June 1, 1981 or
15 fourteen days after the date of the vote by which the senate
16 or the house of representatives fails to approve the bill
17 submitted under subsection two (2) of this section, whichever
18 date is later. It is the intent of this Act that, if it is
19 necessary to submit a bill under this subsection, the bill
20 be brought to a vote within the same time period after its
21 delivery to the secretary of the senate and the chief clerk
22 of the house of representatives as is prescribed for the bill
23 submitted under subsection one (1) of this section and shall
24 be subject to amendment in the same manner as other bills.

25 4. Notwithstanding subsections one (1), two (2) and three
26 (3) of this section:

27 a. If population data from the 1980 decennial census which
28 is sufficient to permit preparation of a congressional
29 districting plan complying with article three (III), section
30 thirty-seven (37) of the Constitution of the state of Iowa
31 becomes available at an earlier time than the population data
32 needed to permit preparation of a legislative districting
33 plan in accordance with section three (3) of this Act, the
34 legislative service bureau shall so inform the presiding
35 officers of the senate and house of representatives. If the

1 presiding officers so direct, the legislative service bureau
2 shall prepare a separate bill establishing congressional
3 districts and submit it separately from the bill establishing
4 legislative districts. It is the intent of this Act that
5 the general assembly shall proceed to consider the
6 congressional districting bill in substantially the manner
7 prescribed by subsections one (1), two (2) and three (3) of
8 this section.

9 b. If the population data for legislative districting
10 which the United States census bureau is required to provide
11 this state under United States Pub. L. 94-171 is not available
12 to the legislative service bureau on or before February 1,
13 1981, the dates set forth in this section shall be extended
14 by a number of days equal to the number of days after February
15 1, 1981 that the 1980 census population data for legislative
16 districting becomes available.

17 Sec. 3. REDISTRICTING STANDARDS.

18 1. Legislative and congressional districts shall be es-
19 tablished on the basis of population.

20 a. Senatorial and representative districts, respectively,
21 shall each have a population as nearly equal as practicable
22 to the ideal population for such districts, determined by
23 dividing the number of districts to be established into the
24 population of the state reported in the federal decennial
25 census. Senatorial districts and representative districts
26 shall not vary in population from the respective ideal district
27 populations except as necessary to comply with one of the
28 other standards enumerated in this section. In no case shall
29 the quotient, obtained by dividing the absolute value of the
30 total deviations of all district populations from the
31 applicable ideal district population by the number of districts
32 established, exceed one percent of the applicable ideal
33 district population. No senatorial district shall have a
34 population which exceeds that of any other senatorial district
35 by more than five percent, and no representative district

1 shall have a population which exceeds that of any other
2 representative district by more than five percent.

3 b. Congressional districts shall each have a population
4 as nearly equal as practicable to the ideal district
5 population, derived as prescribed in paragraph a of this
6 subsection. No congressional district shall have a population
7 which varies by more than one percent from the applicable
8 ideal district population, except as necessary to comply with
9 article three (III), section thirty-seven (37) of the
10 Constitution of the state of Iowa.

11 c. If a challenge is filed with the supreme court alleging
12 excessive population variance among districts established
13 in a plan adopted by the general assembly, the general assembly
14 has the burden of justifying any variance in excess of one
15 percent between the population of a district and the applicable
16 ideal district population.

17 2. To the extent consistent with subsection one (1) of
18 this section, district boundaries shall coincide with the
19 boundaries of political subdivisions of the state. The number
20 of counties and cities divided among more than one district
21 shall be as small as possible. When there is a choice between
22 dividing local political subdivisions, the more populous
23 subdivisions shall be divided before the less populous, but
24 this statement does not apply to a legislative district
25 boundary drawn along a county line which passes through a
26 city that lies in more than one county.

27 3. Districts shall be composed of convenient contiguous
28 territory. Areas which meet only at the points of adjoining
29 corners are not contiguous.

30 4. It is preferable that districts be compact in form,
31 but the standards established by subsections one (1), two
32 (2) and three (3) of this section take precedence over compact-
33 ness where a conflict arises between compactness and these
34 standards. In general, compact districts are those which
35 are square, rectangular or hexagonal in shape to the extent

1 permitted by natural or political boundaries. When it is
2 necessary to compare the relative compactness of two or more
3 districts, or of two or more alternative districting plans,
4 the tests prescribed by paragraphs b and c of this subsection
5 shall be used. Should the results of these two tests be
6 contradictory, the standard referred to in paragraph b of
7 this subsection shall be given greater weight than the standard
8 referred to in paragraph c of this subsection.

9 a. As used in this subsection:

10 (1) "Population data unit" means a civil township, elec-
11 tion precinct, census enumeration district, census city block
12 group, or other unit of territory having clearly identified
13 geographic boundaries and for which a total population figure
14 is included in or can be derived directly from certified 1980
15 census data.

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

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

35 (4) The "y coordinate" of a point in this state refers

1 to the relative location of that point along the north-south
2 axis of the state. Unless otherwise measured within the
3 context of an appropriate coordinate system obtained for use
4 as permitted by subparagraph two (2) of this paragraph, the
5 y coordinate shall be measured along a line drawn due south
6 from the northern boundary of the state or the eastward
7 extension of that boundary, to the point to be located.

8 b. The compactness of a district is greatest when the
9 length of the district and the width of the district are
10 equal. The measure of a district's compactness is the absolute
11 value of the difference between the length and the width of
12 the district.

13 (1) In measuring the length and the width of a district
14 by means of electronic data processing, the difference between
15 the x coordinates of the easternmost and the westernmost
16 geographic unit centers included in the district shall be
17 compared to the difference between the y coordinates of the
18 northernmost and southernmost geographic unit centers included
19 in the district.

20 (2) To determine the length and width of a district by
21 manual measurement, the distance from the northernmost point
22 or portion of the boundary of a district to the southernmost
23 point or portion of the boundary of the same district and
24 the distance from the westernmost point or portion of the
25 boundary of the district to the easternmost point or portion
26 of the boundary of the same district shall each be measured.
27 If the northernmost or southernmost portion of the boundary,
28 or each of these points, is a part of the boundary running
29 due east and west, the line used to make the measurement
30 required by this paragraph shall either be drawn due north
31 and south or as nearly so as the configuration of the district
32 permits. If the easternmost or westernmost portion of the
33 boundary, or each of these points, is a part of the boundary
34 running due north and south, a similar procedure shall be
35 followed. The lines to be measured for the purpose of this

1 paragraph shall each be drawn as required by this paragraph,
2 even if some part of either or both lines lies outside the
3 boundaries of the district which is being tested for compact-
4 ness.

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

13 c. The compactness of a district is greatest when the
14 ratio of the dispersion of population about the population
15 center of the district to the dispersion of population about
16 the geographic center of the district is one to one, the
17 nature of this ratio being such that it is always greater
18 than zero and can never be greater than one to one.

19 (1) The population dispersion about the population center
20 of a district, and about the geographic center of a district,
21 is computed as the sum of the products of the population of
22 each population data unit included in the district multiplied
23 by the square of the distance from that geographic unit center
24 to the population center or the geographic center of the
25 district, as the case may be. The geographic center of the
26 district is defined by averaging the locations of all
27 geographic unit centers which are included in the district.
28 The population center of the district is defined by computing
29 the population-weighted average of the x coordinates and y
30 coordinates of each geographic unit center assigned to the
31 district, it being assumed for the purpose of this calculation
32 that each population data unit possesses uniform density of
33 population.

34 (2) The ratios computed for individual districts under
35 subparagraph one (1) of this paragraph may be averaged for

1 all districts in a plan in order to compare the overall
2 compactness of two or more alternative districting plans for
3 the state, or for a portion of the state.

4 5. No district shall be drawn for the purpose of favoring
5 a political party, incumbent legislator or member of congress,
6 or other person or group, or for the purpose of augmenting
7 or diluting the voting strength of a language or racial
8 minority group. In establishing districts, no use shall be
9 made of any of the following data:

10 a. Addresses of incumbent legislators or members of
11 congress.

12 b. Political affiliations of registered voters.

13 c. Previous election results.

14 d. Demographic information, other than population head
15 counts, except as required by the constitution and the laws
16 of the United States.

17 6. In order to minimize electoral confusion and to facili-
18 tate communication within state legislative districts, each
19 districting plan drawn under this section shall provide that
20 each representative district is wholly included within a
21 single senatorial district and that, so far as possible, each
22 representative and each senatorial district shall be included
23 within a single congressional district.

24 7. Each bill embodying a districting plan drawn under
25 this section shall provide that any vacancy in the Sixty-ninth
26 General Assembly, occurring at a time which makes it necessary
27 to fill the vacancy at a special election held pursuant to
28 section sixty-nine point fourteen (69.14) of the Code, shall
29 be filled from the same district which elected the senator
30 or representative whose seat is vacant. The bill shall also
31 include provisions for the election of senators to the
32 Seventieth and Seventy-first General Assemblies substantially
33 as follows:

34 a. Each odd-numbered senatorial district shall elect a
35 senator in 1982 for a four-year term commencing in January,

1 1983. If an incumbent senator who was elected to a four-year
2 term which commenced in January, 1981, or was subsequently
3 elected to fill a vacancy in such a term, is residing in an
4 odd-numbered senatorial district on April 2, 1982, that
5 senator's term of office shall be terminated on January 1,
6 1983.

7 b. Each even-numbered senatorial district shall elect
8 a senator in 1984 for a four-year term commencing in January,
9 1985.

10 (1) If one and only one incumbent state senator is residing
11 in an even-numbered senatorial district on April 2, 1982,
12 and that senator was elected to a four-year term which
13 commenced in January, 1981 or was subsequently elected to
14 fill a vacancy in such a term, the senator shall represent
15 the district in the senate for the Seventieth General Assembly.

16 (2) Each even-numbered senatorial district to which
17 subparagraph one (1) of this paragraph is not applicable shall
18 elect a senator in 1982 for a two-year term commencing in
19 January, 1983.

20 Sec. 4. ADDITIONAL POLICY GUIDANCE. There is created
21 a special legislative redistricting policy committee, whose
22 only function shall be to discharge the duties prescribed
23 by this section. The special committee shall consist of the
24 majority and minority floor leaders of the senate and the
25 majority and minority floor leaders of the house of
26 representatives, except that any of these persons may desig-
27 nate another member of the general assembly to serve on the
28 special committee in his or her place.

29 1. If, in preparation of districting plans as required
30 by this Act, the legislative service bureau is confronted
31 with the necessity to make any decision for which no clearly
32 applicable guideline is provided by section three (3) of this
33 Act, the legislative service bureau may submit a written
34 request for direction to the special committee.

35 2. Prior to delivering any redistricting plan and the

1 bill embodying that plan to the secretary of the senate and
2 the chief clerk of the house of representatives in accordance
3 with section two (2) of this Act, the legislative service
4 bureau shall provide to persons outside the bureau staff only
5 such information regarding the districting plan as may be
6 required by policies agreed upon by the special committee.
7 This subsection does not apply to population data furnished
8 the legislative service bureau by the United States bureau
9 of the census.

10 Sec. 5. SPECIAL ARRANGEMENTS.

11 1. Beginning not later than July 1, 1980 and continuing
12 until the legislative service bureau has discharged the
13 responsibilities imposed on it by this Act, the department
14 of general services shall provide the bureau space in the
15 same state office building in which is located the state
16 electronic data processing facilities which may be used to
17 assist in preparation of districting plans. The space shall
18 be reasonably near the data processing facilities, and shall
19 be suitably arranged and equipped for storage and use of the
20 maps and other materials necessary for preparation and drawing
21 of congressional and legislative districting plans.

22 2. If the general assembly fails to enact a legislative
23 districting plan by September 15, 1981, or a plan enacted
24 by the general assembly is nullified by the Iowa supreme
25 court, all materials gathered and prepared by the legislative
26 service bureau under section one (1) of this Act shall be
27 made available to the supreme court or any other person or
28 agency designated by the supreme court pursuant to article
29 three (III), sections thirty-five (35) and thirty-six (36)
30 of the Constitution of the state of Iowa.

31 Sec. 6. This Act is repealed effective December 31, 1981
32 or on the date a legislative districting plan based on the
33 1980 federal decennial census takes effect or is upheld by
34 the supreme court, whichever is later.

35

SENATE CLIP SHEET

APRIL 9, 1979

HOUSE FILE 707

S-3415

1 Amend House File 707, as amended, passed and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 34 through page 4,
4 line 17, and inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. DEFINITIONS. As used in
6 this Act, unless the context requires otherwise:

7 1. "Chief election officer" means the state
8 commissioner of elections as defined by section forty-
9 seven point one (47.1) of the Code.

10 2. "Commission" means the reapportionment
11 commission established pursuant to this Act.

12 3. "Federal census" means the decennial census
13 required by federal law to be conducted by the United
14 States bureau of the census in every year ending in
15 zero.

16 4. "Four selecting authorities" means:

17 a. The majority floor leader of the state senate.

18 b. The minority floor leader of the state senate.

19 c. The majority floor leader of the state house
20 of representatives.

21 d. The minority floor leader of the state house
22 of representatives.

23 5. "Lobbyist" means an individual:

24 a. Who is required to register, or is defined
25 as a lobbyist, by the rules adopted by the senate
26 or the house of representatives, or by both bodies
27 jointly, pursuant to section sixty-eight B point ten
28 (68B.10), subsection two (2) of the Code; and

29 b. Who receives compensation, not including
30 reimbursable expenses, for the activities that subject
31 that individual to any of the requirements described
32 in paragraph a of this subsection.

33 6. "Plan" means a plan for legislative and
34 congressional reapportionment drawn up pursuant to
35 the requirements of this Act.

36 7. "Political party office" means an elective
37 or appointive office in the national or state
38 organization of a political party, as defined by
39 section forty-three point two (43.2) of the Code.

40 8. "Public office" means an elective or appointive
41 office or employment in the executive, legislative
42 or judicial branch or in an independent establishment
43 of the federal government or the government of this
44 state.

45 9. "Relative" means an individual who is related
46 to the person in question as father, mother, son,
47 daughter, brother, sister, uncle, aunt, first cousin,
48 nephew, niece, husband, wife, grandfather, grandmother,
49 father-in-law, mother-in-law, son-in-law, daughter-
50 in-law, brother-in-law, sister-in-law, stepfather,

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1 stepmother, stepson, stepdaughter, stepbrother,

2 stepsister, half brother, or half sister.

3 Sec. 3. NEW SECTION. REAPPORTIONMENT COMMISSION.

4 1. In each year ending in zero, a reapportionment
5 commission shall be established as follows:

6 a. By May first, the chief election officer shall
7 give notice of the establishment of the commission
8 reasonably calculated to give all interested parties
9 an opportunity to apply for a position on the
10 commission or offer nominations to the four selecting
11 authorities.

12 b. No earlier than June first, but no later than
13 July first, each of the four selecting authorities
14 shall certify to the chief election officer his or
15 her appointment of a person to serve on the commission.
16 If a selecting authority does not certify a selection
17 by July first, the other selecting authority of his
18 or her party shall have ten days thereafter within
19 which to certify to the chief election officer the
20 appointment of a second person to serve on the
21 commission.

22 c. By August first, the four commissioners so
23 selected shall select, by a vote of at least three
24 members, and shall certify to the chief election
25 officer the fifth member who shall serve as the
26 chairperson. The commission may not exercise any
27 of its powers or perform any of its other duties until
28 the fifth member is selected.

29 d. A vacancy on the commission shall be filled
30 by the initial selecting authority within fifteen
31 days after the vacancy occurs.

32 2. No person shall be appointed to the commission
33 who:

34 a. Is not an eligible elector of the state at
35 the time of selection.

36 b. Holds public or political party office.

37 c. Is a relative of or is employed by a member
38 of the state house of representatives, state senate,
39 or United States house of representatives.

40 d. Is or has within two years prior to selection
41 been a lobbyist.

42 3. No member or employee of the commission shall:

43 a. Hold or campaign for public or political party
44 office while a member or employee of the commission.

45 b. Participate in or contribute to a political
46 campaign of a candidate for state or federal elective
47 office while a member or employee of the commission.

48 c. Hold or campaign for a seat in the state house
49 of representatives, state senate, or United States
50 house of representatives for four years after the

1 effective date of the plan.

2 d. Directly or indirectly attempt to influence
3 for compensation a member or staff member of the
4 congress of the United States or the general assembly,
5 other than as a representative of the commission on
6 a matter within the jurisdiction of the commission,
7 while a member or employee of the commission and for
8 one year after the effective date of the plan.

9 Sec. 4. NEW SECTION. STAFF AND BUDGET OF THE
10 COMMISSION.

11 1. The commission shall employ an executive
12 director and not to exceed ten additional staff per-
13 sons as necessary to enable the commission to carry
14 out its duties. The executive director and the other
15 persons employed by the commission are exempt from
16 the state merit system and shall serve at the pleasure
17 of the commission. The executive director is
18 responsible for the administrative operations of the
19 commission and shall perform the duties delegated
20 or assigned by the commission. Any counsel employed
21 under this section is not subject to the provisions
22 of section thirteen point seven (13.7) of the Code.
23 The commission may obtain the services of experts
24 and consultants as necessary to carry out its duties.

25 2. The general assembly shall appropriate funds
26 to enable the commission to carry out its duties.
27 Members and employees shall receive compensation and
28 reimbursement for actual and necessary expenses as
29 provided for in the budget.

30 Sec. 5. NEW SECTION. DUTIES OF THE COMMISSION.
31 In addition to other duties prescribed by law, the
32 commission shall:

33 1. Promulgate, in accordance with chapter seventeen
34 A (17A) of the Code, rules to carry out the provisions
35 of this Act. The rules shall provide that three
36 members of the commission present and voting constitute
37 a quorum to do business and that the votes of a
38 majority of the members present are required for any
39 official action of the commission.

40 2. Preserve all information filed with and
41 developed by the commission. This information, other
42 than personal information in the commission's personnel
43 records, shall be available for public inspection
44 and copying as provided by chapter sixty-eight A (68A)
45 of the Code.

46 3. Prepare and maintain written transcripts of
47 all meetings of three or more members of the
48 commission. The transcripts shall be available within
49 a reasonable time after the meeting for public
50 inspection and copying during regular office hours.

1 4. Maintain an indexed central file of the records
2 of written and oral communications between
3 representatives of the commission and persons outside
4 the commission. Each commissioner and each staff
5 member designated by the commission shall keep a
6 record of all communications with persons outside
7 the commission on matters before the commission.
8 Each record shall include the date and place of the
9 communication, the names and affiliations of all
10 participants, and the nature of the communication.
11 Records need not be made of communications that are
12 solely requests for information or communications
13 with members of the press.

14 5. Prepare and publish a report for each
15 preliminary plan and for the final plan. Each report
16 shall be available to the public at the time a plan
17 is published, and shall include but need not be limited
18 to:

19 a. The population and the percentage deviation
20 from the average district population for every
21 district.

22 b. An explanation of the standards used in
23 developing the plan with a justification of any
24 deviation in a district from the average district
25 population.

26 c. A map of the districts.

27 6. Perform other tasks prescribed by law, and
28 undertake any activity it deems necessary for the
29 fair and expeditious completion of its mandate.

30 Sec. 6. NEW SECTION. POWERS OF THE COMMISSION.

31 1. The commission may require persons to appear
32 and testify before the commission and to produce all
33 books, records, files, papers, maps, and documents
34 it deems necessary for the development of a
35 reapportionment plan.

36 2. The chairperson of the commission or a
37 commissioner acting in behalf of the chairperson may
38 administer oaths to persons who appear before the
39 commission.

40 3. The commission, upon petition by a witness
41 and subject to the rules promulgated by the commission,
42 may reimburse the witness for necessary expenses
43 incurred in preparing for and making an appearance
44 before the commission.

45 Sec. 7. NEW SECTION. DEVELOPMENT OF THE PLAN.

46 1. By April first of each year ending in one,
47 the commission shall prepare for public comment at
48 least one preliminary plan for legislative and
49 congressional districts. The commission may, by a
50 vote of at least three members, propose no more than

1 two preliminary plans for public comment. The
2 chairperson may propose one additional preliminary
3 plan for public comment.

4 2. The commission shall hold at least one public
5 hearing in every existing congressional district in
6 the state on the preliminary plan or plans. The
7 commission shall give notice of the public hearings
8 reasonably calculated to give interested parties
9 adequate opportunity to comment. By April twentieth
10 of each year ending in one, the commission shall
11 complete the required series of public hearings on
12 the preliminary plan or plans.

13 3. By May first of each year ending in one, the
14 commission shall adopt, by a vote of at least three
15 members, and publish a final plan and file it with
16 the secretary of the senate and the chief clerk of
17 the house of representatives. The commission shall
18 give notice of the publication of the plan reasonably
19 calculated to give interested parties adequate
20 opportunity to file comments on the plan with the
21 secretary of the senate or the chief clerk of the
22 house.

23 4. If the basic tabulations of the population
24 from the federal census are not available to the
25 commission on or before February first of the year
26 ending in one, the commission may extend each of the
27 dates set forth in this section by a number of days
28 equal to the number of days after February first that
29 the population tabulations become available.

30 Sec. 8. NEW SECTION. GENERAL ASSEMBLY ACTION
31 ON PLAN.

32 1. Upon the filing of the commission's final plan
33 with the secretary of the senate and the chief clerk
34 of the house of representatives, they shall send a
35 copy to the legislative service bureau which shall
36 prepare a bill embodying the plan. The bill shall
37 be delivered to the referring officers of each house,
38 who shall act in accordance with such procedures as
39 each house may adopt. The secretary of the senate
40 and the chief clerk of the house shall notify the
41 members of the respective bodies of any comments on
42 the final plan which have been filed with them.

43 2. It is the intent of this Act that the general
44 assembly shall bring the bill embodying the
45 commission's final plan to a vote in either the senate
46 or the house of representatives expeditiously, but
47 not less than fourteen days after the plan is filed
48 under section seven (7), subsection three (3) of this
49 Act, under a procedure or rule permitting no
50 amendments. It is further the intent of this Act

1 that if the bill is approved by the first house in
2 which it is considered, it shall expeditiously be
brought to a vote in the second house under a similar
procedure or rule.

5 3. If the bill embodying the commission's final
6 plan fails to be approved by a constitutional majority
7 in either the senate or the house of representatives,
8 the secretary of the senate or the chief clerk of
9 the house, as the case may be, shall at once so notify
10 the commission and transmit to it such information
11 as the senate or the house may direct regarding rea-
12 sons why the plan was not approved. The commission
13 has fourteen days from the date the notice is received
14 to consider the reasons for failure to approve the
15 plan and to revise the final plan if the commission
16 members deem it appropriate to do so. At or before
17 expiration of the fourteen-day period, the commission
18 shall again adopt, by a vote of at least three members,
19 a final plan and publish and file it as required by
20 section seven (7), subsection three (3) of this Act.
21 If the plan so adopted has been revised from the one
22 originally filed under that subsection, the secretary
23 of the senate and the chief clerk of the house shall
24 proceed in accordance with subsection one (1) of this
25 section.

26 4. It is the intent of this Act that when a bill
27 embodying a final plan adopted and filed under
28 subsection three (3) of this section has been prepared
29 and introduced it shall be expeditiously brought to
30 a vote in either the senate or the house of represen-
31 tatives, provided that if the plan has been revised
32 from the one originally filed under section seven
33 (7), subsection three (3) of this Act the general
34 assembly shall allow fourteen days for public review
35 and comment before acting upon the bill. It is further
36 the intent of this Act that when a bill embodying
37 a final plan is considered under this subsection,
38 regardless of whether the plan has been revised from
39 the one originally filed, the bill shall be subject
40 to amendment in the same manner as other bills.

41 Sec. 9. NEW SECTION. CONCLUSION OF COMMISSION'S
42 FUNCTIONS.

43 1. When the revision of legislative and
44 congressional districts required by the constitution
45 becomes effective and all known legal challenges
46 thereto have been resolved, the commission shall cease
47 operations and shall take all necessary steps to con-
48 clude its business. This shall include preparation
49 of a financial statement disclosing all expenditures
50 made by the commission. The official record shall

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1 contain all relevant information developed by the
2 commission pursuant to carrying out its duties,
3 including records of public hearings, data collected,
4 transcripts of hearings and meetings, written
5 communications, and other information of a similar
6 nature. The commission shall deliver all such material
7 to the chief election officer, who shall provide for
8 the permanent preservation of this official record.

9 2. The supreme court may reconstitute the
10 commission if necessary to comply with a court order
11 to prepare a new plan.

12 Sec. 10. NEW SECTION. REDISTRICTING STANDARDS."

13 2. Page 10, line 30, by inserting after the word
14 "the" the words "commission or".

15 3. Page 10, line 33, by inserting after the word
16 "the" the words "commission or".

17 4. Page 11, line 14, by inserting after the word
18 "provide" the words "the commission and".

19 5. Page 11, line 25, by inserting after the word
20 "the" the words "commission and the".

21 6. Page 11, by inserting after line 30 the
22 following:

23 "Sec. 13. Section nineteen A point three (19A.3),
24 Code 1979, is amended by adding the following new
25 subsection:

26 NEW SUBSECTION. The executive director and the
27 other employees of the reapportionment commission
28 established in each year ending in zero under section
29 three (3) of this Act."

S-3415 FILED
APRIL 6, 1979

BY COMMITTEE ON STATE GOVERNMENT
JOHN NYSTROM, CHAIRPERSON

Included under order 4/4 (S 1347)

HOUSE FILE 707
FISCAL NOTE

DATE: APRIL 20, 1979
REQUESTED BY: SENATOR MURRAY

In compliance with a written request received April 19, 19 79, there is hereby submitted a Fiscal Note for H.F. 707, Amend. S-3415 pursuant to Joint Rule 16. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the Legislature upon request.

Amendment S-3415 to House File 707

Executive Director and three staff members Salaries including fringe benefits	\$ 65,000
Five Commissioners Salaries	60,000
Printing, Office Supplies & Misc. Equip.	<u>25,000</u>
Total Expense	<u>\$150,000</u>

The cost estimate is in addition to a sum of \$40,000 which is being appropriated to the Legislative Service Bureau for map drafting, computer programming and computer time.

The estimate assumes that the work will start July 1, 1980 and last almost one year. It also assumes that the Department of General Services will provide office space as identified in the bill and that mostly surplus office equipment will be used.

FILED
MAY 3, 1979

BY GERRY RANKIN, DIRECTOR
LEGISLATIVE FISCAL BUREAU

HOUSE FILE 707

S-3552

1 Amend the Committee on State Government amendment,
2 S-3415, to House File 707 as amended, passed and
3 reprinted by the House, as follows:

4 1. Page 1, line 3, by striking the figure "34"
5 and inserting in lieu thereof the figure "31".

6 2. Page 2, line 44, by inserting after the word
7 "commission" the words ", except as permitted by
8 section four (4), subsection two (2) of this Act".

9 3. Page 3, line 12, by striking the word "ten"
10 and inserting in lieu thereof the word "three".

11 4. Page 3, by striking line 25 and inserting in
12 lieu thereof the following:

13 "2. The director of the legislative service bureau,
14 by agreement with the commission and with approval
15 of the legislative council, may temporarily assign
16 one or more members of the legislative service bureau
17 staff to serve on the commission staff on either a
18 full-time or a part-time basis. A bureau staff member
19 so assigned shall work under the direction of the
20 commission or its executive director when engaged
21 in the preparation of a plan or plans, and shall not
22 discuss with members or staff of the general assembly
23 the plan or plans under development or consideration
24 by the commission, except with the prior knowledge
25 and consent of the commission, until the plan or plans
26 are proposed for public comment pursuant to section
27 seven (7), subsection one (1) of this Act.

28 3. The general assembly shall appropriate funds".

29 5. Page 7, by inserting after line 12 the
30 following:

31 "2. Page 4, lines 29 and 30, by striking the words
32 "absolute value of the total" and inserting in lieu
33 thereof the words "total of the absolute values of
34 the".

35 3. Page 8, line 35, by striking the words and
36 figure "subparagraph one (1) of".

37 6. Page 7, by striking lines 13 through 16 and
38 inserting in lieu thereof the following:

39 "4. Page 10, by striking lines 20 through 35.

40 5. Page 11, by striking lines 1 through 9."

41 7. Page 7, by striking lines 17 through 20 and
42 inserting in lieu thereof the following:

43 "6. Page 11, line 12, by striking the words
44 "legislative service bureau" and inserting in lieu
45 thereof the word "commission".

46 7. Page 11, line 14, by striking the words "the
47 bureau".

48 8. Page 11, line 16, by inserting after the word
49 "used" the words "by the commission or the legislative
50 service bureau".

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PAGE 2

- 1 9. Page 11, line 25, by inserting after the word
2 "the" the words "commission and by the."
3 8. Page 7, by striking line 21 and inserting in
4 lieu thereof the following:
5 "10. Page 11, line 31, by striking the following:
6 "Sec. 6. This Act" and inserting in lieu thereof
7 the following:
8 "3. This section".
9 11. Page 11, by inserting after line 34 the".
10 9. Page 7, line 23, by striking the figure "13"
11 and inserting in lieu thereof the figure "12".

S-3552 FILED
APRIL 18, 1979

BY JOHN S. MURRAY
BOB RUSH

Rec'd out of order 4/19 (p. 1547)

S-3560

HOUSE FILE 707

- 1 Amend House File 707 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 6, line 4, by striking the word and
4 letters "b and c" and inserting in lieu thereof the
5 word and letters "b, c, and d".
6 2. Page 6, by striking lines 5 through 8 and
7 inserting in lieu thereof the words "shall be used."
8 3. Page 9, by inserting after line 3 the
9 following:
10 "d. The compactness of a district having more
11 than four sides is greatest when the number of sides
12 of the district exceeding four is fewest.
13 (1) A side shall be counted as a portion of a
14 district boundary which runs in a single direction
15 without a bend of greater than thirty degrees. A
16 district boundary following a single natural geographical
17 feature, such as a river, or following a boundary of
18 a subdivision of the state which has a change in
19 direction caused by a land survey correction shall be
20 considered a single side. Short changes in direction
21 occurring when a district boundary follows a municipal
22 boundary line which is irregular shall be ignored.
23 A city's entire boundary shall be counted as four sides.
24 (2) The number of sides computed for individual
25 districts under subparagraph one (1) of this paragraph
26 may be averaged for all districts in a plan in order
27 to compare the overall compactness of two or more
28 alternative districting plans for the state, or for a
29 portion of the state."

S-3560 FILED
APRIL 20, 1979

BY TOM SLATER

4/18 4/4 (p. 1548)

HOUSE FILE 707

S-5663

1 Amend House File 707, as amended, passed and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 31 through page 4,
4 line 17, and inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. DEFINITIONS. As used in
6 this Act, unless the context requires otherwise:

7 1. "Chief election officer" means the state
8 commissioner of elections as defined by section forty-
9 seven point one (47.1) of the Code.

10 2. "Commission" means the reapportionment
11 commission established pursuant to this Act.

12 3. "Federal census" means the decennial census
13 required by federal law to be conducted by the United
14 States bureau of the census in every year ending in
15 zero.

16 4. "Four selecting authorities" means:

17 a. The majority floor leader of the state senate.

18 b. The minority floor leader of the state senate.

19 c. The majority floor leader of the state house
20 of representatives.

21 d. The minority floor leader of the state house
22 of representatives.

23 5. "Lobbyist" means an individual:

24 a. Who is required to register, or is defined
25 as a lobbyist, by the rules adopted by the senate
26 or the house of representatives, or by both bodies
27 jointly, pursuant to section sixty-eight B point ten
28 (68B.10), subsection two (2) of the Code; and

29 b. Who receives compensation, not including
30 reimbursable expenses, for the activities that subject
31 that individual to any of the requirements described
32 in paragraph a of this subsection.

33 6. "Plan" means a plan for legislative and
34 congressional reapportionment drawn up pursuant to
35 the requirements of this Act.

36 7. "Political party office" means an elective
37 or appointive office in the national or state
38 organization of a political party, as defined by
39 section forty-three point two (43.2) of the Code.

40 8. "Public office" means an elective or appointive
41 office or employment in the executive, legislative
42 or judicial branch or in an independent establishment
43 of the federal government or the government of this
44 state.

45 9. "Relative" means an individual who is related
46 to the person in question as father, mother, son,
47 daughter, brother, sister, uncle, aunt, first cousin,
48 nephew, niece, husband, wife, grandfather, grandmother,
49 father-in-law, mother-in-law, son-in-law, daughter-
50 in-law, brother-in-law, sister-in-law, stepfather,

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1 stepmother, stepson, stepdaughter, stepbrother,
2 stepsister, half brother, or half sister.

3 Sec. 3. NEW SECTION. REAPPORTIONMENT COMMISSION.

4 1. In each year ending in zero, a reapportionment
5 commission shall be established as follows:

6 a. By May first, the chief election officer shall
7 give notice of the establishment of the commission
8 reasonably calculated to give all interested parties
9 an opportunity to apply for a position on the
10 commission or offer nominations to the four selecting
11 authorities.

12 b. No earlier than June first, but no later than
13 July first, each of the four selecting authorities
14 shall certify to the chief election officer his or
15 her appointment of a person to serve on the commission.
16 If a selecting authority does not certify a selection
17 by July first, the other selecting authority of his
18 or her party shall have ten days thereafter within
19 which to certify to the chief election officer the
20 appointment of a second person to serve on the
21 commission.

22 c. By August first, the four commissioners so
23 selected shall select, by a vote of at least three
24 members, and shall certify to the chief election
25 officer the fifth member who shall serve as the
26 chairperson. The commission may not exercise any
27 of its powers or perform any of its other duties until
28 the fifth member is selected.

29 d. A vacancy on the commission shall be filled
30 by the initial selecting authority within fifteen
31 days after the vacancy occurs.

32 2. No person shall be appointed to the commission
33 who:

34 a. Is not an eligible elector of the state at
35 the time of selection.

36 b. Holds public or political party office.

37 c. Is a relative of or is employed by a member
38 of the state house of representatives, state senate,
39 or United States house of representatives.

40 d. Is or has within two years prior to selection
41 been a lobbyist.

42 3. No member or employee of the commission shall:

43 a. Hold or campaign for public or political party
44 office while a member or employee of the commission,
45 except as permitted by section four (4), subsection
46 two (2) of this Act.

47 b. Participate in or contribute to a political
48 campaign of a candidate for state or federal elective
49 office while a member or employee of the commission.

50 c. Hold or campaign for a seat in the state house

1 of representatives, state senate, or United States
2 house of representatives for four years after the
3 effective date of the plan.

4 d. Directly or indirectly attempt to influence
5 for compensation a member or staff member of the
6 congress of the United States or the general assembly,
7 other than as a representative of the commission on
8 a matter within the jurisdiction of the commission,
9 while a member or employee of the commission and for
10 one year after the effective date of the plan.

11 Sec. 4. NEW SECTION. STAFF AND BUDGET OF THE
12 COMMISSION.

13 1. The commission shall employ an executive
14 director and not to exceed three additional staff
15 persons as necessary to enable the commission to carry
16 out its duties. The executive director and the other
17 persons employed by the commission are exempt from
18 the state merit system and shall serve at the pleasure
19 of the commission. The executive director is
20 responsible for the administrative operations of the
21 commission and shall perform the duties delegated
22 or assigned by the commission. Any counsel employed
23 under this section is not subject to the provisions
24 of section thirteen point seven (13.7) of the Code.
25 The commission may obtain the services of experts
26 and consultants as necessary to carry out its duties.

27 2. The director of the legislative service bureau,
28 by agreement with the commission and with approval
29 of the legislative council, may temporarily assign
30 one or more members of the legislative service bureau
31 staff to serve on the commission staff on either a
32 full-time or a part-time basis. A bureau staff member
33 so assigned shall work under the direction of the
34 commission or its executive director when engaged
35 in the preparation of a plan or plans, and shall not
36 discuss with members or staff of the general assembly
37 the plan or plans under development or consideration
38 by the commission, except with the prior knowledge
39 and consent of the commission, until the plan or plans
40 are proposed for public comment pursuant to section
41 seven (7), subsection one (1) of this Act.

42 3. The general assembly shall appropriate funds
43 to enable the commission to carry out its duties.
44 Members and employees shall receive compensation and
45 reimbursement for actual and necessary expenses as
46 provided for in the budget.

47 Sec. 5. NEW SECTION. DUTIES OF THE COMMISSION.
48 In addition to other duties prescribed by law, the
49 commission shall:

50 1. Promulgate, in accordance with chapter seventeen

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1 A (17A) of the Code, rules to carry out the provisions
2 of this Act. The rules shall provide that three
3 members of the commission present and voting constitute
4 a quorum to do business and that the votes of a
5 majority of the members present are required for any
6 official action of the commission.

7 2. Preserve all information filed with and
8 developed by the commission. This information, other
9 than personal information in the commission's personnel
10 records, shall be available for public inspection
11 and copying as provided by chapter sixty-eight A (68A)
12 of the Code.

13 3. Prepare and maintain written transcripts of
14 all meetings of three or more members of the
15 commission. The transcripts shall be available within
16 a reasonable time after the meeting for public
17 inspection and copying during regular office hours.

18 4. Maintain an indexed central file of the records
19 of written and oral communications between
20 representatives of the commission and persons outside
21 the commission. Each commissioner and each staff
22 member designated by the commission shall keep a
23 record of all communications with persons outside
24 the commission on matters before the commission.
25 Each record shall include the date and place of the
26 communication, the names and affiliations of all
27 participants, and the nature of the communication.
28 Records need not be made of communications that are
29 solely requests for information or communications
30 with members of the press.

31 5. Prepare and publish a report for each
32 preliminary plan and for the final plan. Each report
33 shall be available to the public at the time a plan
34 is published, and shall include but need not be limited
35 to:

36 a. The population and the percentage deviation
37 from the average district population for every
38 district.

39 b. An explanation of the standards used in
40 developing the plan with a justification of any
41 deviation in a district from the average district
42 population.

43 c. A map of the districts.

44 6. Perform other tasks prescribed by law, and
45 undertake any activity it deems necessary for the
46 fair and expeditious completion of its mandate.

47 Sec. 6. NEW SECTION. POWERS OF THE COMMISSION.

48 1. The commission may require persons to appear
49 and testify before the commission and to produce all
50 books, records, files, papers, maps, and documents

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1 it deems necessary for the development of a
2 reapportionment plan.

3 2. The chairperson of the commission or a
4 commissioner acting in behalf of the chairperson may
5 administer oaths to persons who appear before the
6 commission.

7 3. The commission, upon petition by a witness
8 and subject to the rules promulgated by the commission,
9 may reimburse the witness for necessary expenses
10 incurred in preparing for and making an appearance
11 before the commission.

12 Sec. 7. NEW SECTION. DEVELOPMENT OF THE PLAN.

13 1. By April first of each year ending in one,
14 the commission shall prepare for public comment at
15 least one preliminary plan for legislative and
16 congressional districts. The commission may, by a
17 vote of at least three members, propose no more than
18 two preliminary plans for public comment. The
19 chairperson may propose one additional preliminary
20 plan for public comment.

21 2. The commission shall hold at least one public
22 hearing in every existing congressional district in
23 the state on the preliminary plan or plans. The
24 commission shall give notice of the public hearings
25 reasonably calculated to give interested parties
26 adequate opportunity to comment. By April twentieth
27 of each year ending in one, the commission shall
28 complete the required series of public hearings on
29 the preliminary plan or plans.

30 3. By May first of each year ending in one, the
31 commission shall adopt, by a vote of at least three
32 members, and publish a final plan and file it with
33 the secretary of the senate and the chief clerk of
34 the house of representatives. The commission shall
35 give notice of the publication of the plan reasonably
36 calculated to give interested parties adequate
37 opportunity to file comments on the plan with the
38 secretary of the senate or the chief clerk of the
39 house.

40 4. If the basic tabulations of the population
41 from the federal census are not available to the
42 commission on or before February first of the year
43 ending in one, the commission may extend each of the
44 dates set forth in this section by a number of days
45 equal to the number of days after February first that
46 the population tabulations become available.

47 Sec. 8. NEW SECTION. GENERAL ASSEMBLY ACTION
48 ON PLAN.

49 1. Upon the filing of the commission's final plan
50 with the secretary of the senate and the chief clerk

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1 of the house of representatives, they shall send a
2 copy to the legislative service bureau which shall
3 prepare a bill embodying the plan. The bill shall
4 be delivered to the referring officers of each house,
5 who shall act in accordance with such procedures as
6 each house may adopt. The secretary of the senate
7 and the chief clerk of the house shall notify the
8 members of the respective bodies of any comments on
9 the final plan which have been filed with them.

10 2. It is the intent of this Act that the general
11 assembly shall bring the bill embodying the
12 commission's final plan to a vote in either the senate
13 or the house of representatives expeditiously, but
14 not less than fourteen days after the plan is filed
15 under section seven (7), subsection three (3) of this
16 Act, under a procedure or rule permitting no
17 amendments. It is further the intent of this Act
18 that if the bill is approved by the first house in
19 which it is considered, it shall expeditiously be
20 brought to a vote in the second house under a similar
21 procedure or rule.

22 3. If the bill embodying the commission's final
23 plan fails to be approved by a constitutional majority
24 in either the senate or the house of representatives,
25 the secretary of the senate or the chief clerk of
26 the house, as the case may be, shall at once so notify
27 the commission and transmit to it such information
28 as the senate or the house may direct regarding rea-
29 sons why the plan was not approved. The commission
30 has fourteen days from the date the notice is received
31 to consider the reasons for failure to approve the
32 plan and to revise the final plan if the commission
33 members deem it appropriate to do so. At or before
34 expiration of the fourteen-day period, the commission
35 shall again adopt, by a vote of at least three members,
36 a final plan and publish and file it as required by
37 section seven (7), subsection three (3) of this Act.
38 If the plan so adopted has been revised from the one
39 originally filed under that subsection, the secretary
40 of the senate and the chief clerk of the house shall
41 proceed in accordance with subsection one (1) of this
42 section.

43 4. It is the intent of this Act that when a bill
44 embodying a final plan adopted and filed under
45 subsection three (3) of this section has been prepared
46 and introduced it shall be expeditiously brought to
47 a vote in either the senate or the house of represen-
48 tatives, provided that if the plan has been revised
49 from the one originally filed under section seven
50 (7), subsection three (3) of this Act the general

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1 assembly shall allow fourteen days for public review
2 and comment before acting upon the bill. It is further
3 the intent of this Act that when a bill embodying
4 a final plan is considered under this subsection,
5 regardless of whether the plan has been revised from
6 the one originally filed, the bill shall be subject
7 to amendment in the same manner as other bills.

8 Sec. 9. NEW SECTION. CONCLUSION OF COMMISSION'S
9 FUNCTIONS.

10 1. When the revision of legislative and
11 congressional districts required by the constitution
12 becomes effective and all known legal challenges
13 thereto have been resolved, the commission shall cease
14 operations and shall take all necessary steps to con-
15 clude its business. This shall include preparation
16 of a financial statement disclosing all expenditures
17 made by the commission. The official record shall
18 contain all relevant information developed by the
19 commission pursuant to carrying out its duties,
20 including records of public hearings, data collected,
21 transcripts of hearings and meetings, written
22 communications, and other information of a similar
23 nature. The commission shall deliver all such material
24 to the chief election officer, who shall provide for
25 the permanent preservation of this official record.

26 2. The supreme court may reconstitute the
27 commission if necessary to comply with a court order
28 to prepare a new plan.

29 Sec. 10. NEW SECTION. REDISTRICTING STANDARDS."

30 2. Page 4, lines 29 and 30, by striking the words
31 "absolute value of the total" and inserting in lieu
32 thereof the words "total of the absolute values of
33 the".

34 3. Page 8, line 35, by striking the words and
35 figure "subparagraph one (1) of".

36 4. By striking page 10, line 20 through page 11,
37 line 9.

38 5. Page 11, line 12, by striking the words
39 "legislative service bureau" and inserting in lieu
40 thereof the word "commission".

41 6. Page 11, line 14, by striking the words "the
42 bureau".

43 7. Page 11, line 16, by inserting after the word
44 "used" the words "by the commission or the legislative
45 service bureau".

46 8. Page 11, line 25, by inserting after the word
47 "the" the words "commission and by the"

48 9. Page 11, line 31, by striking the word and
49 figure "Sec. 6. This Act" and inserting in lieu
50 thereof the words and figure "3. This section".

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1 10. Page 11, by inserting after line 34 the
2 following:
3 "Sec. 12. Section nineteen A point three (19A.3),
4 Code 1979, is amended by adding the following new
5 subsection:
6 NEW SUBSECTION. The executive director and the
7 other employees of the reapportionment commission
8 established in each year ending in zero under section
9 three (3) of this Act."

S-5663 FILED
APRIL 3, 1980

BY COMMITTEE ON STATE GOVERNMENT
JACK NYSTROM, CHAIRPERSON

*Adopted and amended by SSB 2
4/9/80 1347*

S-5677

1 Amend House File 707, as amended, passed and
2 reprinted by the House, as follows:

3 1. By striking page 1, line 31 through page 4,
4 line 17, and inserting in lieu thereof the following:

5 "Sec. 2. NEW SECTION. DEFINITIONS. As used in
6 this Act, unless the context requires otherwise:

7 1. "Chief election officer" means the state
8 commissioner of elections as defined by section forty-
9 seven point one (47.1) of the Code.

10 2. "Commission" means the reapportionment
11 commission established pursuant to this Act.

12 3. "Federal census" means the decennial census
13 required by federal law to be conducted by the United
14 States bureau of the census in every year ending in
15 zero.

16 4. "Four selecting authorities" means:

17 a. The majority floor leader of the state senate.

18 b. The minority floor leader of the state senate.

19 c. The majority floor leader of the state house
20 of representatives.

21 d. The minority floor leader of the state house
22 of representatives.

23 5. "Lobbyist" means an individual:

24 a. Who is required to register, or is defined
25 as a lobbyist, by the rules adopted by the senate
26 or the house of representatives, or by both bodies
27 jointly, pursuant to section sixty-eight B point ten
28 (68B.10), subsection two (2) of the Code; and

29 b. Who receives compensation, not including
30 reimbursable expenses, for the activities that subject
31 that individual to any of the requirements described
32 in paragraph a of this subsection.

33 6. "Plan" means a plan for legislative and
34 congressional reapportionment drawn up pursuant to
35 the requirements of this Act.

36 7. "Political party office" means an elective
37 or appointive office in the national or state
38 organization of a political party, as defined by
39 section forty-three point two (43.2) of the Code.

40 8. "Public office" means an elective or appointive
41 office or employment in the executive, legislative
42 or judicial branch or in an independent establishment
43 of the federal government or the government of this
44 state.

45 9. "Relative" means an individual who is related
46 to the person in question as father, mother, son,
47 daughter, brother, sister, uncle, aunt, first cousin,
48 nephew, niece, husband, wife, grandfather, grandmother,
49 father-in-law, mother-in-law, son-in-law, daughter-
50 in-law, brother-in-law, sister-in-law, stepfather,

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- 1 stepmother, stepson, stepdaughter, stepbrother,
- 2 stepsister, half brother, or half sister.
- 3 Sec. 3. NEW SECTION. REAPPORTIONMENT COMMISSION.
- 4 1. In each year ending in zero, a reapportionment
- 5 commission shall be established as follows:
- 6 a. By July first, the chief election officer shall
- 7 give notice of the establishment of the commission
- 8 reasonably calculated to give all interested parties
- 9 an opportunity to apply for a position on the
- 10 commission or offer nominations to the four selecting
- 11 authorities.
- 12 b. No earlier than July fifteenth, but no later
- 13 than August first, each of the four selecting
- 14 authorities shall certify to the chief election officer
- 15 his or her appointment of a person to serve on the
- 16 commission. If a selecting authority does not certify
- 17 a selection by August first, the other selecting
- 18 authority of his or her party shall have ten days
- 19 thereafter within which to certify to the chief
- 20 election officer the appointment of a second person
- 21 to serve on the commission.
- 22 c. By September first, the four commissioners
- 23 so selected shall select, by a vote of at least three
- 24 members, and shall certify to the chief election
- 25 officer the fifth member who shall serve as the
- 26 chairperson. Should the four commissioners initially
- 27 selected fail to select a fifth member by September
- 28 first, the chief justice of the supreme court shall
- 29 select the fifth member not later than September
- 30 fifteenth.
- 31 d. A vacancy on the commission shall be filled
- 32 by the initial selecting authority within fifteen
- 33 days after the vacancy occurs.
- 34 2. No person shall be appointed to the commission
- 35 who:
- 36 a. Is not an eligible elector of the state at
- 37 the time of selection.
- 38 b. Holds public or political party office.
- 39 c. Is a relative of or is employed by a member
- 40 of the state house of representatives, state senate,
- 41 or United States house of representatives.
- 42 d. Is or has within two years prior to selection
- 43 been a lobbyist.
- 44 3. No member or employee of the commission shall:
- 45 a. Hold or campaign for public or political party
- 46 office while a member or employee of the commission,
- 47 except as permitted by section four (4), subsection
- 48 two (2) of this Act.
- 49 b. Participate in or contribute to a political
- 50 campaign of a candidate for state or federal elective

1 office while a member or employee of the commission.

2 c. Hold or campaign for a seat in the state house
3 of representatives, state senate, or United States
4 house of representatives for four years after the
5 effective date of the plan.

6 d. Directly or indirectly attempt to influence
7 for compensation a member or staff member of the
8 congress of the United States or the general assembly,
9 other than as a representative of the commission on
10 a matter within the jurisdiction of the commission,
11 while a member or employee of the commission and for
12 one year after the effective date of the plan.

13 Sec. 4. NEW SECTION. STAFF AND BUDGET OF THE
14 COMMISSION.

15 1. The commission shall employ an executive
16 director and not to exceed ten additional staff per-
17 sons as necessary to enable the commission to carry
18 out its duties. The executive director and the other
19 persons employed by the commission are exempt from
20 the state merit system and shall serve at the pleasure
21 of the commission. The executive director is
22 responsible for the administrative operations of the
23 commission and shall perform the duties delegated
24 or assigned by the commission. Any counsel employed
25 under this section is not subject to the provisions
26 of section thirteen point seven (13.7) of the Code.
27 The commission may obtain the services of experts
28 and consultants as necessary to carry out its duties.

29 2. The general assembly shall appropriate funds
30 to enable the commission to carry out its duties.
31 Members and employees shall receive compensation and
32 reimbursement for actual and necessary expenses as
33 provided for in the budget.

34 Sec. 5. NEW SECTION. DUTIES OF THE COMMISSION.
35 In addition to other duties prescribed by law, the
36 commission shall:

37 1. Promulgate, in accordance with chapter seventeen
38 A (17A) of the Code, rules to carry out the provisions
39 of this Act. The rules shall provide that three
40 members of the commission present and voting constitute
41 a quorum to do business and that the votes of a
42 majority of the members present are required for any
43 official action of the commission.

44 2. Preserve all information filed with and
45 developed by the commission. This information, other
46 than personal information in the commission's personnel
47 records, shall be available for public inspection
48 and copying as provided by chapter sixty-eight A (68A)
49 of the Code.

50 3. Prepare and maintain written transcripts of

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1 all meetings of three or more members of the
2 commission. The transcripts shall be available within
3 a reasonable time after the meeting for public
4 inspection and copying during regular office hours.

5 4. Maintain an indexed central file of the records
6 of written and oral communications between
7 representatives of the commission and persons outside
8 the commission. Each commissioner and each staff
9 member designated by the commission shall keep a
10 record of all communications with persons outside
11 the commission on matters before the commission.
12 Each record shall include the date and place of the
13 communication, the names and affiliations of all
14 participants, and the nature of the communication.
15 Records need not be made of communications that are
16 solely requests for information or communications
17 with members of the press.

18 5. Prepare and publish a report for each
19 preliminary plan and for the final plan. Each report
20 shall be available to the public at the time a plan
21 is published, and shall include but need not be limited
22 to:

23 a. The population and the percentage deviation
24 from the average district population for every
25 district.

26 b. An explanation of the standards used in
27 developing the plan with a justification of any
28 deviation in a district from the average district
29 population.

30 c. A map of the districts.

31 6. Perform other tasks prescribed by law, and
32 undertake any activity it deems necessary for the
33 fair and expeditious completion of its mandate.

34 Sec. 6. NEW SECTION. POWERS OF THE COMMISSION.

35 1. The commission may require persons to appear
36 and testify before the commission and to produce all
37 books, records, files, papers, maps, and documents
38 it deems necessary for the development of a
39 reapportionment plan.

40 2. The chairperson of the commission or a
41 commissioner acting in behalf of the chairperson may
42 administer oaths to persons who appear before the
43 commission.

44 3. The commission, upon petition by a witness
45 and subject to the rules promulgated by the commission,
46 may reimburse the witness for necessary expenses
47 incurred in preparing for and making an appearance
48 before the commission.

49 Sec. 7. NEW SECTION. DEVELOPMENT OF THE PLAN.

50 1. By April first of each year ending in one,

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1 the commission shall prepare for public comment at
2 least one preliminary plan for legislative and
3 congressional districts. The commission may, by a
4 vote of at least three members, propose no more than
5 two preliminary plans for public comment. The
6 chairperson may propose one additional preliminary
7 plan for public comment.

8 2. The commission shall hold at least one public
9 hearing in every existing congressional district in
10 the state on the preliminary plan or plans. The
11 commission shall give notice of the public hearings
12 reasonably calculated to give interested parties
13 adequate opportunity to comment. By April twentieth
14 of each year ending in one, the commission shall
15 complete the required series of public hearings on
16 the preliminary plan or plans.

17 3. By May first of each year ending in one, the
18 commission shall adopt, by a vote of at least three
19 members, and publish a final plan and file it with
20 the secretary of the senate and the chief clerk of
21 the house of representatives. The commission shall
22 give notice of the publication of the plan reasonably
23 calculated to give interested parties adequate
24 opportunity to file comments on the plan with the
25 secretary of the senate or the chief clerk of the
26 house.

27 4. If the basic tabulations of the population
28 from the federal census are not available to the
29 commission on or before February first of the year
30 ending in one, the commission may extend each of the
31 dates set forth in this section by a number of days
32 equal to the number of days after February first that
33 the population tabulations become available.

34 Sec. 8. NEW SECTION. GENERAL ASSEMBLY ACTION
35 ON PLAN.

36 1. Upon the filing of the commission's final plan
37 with the secretary of the senate and the chief clerk
38 of the house of representatives, they shall send a
39 copy to the legislative service bureau which shall
40 prepare a bill embodying the plan. The bill shall
41 be delivered to the referring officers of each house,
42 who shall act in accordance with such procedures as
43 each house may adopt. The secretary of the senate
44 and the chief clerk of the house shall notify the
45 members of the respective bodies of any comments on
46 the final plan which have been filed with them.

47 2. It is the intent of this Act that the general
48 assembly shall bring the bill embodying the
49 commission's final plan to a vote in either the senate
50 or the house of representatives expeditiously, but

1 not less than fourteen days after the plan is filed
2 under section seven (7), subsection three (3) of this
3 Act, under a procedure or rule permitting no
4 amendments. It is further the intent of this Act
5 that if the bill is approved by the first house in
6 which it is considered, it shall expeditiously be
7 brought to a vote in the second house under a similar
8 procedure or rule.

9 3. If the bill embodying the commission's final
10 plan fails to be approved by a constitutional majority
11 in either the senate or the house of representatives,
12 the secretary of the senate or the chief clerk of
13 the house, as the case may be, shall at once so notify
14 the commission and transmit to it such information
15 as the senate or the house may direct regarding rea-
16 sons why the plan was not approved. The commission
17 has fourteen days from the date the notice is received
18 to consider the reasons for failure to approve the
19 plan and to revise the final plan if the commission
20 members deem it appropriate to do so. At or before
21 expiration of the fourteen-day period, the commission
22 shall again adopt, by a vote of at least three members,
23 a final plan and publish and file it as required by
24 section seven (7), subsection three (3) of this Act.
25 If the plan so adopted has been revised from the one
26 originally filed under that subsection, the secretary
27 of the senate and the chief clerk of the house shall
28 proceed in accordance with subsection one (1) of this
29 section.

30 4. It is the intent of this Act that when a bill
31 embodying a final plan adopted and filed under
32 subsection three (3) of this section has been prepared
33 and introduced it shall be expeditiously brought to
34 a vote in either the senate or the house of represen-
35 tatives, provided that if the plan has been revised
36 from the one originally filed under section seven
37 (7), subsection three (3) of this Act the general
38 assembly shall allow fourteen days for public review
39 and comment before acting upon the bill. It is further
40 the intent of this Act that when a bill embodying
41 a final plan is considered under this subsection,
42 regardless of whether the plan has been revised from
43 the one originally filed, the bill shall be subject
44 to amendment in the same manner as other bills.

45 Sec. 9. NEW SECTION. CONCLUSION OF COMMISSION'S
46 FUNCTIONS.

47 1. When the revision of legislative and
48 congressional districts required by the constitution
49 becomes effective and all known legal challenges
50 thereto have been resolved, the commission shall cease

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1 operations and shall take all necessary steps to con-
2 clude its business. This shall include preparation
3 of a financial statement disclosing all expenditures
4 made by the commission. The official record shall
5 contain all relevant information developed by the
6 commission pursuant to carrying out its duties,
7 including records of public hearings, data collected,
8 transcripts of hearings and meetings, written
9 communications, and other information of a similar
10 nature. The commission shall deliver all such material
11 to the chief election officer, who shall provide for
12 the permanent preservation of this official record.

13 2. The supreme court may reconstitute the
14 commission if necessary to comply with a court order
15 to prepare a new plan.

16 Sec. 10. NEW SECTION. REDISTRICTING STANDARDS."

17 2. Page 4, lines 29 and 30, by striking the words
18 "absolute value of the total" and inserting in lieu
19 thereof the words "total of the absolute values of
20 the".

21 3. Page 8, line 35, by striking the words and
22 figure "subparagraph one (1) of".

23 4. By striking page 10, line 20 through page 11,
24 line 9.

25 5. Page 11, line 12, by striking the words
26 "legislative service bureau" and inserting the word
27 "commission".

28 6. Page 11, line 14, by striking the words "the
29 bureau".

30 7. Page 11, line 16, by inserting after the word
31 "used" the words "by the commission or the legislative
32 service bureau".

33 8. Page 11, line 25, by inserting after the word
34 "the" the words "commission and by the".

35 9. Page 11, line 31, by striking the following:
36 "Sec. 6. This Act" and inserting in lieu thereof
37 the following: "3. This section".

38 10. Page 11, by inserting after line 34 the
39 following:

40 "Sec. 12. Section nineteen A point three (19A.3),
41 Code 1979, is amended by adding the following new
42 subsection:

43 NEW SUBSECTION. The executive director and the
44 other employees of the reapportionment commission
45 established in each year ending in zero under section
46 three (3) of this Act."

S-5677 FILED
APRIL 8, 1980

Revised part of order 4/4 (1980)

BY TOM SLATER
CHARLES MILLER
JAMES GALLAGHER
BASS VAN GILST
JOE BROWN
BILL HUTCHINS

NORMAN RODGERS
ALVIN MILLER
BOB CARR
LOWELL JUNKINS

HOUSE FILE 707

S-5682

- 1 Amend the Committee on State Government amendment
2 S-5663 to House File 707, as amended, passed and
3 reprinted by the House, as follows:
4 1. Page 2, line 6, by striking the word "May"
5 and inserting in lieu thereof the word "July".
6 2. Page 2, line 12, by striking the words "June
7 first" and inserting in lieu thereof the words "July
8 fifteenth".
9 3. Page 2, line 13, by striking the word "July"
10 and inserting in lieu thereof the word "August".
11 4. Page 2, line 17, by striking the word "July"
12 and inserting in lieu thereof the word "August".
13 5. Page 2, line 22, by striking the word "August"
14 and inserting in lieu thereof the word "September".

S-5682 FILED

BY JOHN S. MURRAY

APRIL 8, 1980

Adopted 4/9 (p. 1342)

HOUSE FILE 707

S-5686

- 1 Amend the Committee on State Government amendment
2 S-5663 to House File 707 as amended, passed and
3 reprinted by the House, as follows:
4 1. Page 2, by striking lines 26, 27 and 28 and
5 inserting in lieu thereof the words "chairperson.
6 Should the four commissioners initially selected fail
7 to select a fifth member by September first, the chief
8 justice of the supreme court shall select the fifth
9 member not later than September fifteenth."

S-5686 FILED

BY TOM SLATER

APRIL 9, 1980

LOST (*p. 1347*)

HOUSE CLIP SHEET

MONDAY, APRIL 14, 1980

SENATE AMENDMENT TO
HOUSE FILE 707

H-6000

- 1 Amend House File 707, as amended, passed and
2 reprinted by the House, as follows:
- 3 1. By striking page 1, line 31 through page 4,
4 line 17, and inserting in lieu thereof the following:
5 "Sec. 2. NEW SECTION. DEFINITIONS. As used in
6 this Act, unless the context requires otherwise:
- 7 1. "Chief election officer" means the state
8 commissioner of elections as defined by section forty-
9 seven point one (47.1) of the Code.
- 10 2. "Commission" means the reapportionment
11 commission established pursuant to this Act.
- 12 3. "Federal census" means the decennial census
13 required by federal law to be conducted by the United
14 States bureau of the census in every year ending in
15 zero.
- 16 4. "Four selecting authorities" means:
17 a. The majority floor leader of the state senate.
18 b. The minority floor leader of the state senate.
19 c. The majority floor leader of the state house
20 of representatives.
21 d. The minority floor leader of the state house
22 of representatives.
- 23 5. "Lobbyist" means an individual:
24 a. Who is required to register, or is defined
25 as a lobbyist, by the rules adopted by the senate
26 or the house of representatives, or by both bodies
27 jointly, pursuant to section sixty-eight B point ten
28 (68B.10), subsection two (2) of the Code; and
29 b. Who receives compensation, not including
30 reimbursable expenses, for the activities that subject
31 that individual to any of the requirements described
32 in paragraph a of this subsection.
- 33 6. "Plan" means a plan for legislative and
34 congressional reapportionment drawn up pursuant to
35 the requirements of this Act.
- 36 7. "Political party office" means an elective
37 or appointive office in the national or state
38 organization of a political party, as defined by
39 section forty-three point two (43.2) of the Code.
- 40 8. "Public office" means an elective or appointive
41 office or employment in the executive, legislative
42 or judicial branch or in an independent establishment
43 of the federal government or the government of this
44 state.
- 45 9. "Relative" means an individual who is related
46 to the person in question as father, mother, son,
47 daughter, brother, sister, uncle, aunt, first cousin,
48 nephew, niece, husband, wife, grandfather, grandmother,
49 father-in-law, mother-in-law, son-in-law, daughter-
50 in-law, brother-in-law, sister-in-law, stepfather,

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1 stepmother, stepson, stepdaughter, stepbrother,
2 stepsister, half brother, or half sister.

3 Sec. 3. NEW SECTION. REAPPORTIONMENT COMMISSION.

4 1. In each year ending in zero, a reapportionment
5 commission shall be established as follows:

6 a. By July first, the chief election officer shall
7 give notice of the establishment of the commission
8 reasonably calculated to give all interested parties
9 an opportunity to apply for a position on the
10 commission or offer nominations to the four selecting
11 authorities.

12 b. No earlier than July fifteenth, but no later
13 than August first, each of the four selecting
14 authorities shall certify to the chief election officer
15 his or her appointment of a person to serve on the
16 commission. If a selecting authority does not certify
17 a selection by August first, the other selecting
18 authority of his or her party shall have ten days
19 thereafter within which to certify to the chief
20 election officer the appointment of a second person
21 to serve on the commission.

22 c. By September first, the four commissioners
23 so selected shall select, by a vote of at least three
24 members, and shall certify to the chief election
25 officer the fifth member who shall serve as the
26 chairperson. The commission may not exercise any
27 of its powers or perform any of its other duties until
28 the fifth member is selected.

29 d. A vacancy on the commission shall be filled
30 by the initial selecting authority within fifteen
31 days after the vacancy occurs.

32 2. No person shall be appointed to the commission
33 who:

34 a. Is not an eligible elector of the state at
35 the time of selection.

36 b. Holds public or political party office.

37 c. Is a relative of or is employed by a member
38 of the state house of representatives, state senate,
39 or United States house of representatives.

40 d. Is or has within two years prior to selection
41 been a lobbyist.

42 3. No member or employee of the commission shall:

43 a. Hold or campaign for public or political party
44 office while a member or employee of the commission,
45 except as permitted by section four (4), subsection
46 two (2) of this Act.

47 b. Participate in or contribute to a political
48 campaign of a candidate for state or federal elective
49 office while a member or employee of the commission.

50 c. Hold or campaign for a seat in the state house

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1 of representatives, state senate, or United States
2 house of representatives for four years after the
3 effective date of the plan.

4 d. Directly or indirectly attempt to influence
5 for compensation a member or staff member of the
6 congress of the United States or the general assembly,
7 other than as a representative of the commission on
8 a matter within the jurisdiction of the commission,
9 while a member or employee of the commission and for
10 one year after the effective date of the plan.

11 Sec. 4. NEW SECTION. STAFF AND BUDGET OF THE
12 COMMISSION.

13 1. The commission shall employ an executive
14 director and not to exceed three additional staff
15 persons as necessary to enable the commission to carry
16 out its duties. The executive director and the other
17 persons employed by the commission are exempt from
18 the state merit system and shall serve at the pleasure
19 of the commission. The executive director is
20 responsible for the administrative operations of the
21 commission and shall perform the duties delegated
22 or assigned by the commission. Any counsel employed
23 under this section is not subject to the provisions
24 of section thirteen point seven (13.7) of the Code.
25 The commission may obtain the services of experts
26 and consultants as necessary to carry out its duties.

27 2. The director of the legislative service bureau,
28 by agreement with the commission and with approval
29 of the legislative council, may temporarily assign
30 one or more members of the legislative service bureau
31 staff to serve on the commission staff on either a
32 full-time or a part-time basis. A bureau staff member
33 so assigned shall work under the direction of the
34 commission or its executive director when engaged
35 in the preparation of a plan or plans, and shall not
36 discuss with members or staff of the general assembly
37 the plan or plans under development or consideration
38 by the commission, except with the prior knowledge
39 and consent of the commission, until the plan or plans
40 are proposed for public comment pursuant to section
41 seven (7), subsection one (1) of this Act.

42 3. The general assembly shall appropriate funds
43 to enable the commission to carry out its duties.
44 Members and employees shall receive compensation and
45 reimbursement for actual and necessary expenses as
46 provided for in the budget.

47 Sec. 5. NEW SECTION. DUTIES OF THE COMMISSION.
48 In addition to other duties prescribed by law, the
49 commission shall:

50 1. Promulgate, in accordance with chapter seventeen

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Page Four

1 A (17A) of the Code, rules to carry out the provisions
2 of this Act. The rules shall provide that three
3 members of the commission present and voting constitute
4 a quorum to do business and that the votes of a
5 majority of the members present are required for any
6 official action of the commission.

7 2. Preserve all information filed with and
8 developed by the commission. This information, other
9 than personal information in the commission's personnel
10 records, shall be available for public inspection
11 and copying as provided by chapter sixty-eight A (68A)
12 of the Code.

13 3. Prepare and maintain written transcripts of
14 all meetings of three or more members of the
15 commission. The transcripts shall be available within
16 a reasonable time after the meeting for public
17 inspection and copying during regular office hours.

18 4. Maintain an indexed central file of the records
19 of written and oral communications between
20 representatives of the commission and persons outside
21 the commission. Each commissioner and each staff
22 member designated by the commission shall keep a
23 record of all communications with persons outside
24 the commission on matters before the commission.
25 Each record shall include the date and place of the
26 communication, the names and affiliations of all
27 participants, and the nature of the communication.
28 Records need not be made of communications that are
29 solely requests for information or communications
30 with members of the press.

31 5. Prepare and publish a report for each
32 preliminary plan and for the final plan. Each report
33 shall be available to the public at the time a plan
34 is published, and shall include but need not be limited
35 to:

36 a. The population and the percentage deviation
37 from the average district population for every
38 district.

39 b. An explanation of the standards used in
40 developing the plan with a justification of any
41 deviation in a district from the average district
42 population.

43 c. A map of the districts.

44 6. Perform other tasks prescribed by law, and
45 undertake any activity it deems necessary for the
46 fair and expeditious completion of its mandate.

47 Sec. 6. NEW SECTION. POWERS OF THE COMMISSION.

48 1. The commission may require persons to appear
49 and testify before the commission and to produce all
50 books, records, files, papers, maps, and documents

1 it deems necessary for the development of a
2 reapportionment plan.

3 2. The chairperson of the commission or a
4 commissioner acting in behalf of the chairperson may
5 administer oaths to persons who appear before the
6 commission.

7 3. The commission, upon petition by a witness
8 and subject to the rules promulgated by the commission,
9 may reimburse the witness for necessary expenses
10 incurred in preparing for and making an appearance
11 before the commission.

12 Sec. 7. NEW SECTION. DEVELOPMENT OF THE PLAN.

13 1. By April first of each year ending in one,
14 the commission shall prepare for public comment at
15 least one preliminary plan for legislative and
16 congressional districts. The commission may, by a
17 vote of at least three members, propose no more than
18 two preliminary plans for public comment. The
19 chairperson may propose one additional preliminary
20 plan for public comment.

21 2. The commission shall hold at least one public
22 hearing in every existing congressional district in
23 the state on the preliminary plan or plans. The
24 commission shall give notice of the public hearings
25 reasonably calculated to give interested parties
26 adequate opportunity to comment. By April twentieth
27 of each year ending in one, the commission shall
28 complete the required series of public hearings on
29 the preliminary plan or plans.

30 3. By May first of each year ending in one, the
31 commission shall adopt, by a vote of at least three
32 members, and publish a final plan and file it with
33 the secretary of the senate and the chief clerk of
34 the house of representatives. The commission shall
35 give notice of the publication of the plan reasonably
36 calculated to give interested parties adequate
37 opportunity to file comments on the plan with the
38 secretary of the senate or the chief clerk of the
39 house.

40 4. If the basic tabulations of the population
41 from the federal census are not available to the
42 commission on or before February first of the year
43 ending in one, the commission may extend each of the
44 dates set forth in this section by a number of days
45 equal to the number of days after February first that
46 the population tabulations become available.

47 Sec. 8. NEW SECTION. GENERAL ASSEMBLY ACTION
48 ON PLAN.

49 1. Upon the filing of the commission's final plan
50 with the secretary of the senate and the chief clerk

1 of the house of representatives, they shall send a
2 copy to the legislative service bureau which shall
3 prepare a bill embodying the plan. The bill shall
4 be delivered to the referring officers of each house,
5 who shall act in accordance with such procedures as
6 each house may adopt. The secretary of the senate
7 and the chief clerk of the house shall notify the
8 members of the respective bodies of any comments on
9 the final plan which have been filed with them.

10 2. It is the intent of this Act that the general
11 assembly shall bring the bill embodying the
12 commission's final plan to a vote in either the senate
13 or the house of representatives expeditiously, but
14 not less than fourteen days after the plan is filed
15 under section seven (7), subsection three (3) of this
16 Act, under a procedure or rule permitting no
17 amendments. It is further the intent of this Act
18 that if the bill is approved by the first house in
19 which it is considered, it shall expeditiously be
20 brought to a vote in the second house under a similar
21 procedure or rule.

22 3. If the bill embodying the commission's final
23 plan fails to be approved by a constitutional majority
24 in either the senate or the house of representatives,
25 the secretary of the senate or the chief clerk of
26 the house, as the case may be, shall at once so notify
27 the commission and transmit to it such information
28 as the senate or the house may direct regarding rea-
29 sons why the plan was not approved. The commission
30 has fourteen days from the date the notice is received
31 to consider the reasons for failure to approve the
32 plan and to revise the final plan if the commission
33 members deem it appropriate to do so. At or before
34 expiration of the fourteen-day period, the commission
35 shall again adopt, by a vote of at least three members,
36 a final plan and publish and file it as required by
37 section seven (7), subsection three (3) of this Act.
38 If the plan so adopted has been revised from the one
39 originally filed under that subsection, the secretary
40 of the senate and the chief clerk of the house shall
41 proceed in accordance with subsection one (1) of this
42 section.

43 4. It is the intent of this Act that when a bill
44 embodying a final plan adopted and filed under
45 subsection three (3) of this section has been prepared
46 and introduced it shall be expeditiously brought to
47 a vote in either the senate or the house of represen-
48 tatives, provided that if the plan has been revised
49 from the one originally filed under section seven
50 (7), subsection three (3) of this Act the general

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1 assembly shall allow fourteen days for public review
2 and comment before acting upon the bill. It is further
3 the intent of this Act that when a bill embodying
4 a final plan is considered under this subsection,
5 regardless of whether the plan has been revised from
6 the one originally filed, the bill shall be subject
7 to amendment in the same manner as other bills.

8 Sec. 9. NEW SECTION. CONCLUSION OF COMMISSION'S
9 FUNCTIONS.

10 1. When the revision of legislative and
11 congressional districts required by the constitution
12 becomes effective and all known legal challenges
13 thereto have been resolved, the commission shall cease
14 operations and shall take all necessary steps to con-
15 clude its business. This shall include preparation
16 of a financial statement disclosing all expenditures
17 made by the commission. The official record shall
18 contain all relevant information developed by the
19 commission pursuant to carrying out its duties,
20 including records of public hearings, data collected,
21 transcripts of hearings and meetings, written
22 communications, and other information of a similar
23 nature. The commission shall deliver all such material
24 to the chief election officer, who shall provide for
25 the permanent preservation of this official record.

26 2. The supreme court may reconstitute the
27 commission if necessary to comply with a court order
28 to prepare a new plan.

29 Sec. 10. NEW SECTION. REDISTRICTING STANDARDS."

30 2. Page 4, lines 29 and 30, by striking the words
31 "absolute value of the total" and inserting in lieu
32 thereof the words "total of the absolute values of
33 the".

34 3. Page 8, line 35, by striking the words and
35 figure "subparagraph one (1) of".

36 4. By striking page 10, line 20 through page 11,
37 line 9.

38 5. Page 11, line 12, by striking the words
39 "legislative service bureau" and inserting in lieu
40 thereof the word "commission".

41 6. Page 11, line 14, by striking the words "the
42 bureau".

43 7. Page 11, line 16, by inserting after the word
44 "used" the words "by the commission or the legislative
45 service bureau".

46 8. Page 11, line 25, by inserting after the word
47 "the" the words "commission and by the"

48 9. Page 11, line 31, by striking the word and
49 figure "Sec. 6. This Act" and inserting in lieu
50 thereof the words and figure "3. This section".

APRIL 14, 1980
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1 10. Page 11, by inserting after line 34 the
2 following:
3 "Sec. 12. Section nineteen A point three (19A.3),
4 Code 1979, is amended by adding the following new
5 subsection:
6 NEW SUBSECTION. The executive director and the
7 other employees of the reapportionment commission
8 established in each year ending in zero under section
9 three (3) of this Act."

H-6000 FILED
APRIL 11, 1980

RECEIVED FROM THE SENATE

House amended & concurred 4/24 (p. 2031)

HOUSE FILE 707

6307

1 Amend the Senate amendment H-6000 to House File
2 707, as amended, passed and reprinted by the House,
3 as follows:

4 1. By striking all after page 1, line 2 and
5 inserting in lieu thereof the following:

6 "1. By striking page 1, line 1 and inserting in
7 lieu thereof the following:

8 "Section 1. NEW SECTION. DEFINITIONS. As used
9 in this Act, unless the context requires otherwise:

10 1. "Chief election officer" means the state
11 commissioner of elections as defined by section forty-
12 seven point one (47.1) of the Code.

13 2. "Commission" means the temporary redistricting
14 advisory commission established pursuant to this Act.

15 3. "Federal census" means the decennial census
16 required by federal law to be conducted by the United
17 States bureau of the census in every year ending in
18 zero.

19 4. "Four selecting authorities" means:

20 a. The majority floor leader of the state senate.

21 b. The minority floor leader of the state senate.

22 c. The majority floor leader of the state house
23 of representatives.

24 d. The minority floor leader of the state house
25 of representatives.

26 5. "Plan" means a plan for legislative and
27 congressional reapportionment drawn up pursuant to
28 the requirements of this Act.

29 6. "Political party office" means an elective
30 office in the national or state organization of a
31 political party, as defined by section forty-three
32 point two (43.2) of the Code.

33 7. "Partisan public office" means:

34 a. An elective or appointive office in the
35 executive or legislative branch or in an independent
36 establishment of the federal government.

37 b. An elective office in the executive or
38 legislative branch of the government of this state,
39 or an office which is filled by appointment and is
40 exempt from the merit system under section nineteen
41 A point three (19A.3), subsection fourteen (14) of
42 the Code.

43 c. An office of a county, city or other political
44 subdivision of this state which is filled by an
45 election process involving nomination and election
46 of candidates on a partisan basis.

47 8. "Relative" means an individual who is related
48 to the person in question as father, mother, son,
49 daughter, brother, sister, uncle, aunt, first cousin,
50 nephew, niece, husband, wife, grandfather, grandmother,

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1 father-in-law, mother-in-law, son-in-law, daughter-
2 in-law, brother-in-law, sister-in-law, stepfather,
3 stepmother, stepson, stepdaughter, stepbrother,
4 stepsister, half brother or half sister.

5 Sec. 2. NEW SECTION. PREPARATIONS FOR
6 REDISTRICTING."

7 2. Page 1, line 6, by striking the words "the
8 1980 federal decennial" and inserting in lieu thereof
9 the words "each federal".

10 3. Page 1, line 9, by striking the figures "31,
11 1980" and inserting in lieu thereof the words "thirty-
12 first of each year ending in zero".

13 4. Page 1, line 12, by striking the figure "1980"
14 and inserting in lieu thereof the word "federal".

15 5. Page 1, line 22, by striking the word and
16 figure "three (3)" and inserting in lieu thereof the
17 word and figure "four (4)".

18 6. Page 1, line 23, by striking the figures "1,
19 1981" and inserting in lieu thereof the words "first
20 of each year ending in one".

21 7. Page 1, line 29, by striking the figure "1980"
22 and inserting in lieu thereof the word "federal".

23 8. Page 1, line 33, by striking the word and
24 figure "two (2)" and inserting in lieu thereof the
25 word and figure "three (3)".

26 9. Page 1, by striking lines 34 and 35 and
27 inserting in lieu thereof the following:

28 "Sec. 3. NEW SECTION. TIMETABLE FOR PREPARATION
29 OF PLAN.

30 1. Not later than April first of each year ending
31 in one, the legislative service".

32 10. Page 2, line 4, by striking the word and
33 figure "three (3)" and inserting in lieu thereof the
34 word and figure "four (4)".

35 11. Page 2, line 8, by striking the words "bill
36 is printed" and inserting in lieu thereof the words
37 "report of the commission required by section six
38 (6) of this Act is received".

39 12. Page 2, line 25, by striking the word and
40 figure "three (3)" and inserting in lieu thereof the
41 word and figure "four (4)".

42 13. Page 2, line 29, by striking the word and
43 figure "three (3)" and inserting in lieu thereof the
44 word and figure "four (4)".

45 14. Page 2, line 32, by striking the figures "1,
46 1981" and inserting in lieu thereof the words "first
47 of the year ending in one,".

48 15. Page 3, line 3, by striking the words "within
49 the same time and" and inserting in lieu thereof the
50 words "not less than seven days after the bill is

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1 printed and made available to the members of the
2 general assembly,".

3 16. Page 3, line 14, by striking the figures "1,
4 1981" and inserting in lieu thereof the words "first
5 of the year ending in one,".

6 17. Page 3, line 23, by striking the words and
7 figure "one (1) of this section and" and inserting
8 in lieu thereof the words "two (2) of this section,
9 but".

10 18. Page 3, line 27, by striking the figure and
11 word "1980 decennial" and inserting in lieu thereof
12 the word "federal".

13 19. Page 3, line 33, by striking the word and
14 figure "three (3)" and inserting in lieu thereof the
15 word and figure "four (4)".

16 20. Page 4, lines 12 and 13, by striking the
17 figures "1, 1981" and inserting in lieu thereof the
18 words "first of the year ending in one".

19 21. Page 4, line 15, by striking the figures and
20 words "1, 1981 that the 1980" and inserting in lieu
21 thereof the words "first of the year ending in one
22 that the federal".

23 22. Page 4, by striking line 17 and inserting
24 in lieu thereof the following:

25 "Sec. 4. NEW SECTION. REDISTRICTING STANDARDS."

26 23. Page 4, lines 29 and 30, by striking the words
27 "absolute value of the total" and inserting in lieu
28 thereof the words "total of the absolute values of
29 the".

30 24. Page 6, line 14, by striking the figure "1980"
31 and inserting in lieu thereof the word "federal".

32 25. Page 8, line 35, by striking the words and
33 figure "subparagraph one (1) of".

34 26. Page 9, line 19, by striking the word
35 "districting".

36 27. Page 9, line 24, by striking the word
37 "districting".

38 28. Page 9, lines 25 and 26, by striking the words
39 "Sixty-ninth General Assembly" and inserting in lieu
40 thereof the words "general assembly which takes office
41 in the year ending in one".

42 29. Page 9, line 30, by striking the words "The
43 bill shall also".

44 30. Page 9, by striking lines 31 and 32 and
45 inserting in lieu thereof the following:

46 "8. Each bill embodying a plan drawn under this
47 section shall include provisions for election of
48 senators to the general assemblies which take office
49 in the years ending in three and five, which shall
50 be in conformity with article three (III), section

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1 six (6) of the Constitution of the State of Iowa.
2 With respect to any plan drawn for consideration in
3 the year 1981, those provisions shall be
4 substantially".

5 31. By striking page 10, line 20 through page
6 11, line 10, and inserting in lieu thereof the
7 following:

8 "Sec. 5. NEW SECTION. TEMPORARY REDISTRICTING
9 ADVISORY COMMISSION.

10 1. Not later than February fifteenth of each year
11 ending in one, a five member temporary redistricting
12 advisory commission shall be established as provided
13 by this section. The commission's only functions
14 shall be those prescribed by section six (6) of this
15 Act.

16 a. Each of the four selecting authorities shall
17 certify to the chief election officer his or her
18 appointment of a person to serve on the commission.
19 The certifications may be made at any time after the
20 majority and minority floor leaders have been selected
21 for the general assembly which takes office in the
22 year ending in one, even though that general assembly's
23 term of office has not actually begun.

24 b. Within thirty days after the four selecting
25 authorities have certified their respective
26 appointments to the commission, but in no event later
27 than February fifteenth of the year ending in one,
28 the four commission members so appointed shall select,
29 by a vote of at least three members, and certify to
30 the chief election officer the fifth commission member,
31 who shall serve as chairperson.

32 c. A vacancy on the commission shall be filled
33 by the initial selecting authority within fifteen
34 days after the vacancy occurs.

35 d. Members of the commission shall receive a per
36 diem of forty dollars, travel expenses at the rate
37 provided by section seventy-nine point nine (79.9)
38 of the Code, and reimbursement for other necessary
39 expenses incurred in performing their duties under
40 this section and section six (6) of this Act. The
41 per diem and expenses shall be paid from funds
42 appropriated by section two point twelve (2.12) of
43 the Code.

44 2. No person shall be appointed to the commission
45 who:

46 a. Is not an eligible elector of the state at
47 the time of selection.

48 b. Holds partisan public office or political party
49 office.

50 c. Is a relative of or is employed by a member

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1 of the general assembly or of the United States
2 congress, or is employed directly by the general
3 assembly or by the United States congress.
4 Sec. 6. NEW SECTION. DUTIES OF COMMISSION. The
5 functions of the commission shall be as follows:
6 1. If, in preparation of plans as required by
7 this Act, the legislative service bureau is confronted
8 with the necessity to make any decision for which
9 no clearly applicable guideline is provided by section
10 four (4) of this Act, the bureau may submit a written
11 request for direction to the commission.
12 2. Prior to delivering any plan and the bill
13 embodying that plan to the secretary of the senate
14 and the chief clerk of the house of representatives
15 in accordance with section three (3) of this Act,
16 the legislative service bureau shall provide to persons
17 outside the bureau staff only such information
18 regarding the plan as may be required by policies
19 agreed upon by the commission. This subsection does
20 not apply to population data furnished to the
21 legislative service bureau by the United States bureau
22 of the census.
23 3. Upon each delivery by the legislative service
24 bureau to the general assembly of a bill embodying
25 a plan, pursuant to section three (3) of this Act,
26 the commission shall at the earliest feasible time
27 make available to the public the following information:
28 a. Copies of the bill delivered by the legislative
29 service bureau to the general assembly.
30 b. Maps illustrating the plan.
31 c. A summary of the standards prescribed by section
32 four (4) of this Act for development of the plan.
33 d. A statement of the population of each district
34 included in the plan, and the relative deviation of
35 each district population from the ideal district
36 population.
37 4. Upon the delivery by the legislative service
38 bureau to the general assembly of a bill embodying
39 an initial plan, as required by section three (3),
40 subsection one (1) of this Act, the commission shall:
41 a. As expeditiously as reasonably possible,
42 schedule and conduct at least three public hearings,
43 in different geographic regions of the state, on the
44 plan embodied in the bill delivered by the legislative
45 service bureau to the general assembly.
46 b. Following the hearings, promptly prepare and
47 submit to the secretary of the senate and the chief
48 clerk of the house a report summarizing information
49 and testimony received by the commission in the course
50 of the hearings. The commission's report shall include

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1 any comments and conclusions which its members deem
2 appropriate on the information and testimony received
3 at the hearings, or otherwise presented to the
4 commission.

5 Sec. 7. SPECIAL ARRANGEMENTS FOR 1980-1981."

6 32. Page 11, line 31, by striking the words and
7 figure "Sec. 6. This Act" and inserting in lieu
8 thereof the figure and words "3. This section".

H-6307 FILED APRIL 22, 1980 By CRAWFORD of Story
Adopted 4/24 (p. 2031) SHIMANEK of Jones

HOUSE FILE 707

H-6329

1 Amend H-6307 to the Senate amendment H-6000 to
2 House File 707 as amended, passed and reprinted by
3 the House as follows:
4 1. Page 4, line 31, by inserting after the
5 word "chairperson." the following new sentence:
6 "Should the four commissioners initially selected
7 fail to select a fifth member by September first,
8 the chief justice of the supreme court shall
9 select the fifth member not later than September
10 fifteenth."

H-6329 FILED APRIL 23, 1980 By LLOYD-JONES of Johnson
Adopted 4/24 (p. 2031)

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 707

S-5902

1 Amend the Senate amendment H-6000 to House File
2 707, as amended, passed and reprinted by the House,
3 as follows:

4 1. By striking all after page 1, line 2 and
5 inserting in lieu thereof the following:

6 "1. By striking page 1, line 1 and inserting in
7 lieu thereof the following:

8 "Section 1. NEW SECTION. DEFINITIONS. As used
9 in this Act, unless the context requires otherwise:

10 1. "Chief election officer" means the state
11 commissioner of elections as defined by section forty-
12 seven point one (47.1) of the Code.

13 2. "Commission" means the temporary redistricting
14 advisory commission established pursuant to this Act.

15 3. "Federal census" means the decennial census
16 required by federal law to be conducted by the United
17 States bureau of the census in every year ending in
18 zero.

19 4. "Four selecting authorities" means:

20 a. The majority floor leader of the state senate.

21 b. The minority floor leader of the state senate.

22 c. The majority floor leader of the state house
23 of representatives.

24 d. The minority floor leader of the state house
25 of representatives.

26 5. "Plan" means a plan for legislative and
27 congressional reapportionment drawn up pursuant to
28 the requirements of this Act.

29 6. "Political party office" means an elective
30 office in the national or state organization of a
31 political party, as defined by section forty-three
32 point two (43.2) of the Code.

33 7. "Partisan public office" means:

34 a. An elective or appointive office in the
35 executive or legislative branch or in an independent
36 establishment of the federal government.

37 b. An elective office in the executive or
38 legislative branch of the government of this state,
39 or an office which is filled by appointment and is
40 exempt from the merit system under section nineteen
41 A point three (19A.3), subsection fourteen (14) of
42 the Code.

43 c. An office of a county, city or other political
44 subdivision of this state which is filled by an
45 election process involving nomination and election
46 of candidates on a partisan basis.

47 8. "Relative" means an individual who is related
48 to the person in question as father, mother, son,
49 daughter, brother, sister, uncle, aunt, first cousin,
50 nephew, niece, husband, wife, grandfather, grandmother,

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- 1 father-in-law, mother-in-law, son-in-law, daughter-
- 2 in-law, brother-in-law, sister-in-law, stepfather,
- 3 stepmother, stepson, stepdaughter, stepbrother,
- 4 stepsister, half brother or half sister.
- 5 Sec. 2. NEW SECTION. PREPARATIONS FOR
- 6 REDISTRICTING."
- 7 2. Page 1, line 6, by striking the words "the
- 8 1980 federal decennial" and inserting in lieu thereof
- 9 the words "each federal".
- 10 3. Page 1, line 9, by striking the figures "31,
- 11 1980" and inserting in lieu thereof the words "thirty-
- 12 first of each year ending in zero".
- 13 4. Page 1, line 12, by striking the figure "1980"
- 14 and inserting in lieu thereof the word "federal".
- 15 5. Page 1, line 22, by striking the word and
- 16 figure "three (3)" and inserting in lieu thereof the
- 17 word and figure "four (4)".
- 18 6. Page 1, line 23, by striking the figures "1,
- 19 1981" and inserting in lieu thereof the words "first
- 20 of each year ending in one".
- 21 7. Page 1, line 29, by striking the figure "1980"
- 22 and inserting in lieu thereof the word "federal".
- 23 8. Page 1, line 33, by striking the word and
- 24 figure "two (2)" and inserting in lieu thereof the
- 25 word and figure "three (3)".
- 26 9. Page 1, by striking lines 34 and 35 and
- 27 inserting in lieu thereof the following:
- 28 "Sec. 3. NEW SECTION. TIMETABLE FOR PREPARATION
- 29 OF PLAN.
- 30 1. Not later than April first of each year ending
- 31 in one, the legislative service".
- 32 10. Page 2, line 4, by striking the word and
- 33 figure "three (3)" and inserting in lieu thereof the
- 34 word and figure "four (4)".
- 35 11. Page 2, line 8, by striking the words "bill
- 36 is printed" and inserting in lieu thereof the words
- 37 "report of the commission required by section six
- 38 (6) of this Act is received".
- 39 12. Page 2, line 25, by striking the word and
- 40 figure "three (3)" and inserting in lieu thereof the
- 41 word and figure "four (4)".
- 42 13. Page 2, line 29, by striking the word and
- 43 figure "three (3)" and inserting in lieu thereof the
- 44 word and figure "four (4)".
- 45 14. Page 2, line 32, by striking the figures "1,
- 46 1981" and inserting in lieu thereof the words "first
- 47 of the year ending in one,".
- 48 15. Page 3, line 3, by striking the words "within
- 49 the same time and" and inserting in lieu thereof the
- 50 words "not less than seven days after the bill is

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1 printed and made available to the members of the
2 general assembly,".

3 16. Page 3, line 14, by striking the figures "1,
4 1981" and inserting in lieu thereof the words "first
5 of the year ending in one,".

6 17. Page 3, line 23, by striking the words and
7 figure "one (1) of this section and" and inserting
8 in lieu thereof the words "two (2) of this section,
9 but".

10 18. Page 3, line 27, by striking the figure and
11 word "1980 decennial" and inserting in lieu thereof
12 the word "federal".

13 19. Page 3, line 33, by striking the word and
14 figure "three (3)" and inserting in lieu thereof the
15 word and figure "four (4)".

16 20. Page 4, lines 12 and 13, by striking the
17 figures "1, 1981" and inserting in lieu thereof the
18 words "first of the year ending in one".

19 21. Page 4, line 15, by striking the figures and
20 words "1, 1981 that the 1980" and inserting in lieu
21 thereof the words "first of the year ending in one
22 that the federal".

23 22. Page 4, by striking line 17 and inserting
24 in lieu thereof the following:

25 "Sec. 4. NEW SECTION. REDISTRICTING STANDARDS."

26 23. Page 4, lines 29 and 30, by striking the words
27 "absolute value of the total" and inserting in lieu
28 thereof the words "total of the absolute values of
29 the".

30 24. Page 6, line 14, by striking the figure "1980"
31 and inserting in lieu thereof the word "federal".

32 25. Page 8, line 35, by striking the words and
33 figure "subparagraph one (1) of".

34 26. Page 9, line 19, by striking the word
35 "districting".

36 27. Page 9, line 24, by striking the word
37 "districting".

38 28. Page 9, lines 25 and 26, by striking the words
39 "Sixty-ninth General Assembly" and inserting in lieu
40 thereof the words "general assembly which takes office
41 in the year ending in one".

42 29. Page 9, line 30, by striking the words "The
43 bill shall also".

44 30. Page 9, by striking lines 31 and 32 and
45 inserting in lieu thereof the following:

46 "8. Each bill embodying a plan drawn under this
47 section shall include provisions for election of
48 senators to the general assemblies which take office
49 in the years ending in three and five, which shall
50 be in conformity with article three (III), section

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1 six (6) of the Constitution of the State of Iowa.
2 With respect to any plan drawn for consideration in
3 the year 1981, those provisions shall be
4 substantially".

5 31. By striking page 10, line 20 through page
6 11, line 10, and inserting in lieu thereof the
7 following:

8 "Sec. 5. NEW SECTION. TEMPORARY REDISTRICTING
9 ADVISORY COMMISSION.

10 1. Not later than February fifteenth of each year
11 ending in one, a five member temporary redistricting
12 advisory commission shall be established as provided
13 by this section. The commission's only functions
14 shall be those prescribed by section six (6) of this
15 Act.

16 a. Each of the four selecting authorities shall
17 certify to the chief election officer his or her
18 appointment of a person to serve on the commission.
19 The certifications may be made at any time after the
20 majority and minority floor leaders have been selected
21 for the general assembly which takes office in the
22 year ending in one, even though that general assembly's
23 term of office has not actually begun.

24 b. Within thirty days after the four selecting
25 authorities have certified their respective
26 appointments to the commission, but in no event later
27 than February fifteenth of the year ending in one,
28 the four commission members so appointed shall select,
29 by a vote of at least three members, and certify to
30 the chief election officer the fifth commission member,
31 who shall serve as chairperson.

32 c. A vacancy on the commission shall be filled
33 by the initial selecting authority within fifteen
34 days after the vacancy occurs.

35 d. Members of the commission shall receive a per
36 diem of forty dollars, travel expenses at the rate
37 provided by section seventy-nine point nine (79.9)
38 of the Code, and reimbursement for other necessary
39 expenses incurred in performing their duties under
40 this section and section six (6) of this Act. The
41 per diem and expenses shall be paid from funds
42 appropriated by section two point twelve (2.12) of
43 the Code.

44 2. No person shall be appointed to the commission
45 who:

46 a. Is not an eligible elector of the state at
47 the time of selection.

48 b. Holds partisan public office or political party
49 office.

50 c. Is a relative of or is employed by a member

1 of the general assembly or is employed or
2 congress, or by the United States
3 assembly or by the commission. DUTIES
4 functions of NEW SECTION.
5 Sec. 6. If, in the preparation of plans
6 this Act, the legislation to make any decision
7 with the necessity of applicable to the bureau is
8 no clearly applicable to the secretary of
9 request (4) of this Act, the bureau shall
10 embodying that plan to the house of
11 and the chief clerk of the bureau and
12 in accordance with section three (3) of this
13 the legislative plan as may be required by
14 regarding the population data furnished to the
15 not apply to the legislative bureau by the
16 of the census.
17 3. Upon each delivery by the legislative service
18 bureau pursuant to the general assembly of a bill embodying
19 a plan, to the public earliest following information
20 the commission shall deliver the legislative
21 service bureau of the United States
22 a. A summary of the bill delivered by section
23 b. Maps illustrating the standards prescribed by section
24 c. A statement of the population of each district
25 d. (4) of this Act, the population of each district
26 included in the plan, and the relative deviation of
27 each district population from the ideal district
28 population.
29 4. Upon the delivery by the legislative service
30 bureau to the general assembly of a bill embodying
31 a. As expeditiously as reasonably possible, shall:
32 in different geographic regions of the state, on the
33 plan embodied in the bill delivered to the legislative
34 service bureau a report of the hearings, and the chief
35 submit to the secretary of the senate and the
36 clerk of the house a summarizing information in the
37 and testimony received by the commission in the
38 of the hearings. The commission's report shall

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1 any comments and conclusions which its members deem
2 appropriate on the information and testimony received
3 at the hearings, or otherwise presented to the
4 commission.

5 Sec. 7. SPECIAL ARRANGEMENTS FOR 1980-1981."

6 32. Page 11, line 31, by striking the words and
7 figure "Sec. 6. This Act" and inserting in lieu
8 thereof the figure and words "3. This section".

S-5902 FILED
APRIL 24, 1980

RECEIVED FROM THE HOUSE

Senate concurred 4/25 (p. 1734)

HOUSE FILE 707

AN ACT

AUTHORIZING CERTAIN PREPARATIONS FOR AND PRESCRIBING A PROCEDURE FOR THE REDISTRICTING OF THE GENERAL ASSEMBLY AND THE REDRAWING OF CONGRESSIONAL DISTRICTS FOLLOWING THE 1980 FEDERAL DECENNIAL CENSUS.

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

Section 1. NEW SECTION. DEFINITIONS. As used in this Act, unless the context requires otherwise:

1. "Chief election officer" means the state commissioner of elections as defined by section forty-seven point one (47.1) of the Code.
2. "Commission" means the temporary redistricting advisory commission established pursuant to this Act.
3. "Federal census" means the decennial census required by federal law to be conducted by the United States bureau of the census in every year ending in zero.
4. "Four selecting authorities" means:
 - a. The majority floor leader of the state senate.
 - b. The minority floor leader of the state senate.
 - c. The majority floor leader of the state house of representatives.
 - d. The minority floor leader of the state house of representatives.
5. "Plan" means a plan for legislative and congressional reapportionment drawn up pursuant to the requirements of this Act.
6. "Political party office" means an elective office in the national or state organization of a political party, as defined by section forty-three point two (43.2) of the Code.
7. "Partisan public office" means:
 - a. An elective or appointive office in the executive or legislative branch or in an independent establishment of the federal government.

- b. An elective office in the executive or legislative branch of the government of this state, or an office which is filled by appointment and is exempt from the merit system under section nineteen A point three (19A.3), subsection fourteen (14) of the Code.

- c. An office of a county, city or other political subdivision of this state which is filled by an election process involving nomination and election of candidates on a partisan basis.

8. "Relative" means an individual who is related to the person in question as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister.

Sec. 2. NEW SECTION. PREPARATIONS FOR REDISTRICTING.

1. The legislative service bureau shall acquire appropriate information, review and evaluate available facilities, and develop programs and procedures in preparation for drawing congressional and legislative redistricting plans on the basis of each federal census. Funds shall be expended for the purchase or lease of equipment and materials only with prior approval of the legislative council.

2. By December thirty-first of each year ending in zero, the legislative service bureau shall obtain from the United States bureau of the census information regarding geographic and political units in this state for which federal census population data has been gathered and will be tabulated. The legislative service bureau shall use the data so obtained to:
 - a. Prepare necessary descriptions of geographic and political units for which census data will be reported, and which are suitable for use as components of legislative districts.

b. Prepare maps of counties, cities and other geographic units within the state, which may be used to illustrate the locations of legislative district boundaries proposed in plans drawn in accordance with section four (4) of this Act.

3. As soon as possible after January first of each year ending in one, the legislative service bureau shall obtain from the United States bureau of the census the population data needed for legislative districting which the census bureau is required to provide this state under United States Pub. L. 94-171, and shall use that data to assign a population figure based upon certified federal census data to each geographic or political unit described pursuant to subsection two (2), paragraph a of this section. Upon completing that task, the legislative service bureau shall begin the preparation of congressional and legislative districting plans as required by section three (3) of this Act.

Sec. 3. NEW SECTION. TIMETABLE FOR PREPARATION OF PLAN.

1. Not later than April first of each year ending in one, the legislative service bureau 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 four (4) of this Act. It is the intent of this Act 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 days after the report of the commission required by section six (6) of this Act 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 Act 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.

2. If the bill embodying the plan submitted by the legislative service bureau under subsection one (1) of this section

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 service bureau information which the senate or house may direct regarding reasons why the plan was not approved. The legislative service bureau shall prepare a bill embodying a second plan of legislative and congressional districting prepared in accordance with section four (4) of this Act, and taking into account the reasons cited by the senate or house of representatives for its failure to approve the plan insofar as it is possible to do so within the requirements of section four (4) of this Act. 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 first of the year ending in one, or fourteen days after the date of the vote by which the senate or the house of representatives fails to approve the bill submitted under subsection one (1) of this section, whichever date is later. It is the intent of this Act that, if it is necessary to submit a bill under this subsection, the bill be brought to a vote not less than seven days after the bill is printed and made available to the members of the general assembly, in the same manner as prescribed for the bill required under subsection one (1) of this section.

3. If the bill embodying the plan submitted by the legislative service bureau under subsection two (2) of this section fails to be approved by a constitutional majority in either the senate or the house of representatives, the same procedure as prescribed by subsection two (2) of this section 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 first of the year ending in one, or fourteen days after the date of the

vote by which the senate or the house of representatives fails to approve the bill submitted under subsection two (2) of this section, whichever date is later. It is the intent of this Act that, if it is necessary to submit a bill under this subsection, the bill 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 two (2) of this section, but shall be subject to amendment in the same manner as other bills.

4. Notwithstanding subsections one (1), two (2) and three (3) of this section:

a. If population data from the federal census which is sufficient to permit preparation of a congressional districting plan complying with article three (III), section thirty-seven (37) of the Constitution of the State of Iowa becomes available at an earlier time than the population data needed to permit preparation of a legislative districting plan in accordance with section four (4) of this Act, the legislative service bureau shall so inform the presiding officers of the senate and house of representatives. If the presiding officers so direct, the legislative service bureau shall prepare a separate bill establishing congressional districts and submit it separately from the bill establishing legislative districts. It is the intent of this Act that the general assembly shall proceed to consider the congressional districting bill in substantially the manner prescribed by subsections one (1), two (2) and three (3) of this section.

b. If the population data for legislative districting which the United States census bureau is required to provide this state under United States Pub. L. 94-171 is not available to the legislative service bureau on or before February first of the year ending in one, the dates set forth in this section shall be extended by a number of days equal to the number of days after February first of the year ending in one that the federal census population data for legislative districting becomes available.

Sec. 4. NHW SECTION. REDISTRICTING STANDARDS.

1. Legislative and congressional districts shall be established on the basis of population.

a. Senatorial and representative districts, respectively, shall each have a population as nearly equal as practicable to the ideal population for such districts, determined by dividing the number of districts to be established into the population of the state reported in the federal decennial census. Senatorial districts and representative districts shall not vary in population from the respective ideal district populations except as necessary to comply with one of the other standards enumerated in this section. In no case shall the quotient, obtained by dividing the total of the absolute values of the deviations of all district populations from the applicable ideal district population by the number of districts established, exceed one percent of the applicable ideal district population. No senatorial district shall have a population which exceeds that of any other senatorial district by more than five percent, and no representative district shall have a population which exceeds that of any other representative district by more than five percent.

b. Congressional districts shall each have a population as nearly equal as practicable to the ideal district population, derived as prescribed in paragraph a of this subsection. No congressional district shall have a population which varies by more than one percent from the applicable ideal district population, except as necessary to comply with article three (III), section thirty-seven (37) of the Constitution of the State of Iowa.

c. If a challenge is filed with the supreme court alleging excessive population variance among districts established in a plan adopted by the general assembly, the general assembly has the burden of justifying any variance in excess of one percent between the population of a district and the applicable ideal district population.

2. To the extent consistent with subsection one (1) of this section, district boundaries shall coincide with the boundaries of political subdivisions of the state. The number of counties and cities divided among more than one district shall be as small as possible. When there is a choice between dividing local political subdivisions, the more populous subdivisions shall be divided before the less populous, but this statement does not apply to a legislative district boundary drawn along a county line which passes through a city that lies in more than one county.

3. Districts shall be composed of convenient contiguous territory. Areas which meet only at the points of adjoining corners are not contiguous.

4. It is preferable that districts be compact in form, but the standards established by subsections one (1), two (2) and three (3) of this section take precedence over compactness where a conflict arises between compactness and these standards. In general, compact districts are those which are square, rectangular or hexagonal in shape to the extent permitted by natural or political boundaries. When 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 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 coordinate" 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 coordinate system obtained for use as permitted by subparagraph two (2) of this paragraph, the x coordinate 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 coordinate" 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 coordinate system obtained for use as permitted by subparagraph two (2) of this paragraph, the y coordinate 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. 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 coordinates of the easternmost and the westernmost geographic unit centers included in the district shall be compared to the difference between the y coordinates 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, 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 one (1) with those computed under subparagraph two (2) of this paragraph.

c. 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 coordinates and y coordinates 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.

5. No district shall be drawn for the purpose of favoring a political party, incumbent legislator or member of congress, or other person or group, or for the purpose of augmenting or diluting the voting strength of a language or racial minority group. In establishing districts, no use shall be made of any of the following data:

- a. Addresses of incumbent legislators or members of congress.
- b. Political affiliations of registered voters.
- c. Previous election results.
- d. Demographic information, other than population head counts, except as required by the constitution and the laws of the United States.

6. In order to minimize electoral confusion and to facilitate communication within state legislative districts, each plan drawn under this section shall provide that each representative district is wholly included within a single senatorial district and that, so far as possible, each

representative and each senatorial district shall be included within a single congressional district.

7. Each bill embodying a plan drawn under this section shall provide that any vacancy in the general assembly which takes office in the year ending in one, occurring at a time which makes it necessary to fill the vacancy at a special election held pursuant to section sixty-nine point fourteen (69.14) of the Code, shall be filled from the same district which elected the senator or representative whose seat is vacant.

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 three (III), section six (6) of the Constitution of the State of Iowa. With respect to any plan drawn for consideration in the year 1981, those provisions shall be substantially as follows:

a. Each odd-numbered senatorial district shall elect a senator in 1982 for a four-year term commencing in January, 1983. If an incumbent senator who was elected to a four-year term which commenced in January, 1981, or was subsequently elected to fill a vacancy in such a term, is residing in an odd-numbered senatorial district on April 2, 1982, that senator's term of office shall be terminated on January 1, 1983.

b. Each even-numbered senatorial district shall elect a senator in 1984 for a four-year term commencing in January, 1985.

(1) If one and only one incumbent state senator is residing in an even-numbered senatorial district on April 2, 1982, and that senator was elected to a four-year term which commenced in January, 1981 or was subsequently elected to fill a vacancy in such a term, the senator shall represent the district in the senate for the Seventieth General Assembly.

(2) Each even-numbered senatorial district to which

subparagraph one (1) of this paragraph is not applicable shall elect a senator in 1982 for a two-year term commencing in January, 1983.

Sec. 5. NEW SECTION. TEMPORARY REDISTRICTING ADVISORY COMMISSION.

1. Not later than February fifteenth of each year ending in one, a five member temporary redistricting advisory commission shall be established as provided by this section. The commission's only functions shall be those prescribed by section six (6) of this Act.

a. Each of the four selecting authorities shall certify to the chief election officer his or her appointment of a person to serve on the commission. The certifications may be made at any time after the majority and minority floor leaders have been selected for the general assembly which takes office in the year ending in one, even though that general assembly's term of office has not actually begun.

b. Within thirty days after the four selecting authorities have certified their respective appointments to the commission, but in no event later than February fifteenth of the year ending in one, the four commission members so appointed shall select, by a vote of at least three members, and certify to the chief election officer the fifth commission member, who shall serve as chairperson.

c. A vacancy on the commission shall be filled by the initial selecting authority within fifteen days after the vacancy occurs.

d. Members of the commission shall receive a per diem of forty dollars, travel expenses at the rate provided by section seventy-nine point nine (79.9) of the Code, and reimbursement for other necessary expenses incurred in performing their duties under this section and section six (6) of this Act. The per diem and expenses shall be paid from funds appropriated by section two point twelve (2.12) of the Code.

2. No person shall be appointed to the commission who:
- Is not an eligible elector of the state at the time of selection.
 - Holds partisan public office or political party office.
 - Is a relative of or is employed by a member of the general assembly or of the United States congress, or is employed directly by the general assembly or by the United States congress.

Sec. 6. NEW SECTION. DUTIES OF COMMISSION. The functions of the commission shall be as follows:

1. If, in preparation of plans as required by this Act, the legislative service bureau is confronted with the necessity to make any decision for which no clearly applicable guideline is provided by section four (4) of this Act, the bureau may submit a written request for direction to the commission.

2. Prior to delivering any plan and the bill embodying that plan to the secretary of the senate and the chief clerk of the house of representatives in accordance with section three (3) of this Act, the legislative service bureau shall provide to persons outside the bureau staff only such information regarding the plan as may be required by policies agreed upon by the commission. This subsection does not apply to population data furnished to the legislative service bureau by the United States bureau of the census.

3. Upon each delivery by the legislative service bureau to the general assembly of a bill embodying a plan, pursuant to section three (3) of this Act, the commission shall at the earliest feasible time make available to the public the following information:

- Copies of the bill delivered by the legislative service bureau to the general assembly.
- Maps illustrating the plan.
- A summary of the standards prescribed by section four (4) of this Act for development of the plan.
- 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.

4. Upon the delivery by the legislative service bureau to the general assembly of a bill embodying an initial plan, as required by section three (3), subsection one (1) of this Act, the commission shall:

- As expeditiously as reasonably possible, schedule and conduct at least three public hearings, in different geographic regions of the state, on the plan embodied in the bill delivered by the legislative service bureau to the general assembly.

- 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.

Sec. 7. SPECIAL ARRANGEMENTS FOR 1980-1981.

1. Beginning not later than July 1, 1980 and continuing until the legislative service bureau has discharged the responsibilities imposed on it by this Act, the department of general services shall provide the bureau space in the same state office building in which is located the state electronic data processing facilities which may be used to assist in preparation of districting plans. The space shall be reasonably near the data processing facilities, and shall be suitably arranged and equipped for storage and use of the maps and other materials necessary for preparation and drawing of congressional and legislative districting plans.

2. If the general assembly fails to enact a legislative districting plan by September 15, 1981, or a plan enacted by the general assembly is nullified by the Iowa supreme court, all materials gathered and prepared by the legislative service bureau under section one (1) of this Act shall be made available to the supreme court or any other person or agency designated by the supreme court pursuant to article

three (III), sections thirty-five (35) and thirty-six (36) of the Constitution of the State of Iowa.

3. This section is repealed effective December 31, 1981 or on the date a legislative districting plan based on the 1980 federal decennial census takes effect or is upheld by the supreme court, whichever is later.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 707, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved May 19, 1980

ROBERT D. RAY
Governor