

MAR 8 2006
Place On Calendar

HOUSE FILE 2704
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 510)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the process of congressional and legislative
2 redistricting.

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

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HF 2704

1 Section 1. Section 42.2, Code 2005, is amended by adding
2 the following new subsection:

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

8 a. Copies of the bill delivered by the legislative
9 services agency to the general assembly.

10 b. Maps illustrating the plan.

11 c. A summary of the standards prescribed by section 42.4
12 for development of the plan.

13 d. A statement of the population of each district included
14 in the plan, and the relative deviation of each district
15 population from the ideal district population.

16 Sec. 2. Section 42.3, subsection 1, Code 2005, is amended
17 to read as follows:

18 1. a. Not later than April 1 of each year ending in one,
19 the legislative services agency shall deliver to the secretary
20 of the senate and the chief clerk of the house of
21 representatives identical bills embodying a plan of
22 legislative and congressional districting prepared in
23 accordance with section 42.4. It is the intent of this
24 chapter that the general assembly shall bring the bill to a
25 vote in either the senate or the house of representatives
26 expeditiously, but not less than ~~seven~~ three days after the
27 report of the commission required by section 42.6 is received
28 and made available to the members of the general assembly,
29 under a procedure or rule permitting no amendments except
30 those of a purely corrective nature. It is further the intent
31 of this chapter that if the bill is approved by the first
32 house in which it is considered, it shall expeditiously be
33 brought to a vote in the second house under a similar
34 procedure or rule. If the bill embodying the plan submitted
35 by the legislative services agency under this subsection fails

1 to be approved by a constitutional majority in either the
2 senate or the house of representatives, the secretary of the
3 senate or the chief clerk of the house, as the case may be,
4 shall at once, but in no event later than seven days after the
5 date the bill failed to be approved, transmit to the
6 legislative services agency information which the senate or
7 house may direct by resolution regarding reasons why the plan
8 was not approved.

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

22 Sec. 3. Section 42.3, subsection 2, Code 2005, is amended
23 by striking the subsection and inserting in lieu thereof the
24 following:

25 2. If the bill embodying the plan submitted by the
26 legislative services agency under subsection 1 fails to be
27 enacted, the legislative services agency shall prepare a bill
28 embodying a second plan of legislative and congressional
29 districting. The bill shall be prepared in accordance with
30 section 42.4, and, insofar as it is possible to do so within
31 the requirements of section 42.4, with the reasons cited by
32 the senate or house of representatives by resolution, or the
33 governor by veto message, for the failure to approve the plan.
34 If a second plan is required under this subsection, the bill
35 embodying it shall be delivered to the secretary of the senate

1 and the chief clerk of the house of representatives not later
2 than thirty-five days after the date of the vote by which the
3 senate or the house of representatives fails to approve the
4 bill submitted under subsection 1, or the date the governor
5 vetoes or fails to approve the bill. If it is necessary to
6 submit a bill under this subsection, the bill shall be brought
7 to a vote not less than seven days after the bill is submitted
8 and made available to the members of the general assembly,
9 under a procedure or rule permitting no amendments except
10 those of a purely corrective nature. It is further the intent
11 of this chapter that if the bill is approved by the first
12 house in which it is considered, it shall expeditiously be
13 brought to a vote in the second house under a similar
14 procedure or rule. If the bill embodying the plan submitted
15 by the legislative services agency under this subsection fails
16 to be approved by a constitutional majority in either the
17 senate or the house of representatives, the secretary of the
18 senate or the chief clerk of the house, as the case may be,
19 shall transmit to the legislative services agency information
20 which the senate or house may direct by resolution regarding
21 reasons why the plan was not approved in the same manner as
22 described in subsection 1.

23 Sec. 4. Section 42.3, subsection 3, Code 2005, is amended
24 to read as follows:

25 3. If the bill embodying the plan submitted by the
26 legislative services agency under subsection 2 fails to be
27 ~~approved by a constitutional majority in either the senate or~~
28 ~~the house of representatives~~ enacted, the same procedure as
29 prescribed by subsection 2 shall be followed. If a third plan
30 is required under this subsection, the bill embodying it shall
31 be delivered to the secretary of the senate and the chief
32 clerk of the house of representatives not later than ~~June 1 of~~
33 ~~the year ending in one, or twenty-one~~ thirty-five days after
34 the date of the vote by which the senate or the house of
35 representatives fails to approve the bill submitted under

1 subsection 2, ~~whichever date is later.~~ ~~It is the intent of~~
2 ~~this chapter that,~~ if or the date the governor vetoes or fails
3 to approve the bill. The legislative services agency shall
4 submit a bill under this subsection sufficiently in advance of
5 September 1 of the year ending in one to permit the general
6 assembly to consider the plan prior to that date. If it is
7 necessary to submit a bill under this subsection, the bill
8 shall be brought to a vote within the same time period after
9 its delivery to the secretary of the senate and the chief
10 clerk of the house of representatives as is prescribed for the
11 bill submitted under subsection 2, but shall be subject to
12 amendment in the same manner as other bills.

13 Sec. 5. Section 42.3, subsection 4, Code 2005, is amended
14 by striking the subsection.

15 Sec. 6. Section 42.4, subsection 8, Code 2005, is amended
16 to read as follows:

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

25 a. Each ~~odd-numbered~~ senatorial district in the plan which
26 is not a holdover senatorial district shall elect a senator in
27 ~~2002~~ the year ending in two for a four-year term commencing in
28 January ~~2003~~ of the year ending in three. If an incumbent
29 senator who was elected to a four-year term which commenced in
30 January ~~2001~~ of the year ending in one, or was subsequently
31 elected to fill a vacancy in such a term, is residing in an
32 ~~odd-numbered~~ a senatorial district in the plan which is not a
33 holdover senatorial district on the first Wednesday in
34 February ~~17-2002~~ of the year ending in two, that senator's
35 term of office shall be terminated on January ~~17-2003~~ of the

1 year ending in three.

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

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

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

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

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

31 (2) Each even-numbered holdover senatorial district to
32 which subparagraph (1) of this paragraph is not applicable
33 shall elect a senator in 2002 the year ending in two for a
34 two-year term commencing in January 2003 of the year ending in
35 three. However, if more than one incumbent state senator is

1 residing in an-even-numbered a holdover senatorial district on
2 the first Wednesday in February 17-2002 of the year ending in
3 two, and, on or before the first Wednesday in February 15,
4 2002 of the year ending in two, all but one of the incumbent
5 senators resigns from office effective no later than January
6 17-2003 of the year ending in three, the remaining incumbent
7 senator shall represent the district in the senate for the
8 Eightieth-General-Assembly general assembly commencing in
9 January of the year ending in three. A copy of the
10 resignation must be filed in the office of the secretary of
11 state no later than five p.m. on the third Wednesday in
12 February 15-2002 of the year ending in two.

13 c. For purposes of this subsection:

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

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

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

30 Sec. 7. Section 42.6, subsection 3, Code 2005, is amended
31 by striking the subsection.

32 Sec. 8. Section 42.6, subsection 4, paragraph b, Code
33 2005, is amended to read as follows:

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

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

10

EXPLANATION

11 This bill makes changes to the process of congressional and
12 legislative redistricting in Iowa.

13 Code section 42.2 is amended to provide that the
14 legislative services agency is responsible for making
15 available to the public copies of the redistricting bill,
16 maps, a summary of redistricting standards, and population
17 statistics for the plan. Current law provides that the
18 temporary redistricting advisory commission is responsible for
19 making this information available to the public.

20 Code section 42.3 is amended to modify the time
21 requirements for submission and consideration of a bill of
22 congressional and legislative redistricting. The bill
23 shortens by up to 14 days the deadline by which the
24 legislative services agency shall submit the first plan of
25 congressional and legislative redistricting if the population
26 data needed to complete redistricting is made available after
27 February 1 but not after February 15 of the year following the
28 census. The bill further provides that the legislative
29 services agency shall have, if applicable, up to 35 days to
30 submit a second plan, or a third plan, following the rejection
31 of the prior submitted plan of congressional and legislative
32 redistricting.

33 Code section 42.3 is also amended to provide that the
34 senate or house of representatives need only wait three days,
35 not seven days, to consider the first proposed plan of

1 redistricting following submission to the general assembly of
2 the report of the temporary redistricting advisory commission.
3 In addition, the bill provides that if reasons for rejection
4 of the bill are to be made by the senate or house of
5 representatives, they must be made within seven days after
6 rejection of the proposed redistricting plan. The bill also
7 eliminates the option that separate bills of congressional and
8 legislative redistricting can be submitted if the population
9 data necessary to complete congressional redistricting is made
10 available prior to the availability of population data for
11 legislative redistricting.

12 Code section 42.4, subsection 8, is amended to provide for
13 senatorial elections following redistricting. Current law
14 makes provisions for these elections following redistricting
15 in 2001 and the bill makes the procedure used for the 2001
16 redistricting plan applicable on an ongoing basis for
17 subsequent redistricting years.

18 Code section 42.6, subsection 4, is amended to provide that
19 the temporary redistricting advisory commission shall submit
20 its report to the general assembly within 14 days after the
21 delivery of the first proposed redistricting plan to the
22 general assembly.

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H-8193

1 Amend House File 2704 as follows:

2 1. Page 4, by inserting after line 14 the
3 following:

4 "Sec. _____. Section 42.4, subsection 4, Code 2005,
5 is amended by striking the subsection and inserting in
6 lieu thereof the following:

7 4. Districts shall be reasonably compact in form,
8 to the extent consistent with the standards
9 established by subsections 1, 2, and 3. In general,
10 reasonably compact districts are those which are
11 square, rectangular, or hexagonal in shape, and not
12 irregularly shaped, to the extent permitted by natural
13 or political boundaries. If it is necessary to
14 compare the relative compactness of two or more
15 districts, or of two or more alternative districting
16 plans, the tests prescribed by paragraphs "a" and "b"
17 shall be used.

18 a. LENGTH-WIDTH COMPACTNESS. The compactness of a
19 district is greatest when the length of the district
20 and the width of the district are equal. The measure
21 of a district's compactness is the absolute value of
22 the difference between the length and the width of the
23 district. In general, the length-width compactness of
24 a district is calculated by measuring the distance
25 from the northernmost point or portion of the boundary
26 of a district to the southernmost point or portion of
27 the boundary of the same district and the distance
28 from the westernmost point or portion of the boundary
29 of the district to the easternmost point or portion of
30 the boundary of the same district. The absolute
31 values computed for individual districts under this
32 paragraph may be cumulated for all districts in a plan
33 in order to compare the overall compactness of two or
34 more alternative districting plans for the state, or
35 for a portion of the state.

36 b. PERIMETER COMPACTNESS. The compactness of a
37 district is greatest when the distance needed to
38 traverse the perimeter boundary of a district is as
39 short as possible. The total perimeter distance
40 computed for individual districts under this paragraph
41 may be cumulated for all districts in a plan in order
42 to compare the overall compactness of two or more
43 alternative districting plans for the state, or for a
44 portion of the state."

45 2. By renumbering as necessary.

By T. TAYLOR of Linn

H-8193 FILED MARCH 13, 2006

Jacobs, Ch.
Boal Upmeyer
Gaskill Wendt
Greiner
T. Taylor

HSB 510

STATE GOVERNMENT

HOUSE FILE 02704
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ELGIN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the process of congressional and legislative
2 ~~redistricting.~~

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

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1 Section 1. Section 42.2, Code 2005, is amended by adding
2 the following new subsection:

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

8 a. Copies of the bill delivered by the legislative
9 services agency to the general assembly.

10 b. Maps illustrating the plan.

11 c. A summary of the standards prescribed by section 42.4
12 for development of the plan.

13 d. A statement of the population of each district included
14 in the plan, and the relative deviation of each district
15 population from the ideal district population.

16 Sec. 2. Section 42.3, subsection 1, Code 2005, is amended
17 to read as follows:

18 1. a. Not later than April 1 of each year ending in one,
19 the legislative services agency shall deliver to the secretary
20 of the senate and the chief clerk of the house of
21 representatives identical bills embodying a plan of
22 legislative and congressional districting prepared in
23 accordance with section 42.4. It is the intent of this
24 chapter that the general assembly shall bring the bill to a
25 vote in either the senate or the house of representatives
26 expeditiously, but not less than seven three days after the
27 report of the commission required by section 42.6 is received
28 and made available to the members of the general assembly,
29 under a procedure or rule permitting no amendments except
30 those of a purely corrective nature. It is further the intent
31 of this chapter that if the bill is approved by the first
32 house in which it is considered, it shall expeditiously be
33 brought to a vote in the second house under a similar
34 procedure or rule. If the bill embodying the plan submitted
35 by the legislative services agency under this subsection fails

1 to be approved by a constitutional majority in either the
2 senate or the house of representatives, the secretary of the
3 senate or the chief clerk of the house, as the case may be,
4 shall at once, but in no event later than seven days after the
5 date the bill failed to be approved, transmit to the
6 legislative services agency information which the senate or
7 house may direct by resolution regarding reasons why the plan
8 was not approved.

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

22 Sec. 3. Section 42.3, subsection 2, Code 2005, is amended
23 by striking the subsection and inserting in lieu thereof the
24 following:

25 2. If the bill embodying the plan submitted by the
26 legislative services agency under subsection 1 fails to be
27 enacted, the legislative services agency shall prepare a bill
28 embodying a second plan of legislative and congressional
29 districting. The bill shall be prepared in accordance with
30 section 42.4, and, insofar as it is possible to do so within
31 the requirements of section 42.4, with the reasons cited by
32 the senate or house of representatives by resolution, or the
33 governor by veto message, for the failure to approve the plan.
34 If a second plan is required under this subsection, the bill
35 embodying it shall be delivered to the secretary of the senate

1 and the chief clerk of the house of representatives not later
2 than thirty-five days after the date of the vote by which the
3 senate or the house of representatives fails to approve the
4 bill submitted under subsection 1, or the date the governor
5 vetoes or fails to approve the bill. If it is necessary to
6 submit a bill under this subsection, the bill shall be brought
7 to a vote not less than seven days after the bill is submitted
8 and made available to the members of the general assembly,
9 under a procedure or rule permitting no amendments except
10 those of a purely corrective nature. It is further the intent
11 of this chapter that if the bill is approved by the first
12 house in which it is considered, it shall expeditiously be
13 brought to a vote in the second house under a similar
14 procedure or rule. If the bill embodying the plan submitted
15 by the legislative services agency under this subsection fails
16 to be approved by a constitutional majority in either the
17 senate or the house of representatives, the secretary of the
18 senate or the chief clerk of the house, as the case may be,
19 shall transmit to the legislative services agency information
20 which the senate or house may direct by resolution regarding
21 reasons why the plan was not approved in the same manner as
22 described in subsection 1.

23 Sec. 4. Section 42.3, subsection 3, Code 2005, is amended
24 to read as follows:

25 3. If the bill embodying the plan submitted by the
26 legislative services agency under subsection 2 fails to be
27 ~~approved-by-a-constitutional-majority-in-either-the-senate-or~~
28 ~~the-house-of-representatives~~ enacted, the same procedure as
29 prescribed by subsection 2 shall be followed. If a third plan
30 is required under this subsection, the bill embodying it shall
31 be delivered to the secretary of the senate and the chief
32 clerk of the house of representatives not later than ~~June 1 of~~
33 ~~the-year-ending-in-one7-or-twenty-one~~ thirty-five days after
34 the date of the vote by which the senate or the house of
35 representatives fails to approve the bill submitted under

1 ~~subsection 2, whichever date is later,--It is the intent of~~
2 ~~this chapter that, if~~ or the date the governor vetoes or fails
3 to approve the bill. The legislative services agency shall
4 submit a bill under this subsection sufficiently in advance of
5 September 1 of the year ending in one to permit the general
6 assembly to consider the plan prior to that date. If it is
7 necessary to submit a bill under this subsection, the bill
8 shall be brought to a vote within the same time period after
9 its delivery to the secretary of the senate and the chief
10 clerk of the house of representatives as is prescribed for the
11 bill submitted under subsection 2, but shall be subject to
12 amendment in the same manner as other bills.

13 Sec. 5. Section 42.3, subsection 4, Code 2005, is amended
14 by striking the subsection.

15 Sec. 6. Section 42.4, subsection 4, Code 2005, is amended
16 by striking the subsection and inserting in lieu thereof the
17 following:

18 4. Districts shall be reasonably compact in form, to the
19 extent consistent with the standards established by
20 subsections 1, 2, and 3. In general, reasonably compact
21 districts are those which are square, rectangular, or
22 hexagonal in shape, and not irregularly shaped, to the extent
23 permitted by natural or political boundaries. If it is
24 necessary to compare the relative compactness of two or more
25 districts, or of two or more alternative districting plans,
26 the tests prescribed by paragraphs "a" and "b" shall be used.

27 a. LENGTH-WIDTH COMPACTNESS. The compactness of a
28 district is greatest when the length of the district and the
29 width of the district are equal. The measure of a district's
30 compactness is the absolute value of the difference between
31 the length and the width of the district. In general, the
32 length-width compactness of a district is calculated by
33 measuring the distance from the northernmost point or portion
34 of the boundary of a district to the southernmost point or
35 portion of the boundary of the same district and the distance

1 from the westernmost point or portion of the boundary of the
2 district to the easternmost point or portion of the boundary
3 of the same district. The absolute values computed for
4 individual districts under this paragraph may be cumulated for
5 all districts in a plan in order to compare the overall
6 compactness of two or more alternative districting plans for
7 the state, or for a portion of the state.

8 b. PERIMETER COMPACTNESS. The compactness of a district
9 is greatest when the distance needed to traverse the perimeter
10 boundary of a district is as short as possible. The total
11 perimeter distance computed for individual districts under
12 this paragraph may be cumulated for all districts in a plan in
13 order to compare the overall compactness of two or more
14 alternative districting plans for the state, or for a portion
15 of the state.

16 Sec. 7. Section 42.4, subsection 8, Code 2005, is amended
17 to read as follows:

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

26 a. Each odd-numbered senatorial district in the plan which
27 is not a holdover senatorial district shall elect a senator in
28 2002 the year ending in two for a four-year term commencing in
29 January 2003 of the year ending in three. If an incumbent
30 senator who was elected to a four-year term which commenced in
31 January 2001 of the year ending in one, or was subsequently
32 elected to fill a vacancy in such a term, is residing in an
33 odd-numbered a senatorial district in the plan which is not a
34 holdover senatorial district on the first Wednesday in
35 February 17-2002 of the year ending in two, that senator's

1 term of office shall be terminated on January 17-2003 of the
2 year ending in three.

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

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

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

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

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

32 (2) Each even-numbered holdover senatorial district to
33 which subparagraph (1) of this paragraph is not applicable
34 shall elect a senator in 2002 the year ending in two for a
35 two-year term commencing in January 2003 of the year ending in

1 three. However, if more than one incumbent state senator is
2 residing in an-even-numbered a holdover senatorial district on
3 the first Wednesday in February 17-2002 of the year ending in
4 two, and, on or before the first Wednesday in February 157
5 2002 of the year ending in two, all but one of the incumbent
6 senators resigns from office effective no later than January
7 17-2003 of the year ending in three, the remaining incumbent
8 senator shall represent the district in the senate for the
9 Eightieth-General-Assembly general assembly commencing in
10 January of the year ending in three. A copy of the
11 resignation must be filed in the office of the secretary of
12 state no later than five p.m. on the third Wednesday in
13 February 157-2002 of the year ending in two.

14 c. For purposes of this subsection:

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

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

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

31 Sec. 8. Section 42.5, subsection 1, paragraph b, Code
32 2005, is amended to read as follows:

33 b. Within thirty days after the four selecting authorities
34 have certified their respective appointments to the
35 commission, but in no event later than February 15 of the year

1 ending in one, the ~~four-commission-members-so-appointed~~
2 legislative council shall ~~select, by a vote of at least three~~
3 ~~members,~~ appoint and certify to the chief election officer the
4 fifth commission member, who shall serve as chairperson.

5 Sec. 9. Section 42.6, subsection 3, Code 2005, is amended
6 by striking the subsection.

7 Sec. 10. Section 42.6, subsection 4, paragraph b, Code
8 2005, is amended to read as follows:

9 b. Following the hearings, promptly prepare and submit to
10 the secretary of the senate and the chief clerk of the house a
11 report summarizing information and testimony received by the
12 commission in the course of the hearings. The commission's
13 report shall include any comments and conclusions which its
14 members deem appropriate on the information and testimony
15 received at the hearings, or otherwise presented to the
16 commission. The report shall be submitted no later than
17 fourteen days after the date the bill embodying an initial
18 plan of congressional and legislative redistricting is
19 delivered to the general assembly.

20 EXPLANATION

21 This bill makes changes to the process of congressional and
22 legislative redistricting in Iowa.

23 Code section 42.2 is amended to provide that the
24 legislative services agency is responsible for making
25 available to the public copies of the redistricting bill,
26 maps, a summary of redistricting standards, and population
27 statistics for the plan. Current law provides that the
28 temporary redistricting advisory commission is responsible for
29 making this information available to the public.

30 Code section 42.3 is amended to modify the time
31 requirements for submission and consideration of a bill of
32 congressional and legislative redistricting. The bill
33 shortens by up to 14 days the deadline by which the
34 legislative services agency shall submit the first plan of
35 congressional and legislative redistricting if the population

1 data needed to complete redistricting is made available after
2 February 1 but not after February 15 of the year following the
3 census. The bill further provides that the legislative
4 services agency shall have, if applicable, up to 35 days to
5 submit a second plan, or a third plan, following the rejection
6 of the prior submitted plan of congressional and legislative
7 redistricting.

8 Code section 42.3 is also amended to provide that the
9 senate or house of representatives need only wait three days,
10 not seven days, to consider the first proposed plan of
11 redistricting following submission to the general assembly of
12 the report of the temporary redistricting advisory commission.
13 In addition, the bill provides that if reasons for rejection
14 of the bill are to be made by the senate or house of
15 representatives, they must be made within seven days after
16 rejection of the proposed redistricting plan. The bill also
17 eliminates the option that separate bills of congressional and
18 legislative redistricting can be submitted if the population
19 data necessary to complete congressional redistricting is made
20 available prior to the availability of population data for
21 legislative redistricting.

22 Code section 42.4, subsection 4, concerning compactness, is
23 modified. The bill provides that districts shall be
24 reasonably compact in form to the extent consistent with the
25 standards of population equality, respect for political
26 subdivisions, and contiguity. In describing compactness, the
27 bill provides that districts, to the extent permitted by
28 natural and political boundaries, not be irregularly shaped.
29 The bill maintains the test for compactness that compares the
30 length and width of a district but eliminates the test of
31 compactness based upon population dispersion. The bill adds a
32 test for compactness that provides that a district is most
33 compact if the distance needed to traverse the perimeter of
34 the district is as short as possible.

35 Code section 42.4, subsection 8, is amended to provide for

1 senatorial elections following redistricting. Current law
2 makes provisions for these elections following redistricting
3 in 2001 and the bill makes the procedure used for the 2001
4 redistricting plan applicable on an ongoing basis for
5 subsequent redistricting years.

6 Code section 42.5, concerning appointments to the temporary
7 redistricting advisory commission, is amended to provide that
8 the fifth member of the commission is to be appointed by the
9 legislative council and not the four members of the commission
10 appointed by the majority and minority leaders of the senate
11 and house of representatives.

12 Code section 42.6, subsection 4, is amended to provide that
13 the temporary redistricting advisory commission shall submit
14 its report to the general assembly within 14 days after the
15 delivery of the first proposed redistricting plan to the
16 general assembly.

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