

Proposed Congressional Redistricting Reform Language

Article XI

Section 1. (A) The Ohio redistricting commission shall be responsible for the redistricting of this state for U.S. Congress and for the General assembly. The commission shall consist of the following seven members... [no changes in Divisions (A) (1) through (7)]

(8) No appointed member of the commission shall be a current member of Congress.

[No changes in Section 1 (B) (1) or Section 1(B) (2) (a) and (b)]

(B) (3) The affirmative vote of four members of the commission, including at least two members of the commission who represent each of the two largest political parties represented in the general assembly shall be required to adopt any congressional or general assembly district plan. [No changes in the remainder of this paragraph, or the first paragraph of Section 1 (C)]

(C) [second paragraph] The commission shall release to the public a proposed general assembly district plan for the boundaries for each of the ninety-nine house of representatives districts and the thirty-three senate districts. The commission shall also release to the public a proposed congressional district plan for the boundaries of the prescribed number of congressional districts as apportioned to the state pursuant to Section 2 of Article I of the Constitution of the United States. The commission shall draft the proposed plans in the manner prescribed in this article. [No change in the remainder of this paragraph]

[third paragraph] The commission shall adopt a final congressional district plan and a final general assembly district plan not later than the first day of September of a year ending in the numeral one. After the commission adopts final plans, the commission shall promptly file the plans with the secretary of state. Upon filing with the secretary of state, the plans shall become effective.

Four weeks after the adoption of a congressional district plan and a general assembly district plan the commission shall be automatically dissolved.

[Section 1 (D) is not changed]

[Note: Insert a new Section 3, and the current Sections 3, 4, 5, 6, 8, 9 and 10 are renumbered Sections 5, 6, 7, 8, 9, 10 and 11, respectively.]

Section 3. (A) (1) The whole population of the state, as determined by the most recent federal decennial census, shall be divided by the number of congressional districts apportioned to the state pursuant to Section 2 of Article 1 of the Constitution of the United States, and the quotient shall be the congressional ratio of representation for ten years next succeeding such redistricting.

(2) The commission shall minimize the extent to which each congressional district's population differs from the congressional ratio of representation, as is practicable, while taking into account the criteria set forth in Section 3 (C) in the creation of congressional districts. The commission shall include in a congressional district plan an explanation of the reason that any district contains a population that is not equal to the congressional ratio of representation.

(B) Any citizen of the United States permanently residing in the state of Ohio may submit a congressional district plan for the Ohio redistricting commission's consideration. The office of the Ohio Secretary of State shall make available on request by any Ohio citizen the data and computer software needed to draw a legally valid map in accord with the criteria in division (C) of this Section. The Ohio redistricting commission shall establish and publicly announce a time period of at least two weeks for the public to submit plans for the U.S. Congress and the General Assembly for the commission's consideration.

(C) The Ohio redistricting commission shall draw congressional districts based on the following criteria. If all of the criteria cannot feasibly be attained, then priority shall be given based on the order in which each criterion is listed below.

(1) Every congressional district shall be composed of contiguous territory, and the boundary of each district shall be a single nonintersecting continuous line.

(2) Any congressional district plan adopted by the commission shall comply with all applicable provisions of the constitutions of Ohio and the United States and of federal law, including but not limited to, those dealing specifically with protection of minority voting rights.

(3) No congressional district plan shall be drawn to favor or disfavor a political party or candidates.

(4) The Ohio redistricting commission shall maximize representational fairness by adopting a plan whose statewide proportion of districts most closely corresponds to the partisan preferences of the voters of Ohio as measured by the statewide proportion of votes in state and federal partisan statewide general election results during the previous ten years.

(5) (a) The Ohio redistricting commission shall minimize the number of splits of counties, municipal corporations, and townships, in that order, and, where feasible, no county shall be split more than once.

(b) A county, municipal corporation, or township is considered to be split if any portion of its territory is not contained entirely within one district.

(c) For the purposes of this section, if a municipal corporation or township has territory in more than one county, the municipal corporation or township shall not be considered split so long as, within each county, all portions of that municipal corporation or township are contained within a single district.

(e) Congressional districts shall be compact.

(6) The Ohio redistricting commission may adopt a plan containing more than the minimum number of splits of counties, municipal corporations, and townships so as long as the public interest is served and the commission makes a statement explaining what the commission determined to be the minimum number of splits feasible, why each split was made in the manner and place in which it was.

(b) After public hearings are held on the proposed congressional district map, and not later than the fifteenth day of September of a year ending in the numeral one, the commission shall adopt a final congressional district plan, by the vote required to adopt a plan under of Section 1 (B)(3) of this article.

CHOICE OF IMPASSE OPTIONS

OPTION #1 – Map with best objective numerical score

(c) If the commission is unable to adopt a plan in accord with the provisions of Section 1 (B)(3) of this article, the plan submitted to the commission that includes the smallest number of splits of counties, municipal corporations and townships (in that order), and that has the highest representational fairness score (as defined in Section 3 (C)(3), and which is most compact, must be adopted as the congressional district plan. The plan shall take effect upon filing with the secretary of state and shall remain effective until the next year ending in the numeral one, except as provided in Section 11 of this article.

OPTION #2 – Voters choose [adapted from 129th GA SJR 4, lines 109-137 (sponsored by Sawyer and LaRose)]

(c) For each type of plan that has not been adopted, members of the commission who are affiliated with the two largest political parties in the state shall each have one week to develop their last, best offer of a redistricting plan, which plans shall be submitted to the secretary of state to be placed on the ballot at the general election conducted in that year.

During that same one week period, members of the commission who are affiliated with the two largest political parties in the state each shall select one of their members, and those two selected members shall select a third person, who is not a member of the commission. The two selected commission members, and the third person they select, shall, by majority vote, choose from among the publicly submitted plans the single plan that is the most competitive, that splits the fewest number of political subdivisions, and that, to the best of their belief, meets all the other requirements of this article, including, but not limited to, federal statutory provisions dealing specifically with the protection of minority voting rights. That plan shall be submitted to the secretary of state to be placed on the ballot at the general election conducted in that year.

Of the three plans submitted to the secretary of state for placement on that ballot at the general election under this division, the plan receiving the highest number of favorable votes at that election shall be adopted.

OPTION #3 – No impasse procedure; Commission required to adopt map by deadline (akin to deadline for General Assembly to pass a state budget.

OPTION #4 – Apply same impasse procedure to be used for General Assembly maps - namely, that if both parties cannot agree, the majority party can pass a map good for four years and then the Commission must reconvene to try again to pass a map for the remaining six years of that decade.

OPTION #5 – The Fair Districts = Fair Elections Coalition welcomes suggestions for an alternative impasse process.

Section 4 [previously Section 7, which should be deleted]. Notwithstanding the fact that boundaries of counties, municipal corporations, and townships within a district may be changed, district boundaries for both the U.S. congress and the general assembly shall be created by using the boundaries of counties, municipal corporations, and townships as they exist at the time of the federal decennial census on which the redistricting is based.

[Sections 5, 6, 7, 8, 9, 10, and 11 are unchanged]