

A Review of Redistricting in Washington State

Appendices

A – LWVUS, LWWA positions

B – League activities

C – Efficiency gap

D – Legal information

E – Census information

F – Historical timeline

G – Redistricting in Washington constitution and related statutes

H – List of interviewees

I – Commissioners views

J – Current Washington district maps

K – Legislative election results comparisons

1992 – 1990 comparisons

2002 – 2000 comparisons

2012 – 2010 comparisons

L – Local redistricting examples

M – Redistricting in California

N – Redistricting process by state

O – References

Appendix A - Redistricting positions of the League of Women Voters of the United States (2016) and League of Women Voters of Washington¹

LWV Redistricting Position in Brief:

Support redistricting processes and enforceable standards that promote fair and effective representation at all levels of government with maximum opportunity for public participation.

Redistricting Position:

1. Responsibility for redistricting preferably should be vested in an independent special commission, with membership that reflects the diversity of the unit of government, including citizens at large, representatives of public interest groups, and members of minority groups.
2. Every redistricting process should include:
 - a. Specific timelines for the steps leading to a redistricting plan;
 - b. Full disclosure throughout the process and public hearings on the plan proposed for adoption:
 - i. Redistricting at all levels of government must be accomplished in an open, unbiased manner with citizen participation and access at all levels and steps of the process,
 - ii. Should be subject to open meeting laws;
 - c. A provision that any redistricting plan should be adopted by the redistricting authority with more than a simple majority vote;
 - d. Remedial provisions established in the event that the redistricting authority fails to enact a plan. Specific provisions should be made for court review of redistricting measures and for courts to require the redistricting authority to act on a specific schedule:
 - i. Time limits should be set for initiating court action for review,
 - ii. The courts should promptly review and rule on any challenge to a redistricting plan and require adjustments if the standards have not been met.
3. The standards on which a redistricting plan is based, and on which any plan should be judged, must:
 - a. Be enforceable in court; ^[1]_[SEP]
 - b. Require:
 - i. Substantially equal population, ^[1]_[SEP]
 - ii. Geographic contiguity, and ^[1]_[SEP]
 - iii. Effective representation of racial and linguistic minorities.
 - c. Provide for (to the extent possible):
 - i. Promotion of partisan fairness, ^[1]_[SEP]
 - ii. Preservation and protection of “communities of interest,” and ^[1]_[SEP]
 - iii. Respect for boundaries of municipalities and counties.
 - d. Compactness and competitiveness may also be considered as criteria so long as they do not conflict with the above criteria ^[1]_[SEP]
 - e. Explicitly reject:
 - i. Protection of incumbents, through such devices as considering an incumbent’s address, and
 - ii. Preferential treatment for a political party, through such devices as considering party affiliation, voting history and candidate residence.

This position does not supersede any existing state League redistricting position.

¹ Source: League of Women Voters of the United States: Impact on Issues: Representative Government: The Election Process: Redistricting and Program in Action 2015-2017. League of Women Voters of Washington. www.lwvwa.org/positions.html#program

LWVWA Redistricting and Reapportionment (1955, 1958, 1959, 1975)

The League of Women Voters of Washington believes that:

RR-1: Both houses of the state legislature should be apportioned substantially on population. Districts should be convenient, contiguous and specific standards for fair representation should be assured.

RR-2: The responsibility for redistricting and reapportioning should rest with an agency independent of the legislature. The alternate agency should not be a court, but a judge may be a member. Definite provisions should be made for compensation and staff services of the alternate agency. Power of initiative and referendum should be reserved to the people.

RR-3: Machinery should be provided to affect automatic, compulsory, periodic redistricting and reapportioning. Measures to enact this machinery should include authority, enforcement powers, time schedule and funding. The specific measure may take the form of a constitutional amendment, legislation, initiative and/or referendum.

RR-4: Specific provisions should be made for court review of redistricting and reapportioning measures and for courts to require the alternate agency to act.

RR-5: The state should be redistricted and reapportioned every ten years as soon as possible after taking the census. Definite time limits should be set for an agency to act after decennial federal census figures are available. Time limits should be set for initiating court action for review of constitutionality of measures.

Redistricting Review Committee comments: As always, League positions are based on study, discussion and consensus by the membership of the League. The positions are sufficient to cover all known issues related to redistricting.

Appendix B: League redistricting activities throughout the country

Based on LWV National Task Force information, as of spring 2015:

- 40 = Number of state Leagues which have adopted a position on aspects of redistricting.
- 15 = Number of state Leagues which were involved with redistricting during the 2011 election cycle.
- 31 = Number of state Leagues which have been involved with redistricting since the 2011 election cycle.

2016 onward (note: contacts are current as of January, 2017)²

California – preparing for next round of state redistricting by the Independent Citizens Commission and supporting legislative bills to extend independent redistricting panels at the local level contact Trudy Schafer tschafer@lwvc.org

² Information from LWVUS (unknown author) via Chris Carson, LWVUS president

Colorado – working on an initiative to extend their independent commission’s jurisdiction to Congressional districts contact Toni Larson toni.larson@gmail.com
 Florida – continuing to engage in lawsuits to force the legislature to comply with the rules governing redistricting contact Pamela Goodman pamelasgoodman@gmail.com
 Georgia – working in a coalition to reform the current process contact Elizabeth Poythress eapoythr@bellsouth.net
 Indiana – supporting a reform bill in the legislature contact Erin Kelley erinkelley@gmail.com
 Kentucky – working in coalition to reform the current process contact Nita Smith nitavotes@aol.com
 Maryland – continuing extensive coalition work to improve the process contact Nancy Soreng nsoreng@comcast.net
 Michigan – public education on reform contact Judy Karandjeff
 Minnesota – currently working on a reform of the process contact Mary Kalil tkalil@arvig.net
 Missouri – currently researching other state commissions
 New Hampshire – supporting a bill to create a commission contact Liz Tentarelli lizten@kenliz.net
 New Jersey – currently working to reform process; contact Jesse Burns jburns@lwvnj.org
 New Mexico – working in a coalition to reform the current process contact Meredith Machan mermachan@cybermesa.com
 New York – will be working to implement their new commission process
 North Carolina – litigation and public education; contact Mary Klenz klenzmary@gmail.com
 Ohio – passed a bipartisan commission to draw state lines in 2015; currently working on extending it to Congress; contact Carrie Davis cdavis@lwvohio.org
 Oregon – working in coalition to reform the current process contact Norm Turrill nturrill@mac.com
 Pennsylvania – working in coalition, Fair Districts PA, to reform the current process; contact Carol Kuniholm ckuniholm@verizon.net
 South Carolina- exploring work contact Julie Hussey copresident.lwsc@gmail.com
 Tennessee
 Texas – working in a coalition to reform the current process contact Elaine Wiant ewiantlwv@gmail.com
 Virginia – working in a coalition OneVirginia2021 to reform the current process; contact Lois Page lpagelwva@cox.net
 Washington – exploring possibilities to further improve their commission contact Linnea Hirst lwvquilter@comcast.net
 Wisconsin – working in a coalition to reform the current state process; working with county supervisors to form independent commissions at that level. Success in several counties so far; contact Andrea Kaminski kaminski@lwvwi.org

Some even more recent League involvement in redistricting issues³:

LWVUS amicus briefs in North Carolina, Virginia (2), Texas
 LWV Virginia – amicus brief
 LWV Pennsylvania – lawsuit
 LWVNC – lawsuit
 LWVCA – working to establish local redistricting commissions throughout California
 LWV Ohio – working to now pass ballot issue to include Congressional districts to redistricting by bipartisan commission, which they helped pass in 2015.
 LWV Utah – working with coalition on initiative
 LWV Colorado – leading ballot initiative
 LWV Indiana – working on grassroots support to persuade General Assembly

³ Found July 9, 2017 by query of Google and by reading only the 1st page of recent Google Alerts on redistricting. Chris Carson later pointed out that this kind of information is “a moving target approaching warp speed.”

LWV Illinois – worked with coalition on Independent Redistricting Map Amendment that got lots of signatures, qualified for ballot in 2016, knocked off ballot by state Supreme Court, which later refused to reconsider.

See also Appendix I for LWV California work. Within main document, Systems in Other States endnotes for both LWV Arizona and LWV Florida show their involvement in supporting redistricting reform and in court cases.

APPENDIX C - EFFICIENCY GAP⁴

How the Efficiency Gap Works, by Eric Petry

Given a state with 500 residents and five legislative districts, each with 100 voters. D's won Districts 1 & 2, Rs won Districts 3, 4, and 5. Overall, the D candidates got 55% of the statewide vote but won 40% of the legislative seats, while the R candidates received 45% and won 60% of the seats. The results for each district:

District	D votes	R votes	Result
1	75	25	D wins
2	60	40	D wins
3	43	57	R wins
4	48	52	R wins
5	<u>49</u>	<u>51</u>	R wins
Total	275	225	

1. Calculate the total number of votes wasted. Any votes cast for a losing candidate are wasted votes, and any votes cast for a winning candidate in excess of what was needed to win, are also wasted votes.

District	D votes	R votes	D wasted votes	R wasted votes	Net wasted votes
1	75	25	24	25	1 R
2	60	40	9	40	31 R
3	43	57	43	6	37 D
4	48	52	48	1	47 D
5	<u>49</u>	<u>51</u>	<u>49</u>	<u>0</u>	<u>49 D</u>
Total	275	225	173	72	101 D

2. Divide the net wasted votes by the total votes cast to get the efficiency gap for the election in that state.

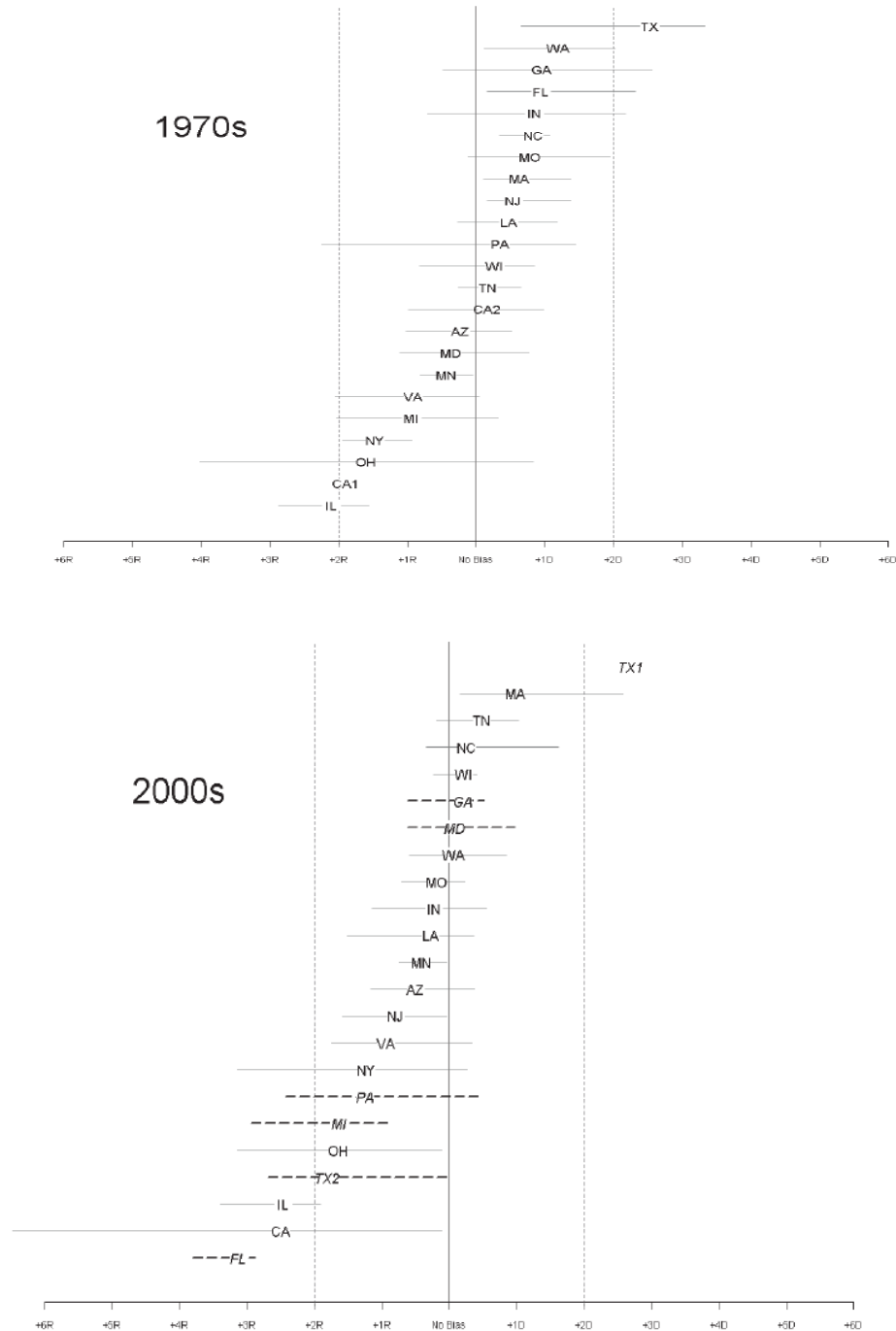
$101 \text{ wasted votes} / 500 \text{ votes} = .202$, or 20% efficiency gap.

Thus the Rs were better able to convert votes into seats, and won 20% more seats (At 5 seats total, $5 \times 20\% = 1$ more seat in this example) than they would have if both parties had wasted an equal number of votes.

⁴ https://www.brennancenter.org/sites/default/files/legal-work/How_the_Efficiency_Gap_Standard_Works.pdf

The following graphs are from Nicholas O. Stephanopoulos & Eric M. McGhee, *Partisan Gerrymandering and the Efficiency Gap*, 82 U.Chi.L.Rev.831 pp. 881, 879⁵

Partisan Gerrymandering and the Efficiency Gap



⁵ http://www.jstor.org/stable/43410706?seq=1#page_scan_tab_contents

Appendix D: The Legal Environment

The law concerning redistricting is unusual in the sense that the legal principles stem from several state and federal statutory sources, several important Supreme Court opinions, several provisions of state and federal constitutions, all of them given meaning through a shifting pattern of political majorities in the state and federal legislatures and fragile alliances among members of the several courts. Only the outlines of the law can be included here.

Electoral districts can be attacked on three grounds: first, that they are unequal in size; second, that they are drawn to disadvantage racial minorities; and third, that they are drawn to disadvantage other political parties. Each ground raises different legal questions.

1. The Constitutional Requirement of Population Equality

a. Federal officials. The starting place for most discussions of redistricting is the principle, rooted in article 1, section 2 of the U.S. Constitution, that members of the House of Representatives shall be apportioned among the states according to their number. In the context of district line drawing, this has been interpreted by the Court to impose a requirement of population equality: one person, one vote. A strict standard is used, allowing only very small variations among districts--well below 1% without justifications (based on traditional districting criteria such as compactness, respect for municipal and precinct boundaries, protecting local communities of interest, etc.)

b. State and local officials. The law concerning redistricting for the selection of state and local officials is more lenient since article 1 section 2 of the US Constitution does not apply to states. Drawing electoral districts for choosing state and local officials is covered by the Equal Protection Clause of the 14th Amendment. That clause has been interpreted to require the states to make "an honest and good-faith effort" to produce population equality among districts. This somewhat more relaxed standard has been interpreted by the courts to permit population deviations up to 10% and even higher if justifications exist.

2. Prohibition of Discrimination Against Racial Minorities

a. Constitutional issues. In the 1993 case, Shaw v Reno (509 US 630) the Supreme Court said that excessive and unjustified use of race is prohibited by the Equal Protection Clause of 14th Amendment. This was used in many cases in the 1990s to challenge redistricting plans. Since then, however, claims under Shaw have declined dramatically, principally due to a 2001 decision in Easley v Cromartie (532 US 234) which made it much easier for states to argue that the plans were motivated by political rather than racial considerations. Even though racial considerations may have been involved, a state plan may succeed against a Shaw claim if the political component in the district plan was predominant.

Determining the motive of a legislature is always very difficult and the courts have struggled with varieties of mathematical and testimonial evidence to mediate Shaw issues. Traditional districting criteria (compactness, contiguity, respect political subdivisions, etc.) have been useful to states defending against Shaw claims.

The court has suggested that race may nevertheless be used as a criterion if it has to be used to avoid a violation of section 2 of the Voting Rights Act (discussed below). For example, if the creation of a majority minority district is required to avoid section 2 liability, that use of race might pass muster under an Equal Protection attack.

b. Statutory Issues. Section 5 of the 1965 Voting Rights Act originally applied only to certain parts of the country (specifically the nine states of the south, and parts of California, Florida, Michigan, New

Hampshire, New York, North Carolina, and North Dakota) which had a history of racial discrimination in voting. The act required covered jurisdictions to obtain either administrative preclearance from the U.S. Attorney General or judicial preclearance from the DC District Court before any change in a voting practice – including a new redistricting plan – could be implemented. To obtain such preclearance, the state had the burden of proving that the new practice did not have the purpose and would not have the effect of denying or abridging the right to vote on account of race or color. The act was extended by Congress most recently in the Voting Rights Act of 2006.

On June 25, 2013, the Supreme Court handed down Shelby County v. Holder [570 US 2] which effectively struck down the operative provisions of Section 5. Declared unconstitutional were the so-called “coverage provisions” of section 4—the mechanism Congress had adopted in 1965 to determine which states had a history of such practices. The 5-person majority of the Court felt there was insufficient evidence that voting discrimination practices in these states continued, and that for Congress to single out some states for separate treatment required a more convincing showing that current practices in the states warranted it. Four dissenting justices found ample evidence of continuing violations of voting rights, believed that preventative measures such as preclearance were essential to continued extension of the franchise to all Americans.

Shelby County did not ban preclearance as a constitutional matter; it only held that Congress had to update the criteria used to determine which states were subject to the requirement. Bills have been introduced in every session since 2013 to update the list of covered states, but none has come close to passing. Thus preventative measures such as preclearance are effectively gone: those injured by alleged voting abridgements are left with after-the-fact litigation to vindicate their rights under the 15th Amendment and under section 5 of the Voting Rights Act. This is a significant loss, since such litigation is slow, expensive and, as a practical matter, usually comes too late.

Formerly covered states immediately began adopting voting practices—some of which had been denied preclearance in the past because of their effect on the voting rights of minorities. Such practices include changing the number of polling places, eliminating or reducing early voting days or hours, changing from district elections to at-large elections, annexations to add large numbers of white voters to formerly minority districts, limiting polling places and hours, adding new requirements to voting eligibility, requiring more proof of eligibility (e.g., photo IDs, etc.). Many of these have been litigated and some have been set aside by courts where plaintiffs met the steep burden of proving racial intent. (See NAACP, “Democracy Diminished,” (June 2016)—a 60 page state-by-state tabulation of some of these post-Shelby County devices.

Section 2 of the Voting Rights Act applies to all 50 states. Enacted pursuant to the 15th Amendment (which prohibits abridgement of the right to vote) it prohibits practices when, “based on the totality of circumstances, it is shown that the political processes leading to nomination or election... are not equally open to participation by members of a racial or language minority group in that its members have less opportunity than other members of the electorate to participate in the political processes and to elect representatives of their choice.” (Section 1973(b))

In applying this statute, the courts have looked at such things as whether the minority group challenging the practice is sufficiently large and geographically compact to constitute a majority in a single-member district, whether the minority group is politically cohesive, whether there is white block voting, whether voting is racially polarized, and whether the number of districts in which minorities prevail is at least roughly proportional to the minority share of the population. Needless to say, all these inquiries bristle with ambiguity and the issues have been extensively litigated. Note that one remedy for a section 2 violation could be an order that a district be created in which minority members have a majority voting strength.

3. Judicial Attacks on Partisan Gerrymandering

a. Supreme Court. Courts have not been anxious to adjudicate claims that redistricting has been done with political or partisan motives. In 1986, In Davis v. Bandemer (478 U.S. 109) the Supreme Court considered a case in which Democrats received 52% of the vote for the state House but because of partisan districting obtained only 43% of the House seats. The Court rejected plaintiff's claim in this case, though the Court held that partisan gerrymandering might be the basis of a successful attack on a redistricting plan if it could be shown that the plan had both discriminatory intent and effect. No case met that test for the next 18 years. In 2004, in Vieth v. Jubelirer, (541 U.S. 267) the Court showed even less of an inclination to intervene in cases of partisan gerrymandering. Vieth was a case in which Democrats outnumbered Republicans in the state but after a plainly partisan gerrymander obtained only 7 of the state's 19 seats for the U.S. House of Representatives. Again, the attack failed. Four justices would have completely overruled Bandemer, regarding it as an unwise judicial foray into what was an inescapably political thicket. Four other justices felt the Bandemer standard had been met. Justice Kennedy tipped the balance against the attacker, concluding that the Bandemer test had not been met in this case, but was unwilling to rule out altogether the possibility that a justiciable case might be presented in the future. In 2006, in League v. Perry (548 U.S. 399) the Court again refused to strike down a mid-decade redistricting in Texas under the Equal Protection Clause, although the racial impact of the plan violated section 2 of the Voting Rights Act.

The result is that in the Supreme Court absent a racial claim, a successful challenge of a redistricting plan on partisan gerrymandering grounds is unlikely and, given the direction of the Court, getting less likely as time goes by. The Court is uncomfortable speculating about political motives and, in using phrases like "transient majorities," signals a view that partisan shifts over time will correct any imbalances, making judicial intervention unnecessary.

b. Lower federal courts. Several cases are exploring the legality of gerrymandered districts, perhaps the fullest discussion has been in the Wisconsin case (Whitford v. Gill (2016 WL 6837229)). Plaintiffs in that case persuaded a 3-judge federal district court that these kinds of issues are justiciable, that the plaintiffs had standing, and that the legal standard was whether a redistricting plan was intended to and had the effect of disproportionately reducing the power of a rival party, without justifications of the traditional sort (contiguity, compactness, etc.). The plan under attack produced a 60% majority of Republican seats in the state assembly with only 49% of the votes cast. In ordering a new map to be drawn by the legislature, the court considered some mathematical tests by which this proportion could be measured (e.g., the "efficiency gap" analysis proposed by some scholars). The district court opinion was handed down in November 2016 and In March 2017, Wisconsin sought review in the Supreme Court. On June 19, 2017 the Supreme Court agreed to hear Wisconsin's appeal in the fall, and stayed the decision of the lower court while it considers the case.

c. State courts. There is a slim possibility that a challenge could be successful under the laws in some states. For example, the Washington redistricting statute says a plan "shall not be drawn purposely to favor or discriminate against any political party...." Wash. Rev. Code Sec. 44.05.090 (5) 1994. As of this writing, there have been no cases brought under this section.

Appendix E - U.S. CENSUS information

The U.S. Census Bureau, a division of the Department of Commerce, is the principal federal agency responsible for providing data about American people and the country's economy. The Bureau was founded in 1902 and is located in Maryland. It operates under the authority found in the US Constitution, Article 1 and Title 13 and 26 of the U.S. Code. States have the opportunity to work with the Census Bureau to offer improvement ideas and request special data for voting districts such as election precincts. In Washington, the Secretary of State is the state's liaison with the Bureau.

U.S. Constitution, Article 1, Section 2 requires the taking of a census of population every 10 years. Supreme Court rulings: *Wesberry v. Sanders* (1964) "a nearly as is practicable one person's vote in a congressional election is to be worth as much as another's".

Reynold's v. Sims (1964) ruled that state legislative districts must be "as nearly of equal population as is practicable". Public Law 94-171, Dec. 1975, directs Census Bureau to provide these data to states on set schedule. The law also directs Census to provide counts to the President who reports numbers to Congress with apportionment of Congressional seats/state.

Apportionment determination process: U.S. Code, Title 2, Section 2a) (1941)

The 2010 census block data is available by congressional districts: state legislative districts, voting districts, school districts (elementary, secondary, unified), incorporated places, census designated places, and American Indian/Alaskan Native/Hawaiian Homeland Areas.

Seven types of group quarters data are provided by state, counties, census tracts, and census blocks: institutional facilities—correctional facilities for adults, juvenile facilities, nursing facilities and other institutional facilities; non-institutional facilities—college/university student housing, military quarters, and other non-institutional quarters.

Voting age population by citizenship and race was published 02/01/2017 based on 2011-2015 five-year American Community Survey estimates.

Appendix F – the History of Redistricting in Washington

Historical Timeline⁶

1889 The state Constitution requires that the Legislature redistrict based on "the number of inhabitants" after each U.S. Census. The original Legislature consists of 70 representatives and 35 senators. More are added in 1890 and 1901 to keep up with the state's population growth.

1931 Citizens complain that representation is badly apportioned and debate using an initiative to redraw district boundaries.

1954 The League of Women Voters proposes its own redistricting initiative—Initiative 199— after legislators battle along party lines to redraw voting boundaries.

1956 Initiative 199 passes, linking redistricting to population trends in the state. But in the next session, the Legislature amends the resulting redistricting plan significantly.

1957 Federal court found Washington districts discriminatory.

⁶ www.redistricting.wa.gov

1958 The League of Women Voters proposes I-211 an amendment to the state Constitution that would establish a commission to take over redistricting if the Legislature failed to quickly adopt a redistricting plan. Voters reject the amendment.

1960s The League of Women Voters proposes another initiative to improve redistricting. The federal court gets involved after finding that the districts drawn in 1957 were discriminatory. The Legislature takes three years to pass compromise legislation that satisfies federal justices.

1970s The U.S. District Court finds that the 1965 redistricting legislation is unconstitutional. The state is restricted from holding further elections under the existing law. The court gives the state until February 25, 1972, to create a fair redistricting plan. The Legislature fails to meet the deadline, and the court draws the redistricting plan for the state.

1980s In 1982, growing weary of the constant battles, the Legislature proposes a bill to create an independent, bipartisan redistricting committee to begin work in 1991. But facing another court imposed 90-day mandate, it appoints a temporary five-commissioner panel, which successfully meets the 1983 redistricting deadline.

1983 Voters approve a ballot measure to amend the state Constitution and institute the commission. Washington becomes the third state in the U.S. to redistrict by commission.

League's part in that history.

League's work began in the early 1950s with one young mother in Seattle, Mary Ellen McCaffree, a Seattle League member who was upset about the quality of education in the public schools, and who discovered that Washington had not been redistricted since becoming a state.⁷

McCaffree brought the issue to the League's attention, the League studied the issue, discussed it and came to consensus on a position, allowing the League to begin work to propose changes in the Washington laws. At that point, an eastern Washington senator represented about 200,000 people while one in Seattle represented 500,000, even though the U.S. Constitution requires that the states make "an honest and good-faith effort" to produce population equality among districts.

In 1954, the League proposed an initiative, I-199, the first step toward the redistricting commission that Washington now has. I-199 added three new legislative districts and included a new redistricting plan, one that all local Leagues had helped draw. The League succeeded in collecting sufficient numbers of signatures to place the initiative on the ballot and getting the initiative passed—but then the Legislature took over and “went to work on it with a carving knife”⁸ until the representatives were all back in ‘safe’ districts.

In 1958, the League went back to work, again drafted, gathered signatures and worked to pass I-211. Unfortunately, this time the opposition took the League seriously and raised a large amount of money to support their opposition, used scare tactics, and succeeded in defeating the initiative.⁹ So the League started work yet another time, but at this point the courts got involved and ordered the Legislature to redraw the map.¹⁰

⁷ McCaffree, Mary Ellen and McNamee Corbett, Anne. (2011). Politics of the Possible, the Decade Our American Democracy Worked. www.politicsofthepossible.com

⁸ Lois North interview, 4-21-17

⁹ Ibid.

¹⁰ A Justice of the Peace from Federal Way, James Thigpen, commenced a Federal Court action challenging the 1957 legislative plan, and the Federal court held it unconstitutional. However, the court deferred making its own plan, ordering the legislature to adopt a new plan.

The 1963 Legislature attempted to adopt a plan, in a very lengthy, bitter battle but failed. The Senate was controlled by the Democrats, led by Senator Bob Grieve who had drawn the 1957 plan. The House was divided, with 51 Democrats and 48 Republicans. The Governor was also a Democrat. Six Democrats split from their caucus and joined the Republicans to form a coalition governing the House. This coalition was motivated by a policy division in the Democratic caucus and the desire of the Republicans not to have a redistricting plan favorable to the Democrats.

After the failure of the 1963 proposal, the Federal Court deferred again from drawing a plan and ordered the 1965 Legislature to adopt a redistricting plan before adopting any other legislation. The 1964 election had increased the Democrat majority in the House to 60-39, and preserved the Senate control. However, Dan Evans, a Republican, had been elected Governor, giving veto threat to any legislative plan not acceptable to Republicans. The Democrats even attempted to adopt a plan in the first 2 days of the Session, while they still held the Governor's office, but could not reach agreement among themselves, mostly because of personality conflicts and hangover resentment from the 1963 coalition defectors.

The Legislature continued to draw and redraw the maps under court order until, in 1982, they decided to set up an independent, bipartisan redistricting committee rather than continue to fight. They took that proposal to the voters, and in 1983, the voters approved amending the state constitution and instituted the Washington State Redistricting Commission.

Information from a 1960 research report expands our knowledge about the politics of reapportionment in the earlier years.¹¹

In the years 1901 – 1930, the Legislature ignored the constitutional mandate to redistrict following each census. According to a 1913 rural legislator, “The constitution is out of date, and I feel under no obligation to support its antiquated provisions. I saw to it that there was no redistricting of the state two years ago, and I’m going to see to the same thing again this year. Self-preservation is the first law of nature.”

In 1930, King County had about 30% of the state’s population, held less than 18% of the representation in each House. In that year, there was a fight, and some change resulted.

In the 1940s and -50s, there was no redistricting. In 1955, the League of Women Voters backed a proposed constitutional amendment but the House Rules Committee buried it. The League then worked on another amendment, I-199, including drafting actual maps for the new districts. They weren’t taken seriously. Bob Greive, Senator from West Seattle, said “...a lot of women sitting around cutting paper dolls out of maps of the state!” But according to a Seattle Times editorial, “Courageous Women Doing a Job Men Have Neglected for 25 Years.”

Whether I-199 would get onto the ballot was an exciting story:

- The League began to gather the needed 50,000 signatures, gathered 83,661, of which about 78,000 were valid. October 17th was the deadline for certifying
- In late July, 2 Democratic and 2 Republican legislators filed suit to keep I-199 off the ballot.
- September 20th was the court hearing
- September 27th, I-199 was ruled invalid.
- The Attorney General immediately appealed to the state Supreme Court
- October 13th, with 4 days to spare, the ruling was reversed and I-199 headed to the ballot.

The initiative passed 448,121 to 406,287. In King County it was 193,912 to 68,520, but in most of the

¹¹ Baker, G.E. (1960). The Politics of Reapportionment in Washington State. Case Studies in Practical Politics. Holt, Rinehart & Winston. Library of Congress Catalog card number 60-14639.

over-represented districts in eastern Washington, it lost by as high as 8 to 1.

A challenge to the constitutionality of the amendment went nowhere, but then the Washington State Grange asked the legislature to revise I-199 in the coming session. (In 1952, a constitutional amendment allowed two-thirds of each House to amend but not repeal initiatives, "to correct inequities and errors".) There was a test vote: a bipartisan motion to commend the League of Women Voters for "its excellent work and program for better government in our state." The motion lost. Then SSB-374 was moved to do a thorough revision of I-199. It passed.

The League sued, it went to the Washington Supreme Court, and the League lost.

Some of the 1950 district population numbers included:

District 10 in Columbia, Garfield and Asotin Counties in SE Washington had 18,942 residents.

District 46 and 31, both some of Seattle's districts, had 110,054 and 151,784 citizens respectively.

APPENDIX G - Washington constitution: Article 2 Section 43: Redistricting

(1) In January of each year ending in one, a commission shall be established to provide for the redistricting of state legislative and congressional districts.

(2) The commission shall be composed of five members to be selected as follows: The legislative leader of the two largest political parties in each house of the legislature shall appoint one voting member to the commission by January 15th of each year ending in one. By January 31st of each year ending in one, the four appointed members, by an affirmative vote of at least three, shall appoint the remaining member. The fifth member of the commission, who shall be nonvoting, shall act as its chairperson. If any appointing authority fails to make the required appointment by the date established by this subsection, within five days after that date the supreme court shall make the required appointment.

(3) No elected official and no person elected to legislative district, county, or state political party office may serve on the commission. A commission member shall not have been an elected official and shall not have been an elected legislative district, county, or state political party officer within two years of his or her appointment to the commission. The provisions of this subsection do not apply to the office of precinct committee person.

(4) The legislature shall enact laws providing for the implementation of this section, to include additional qualifications for commissioners and additional standards to govern the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(5) Each district shall contain a population, excluding nonresident military personnel, as nearly equal as practicable to the population of any other district. To the extent reasonable, each district shall contain contiguous territory, shall be compact and convenient, and shall be separated from adjoining districts by natural geographic barriers, artificial barriers, or political subdivision boundaries. The commission's plan shall not provide for a number of legislative districts different than that established by the legislature. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

(6) The commission shall complete redistricting as soon as possible following the federal decennial census, but no later than January 1st of each year ending in two. At least three of the voting members shall approve such a redistricting plan. If three of the voting members of the commission fail to approve a plan within the time limitations provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending in two in conformance with the standards set forth in subsection (5) of this section.

(7) The legislature may amend the redistricting plan but must do so by a two-thirds vote of the legislators elected or appointed to each house of the legislature. Any amendment must have passed both houses by the end of the thirtieth day if the first session convened after the commission has submitted its plan to the legislature. After that day, the plan, with any legislative amendments, constitutes the state districting law.

(8) The legislature shall enact laws providing for the reconvening of a commission for the purpose of modifying a districting law adopted under this section. Such reconvening requires a two-thirds vote of the legislators elected or appointed to each house of the legislature. The commission shall conform to the standards prescribed under subsection (5) of this section and any other standards or procedures that the legislature may provide by law. At least three of the voting members shall approve such a modification. Any modification adopted by the commission may be amended by a two-thirds vote of the legislators elected and appointed to each house of the legislature. The state districting law shall include the modifications with amendments, if any.

(9) The legislature shall prescribe by law the terms of commission members and the method of filling vacancies on the commission.

(10) The supreme court has original jurisdiction to hear and decide all cases involving congressional and legislative redistricting.

(11) Legislative and congressional districts may not be changed or established except pursuant to this section. A districting plan and any legislative amendments to the plan are not subject to Article III, section 12 of this Constitution.

Redistricting statutes that relate: RCWs, Title 44, Chapter 44.05

RCW 44.05.090 Redistricting plan.

In the redistricting plan:

(1) Districts shall have a population as nearly equal as is practicable, excluding nonresident military personnel, based on the population reported in the federal decennial census.

(2) To the extent consistent with subsection (1) of this section the commission plan should, insofar as practical, accomplish the following:

(a) District lines should be drawn so as to coincide with the boundaries of local political subdivisions and areas recognized as communities of interest. The number of counties and municipalities divided among more than one district should be as small as possible;

(b) Districts should be composed of convenient, contiguous, and compact territory. Land areas may be deemed contiguous if they share a common land border or are connected by a ferry, highway, bridge, or tunnel. Areas separated by geographical boundaries or artificial barriers that prevent transportation within a district should not be deemed contiguous; and

(c) Whenever practicable, a precinct shall be wholly within a single legislative district.

(3) The commission's plan and any plan adopted by the supreme court under RCW [44.05.100](#)(4) shall provide for forty-nine legislative districts.

(4) The house of representatives shall consist of ninety-eight members, two of whom shall be elected from and run at large within each legislative district. The senate shall consist of forty-nine members, one of whom shall be elected from each legislative district.

(5) The commission shall exercise its powers to provide fair and effective representation and to encourage electoral competition. The commission's plan shall not be drawn purposely to favor or discriminate against any political party or group.

RCW 44.05.100 Submission of plan to legislature—Amendment—Effect—Adoption by supreme court, when.

(1) Upon approval of a redistricting plan by three of the voting members of the commission, but not later than January 1st of the year ending in two, the commission shall submit the plan to the legislature.

(2) After submission of the plan by the commission, the legislature shall have the next thirty days during any regular or special session to amend the commission's plan. If the legislature amends the commission's plan the legislature's amendment must be approved by an affirmative vote in each house of two-thirds of the members elected or appointed thereto, and may not include more than two percent of the population of any legislative or congressional district.

(3) The plan approved by the commission, with any amendment approved by the legislature, shall be final upon approval of such amendment or after expiration of the time provided for legislative amendment by subsection (2) of this section whichever occurs first, and shall constitute the districting law applicable to this state for legislative and congressional elections, beginning with the next elections held in the year ending in two. This plan shall be in force until the effective date of the plan based upon the next succeeding federal decennial census or until a modified plan takes effect as provided in RCW [44.05.120](#)(6).

(4) If three of the voting members of the commission fail to approve and submit a plan within the time limitations provided in subsection (1) of this section, the supreme court shall adopt a plan by March 1st of the year ending in two. Any such plan approved by the court is final and constitutes the districting law applicable to this state for legislative and congressional elections, beginning with the next election held in the year ending in two. This plan shall be in force until the effective date of the plan based on the next succeeding federal decennial census or until a modified plan takes effect as provided in RCW [44.05.120](#)(6).

Appendix H - List of Interviewees

Mary Kay Becker, Commissioner, 1991

Tim Ceis, Commissioner 2011

Richard Derham, Commissioner, 2001

Graham Fernald, Commissioner, non-voting chair, 1991

Dean Foster, Commissioner, 2001, 2011

John Giese, Commissioner, 2001

Delores Gilmore, Kitsap County Auditor

Slade Gorton, Commissioner, 2011

Graham Johnson, Commissioner, non-voting chair, 2001

Bobbi Krebs-McMullen, Commissioner, 2001

Lois North, League of Women Voters

Nick Pharris, Elections Information Specialist, Office of the Secretary of State

Sally Poliak, King County Districting Commissioner, 1991, 2011

Lura Powell, Commissioner, non-voting chair, 2011

Ben Anderstone, Progressive Strategies NW

Appendix I – Views of various commissioners we interviewed.

(A compendium of their views is in *italics*)

Success. Members of each of the three commissions that we interviewed consider that their work was a success. Generally among all we interviewed, the definition of success included:

- *They met the deadline;*
- *They kept populations equal,*
- *They avoided lawsuits on their decisions, except 2011 (See below for information on that lawsuit)*
- *They didn't run out of resources but came in under budget;*
- *And, at the end of the process, no or few incumbents were out-districted.*
- *After the 1991 Commission, there was a 40% turnover in legislators.*
-

The System.

The commissioners feel the system is a good one—one former commissioner considers it to be the best in the country.

It's vital to have a fifth, non-voting chair. That means there's no tie-breaker, and the four voting commissioners must come to an agreement.

If instead of using political operatives on the commission, if the job were in the hands of amateurs, the result would inevitably be that the plan would be driven by staff.

Independents have no say in the redistricting process because they aren't represented on the commission. Washington is a two-party system.

The parties divide the state between the two political parties, resulting in closely divided legislatures in both houses, with each party hoping to end up in the majority.

The process.

The process remains clearly partisan, and there's a great deal of horse-trading. In the 1991 commission, after horse-trading was done, they worked toward competitive districts. The 2001 commission didn't try for competitive districts.

Competitive elections? Do the voters want entertaining elections or representatives that reflect the viewpoints of their constituents? The goal of competitive elections was incidental, the least of their priorities. Competitive districts are increasingly difficult because people continue to move into neighborhoods with like-minded people.

A compact district is not going to be competitive. The dispersion of population now is almost totally economic rather than minority.

Redrawing Congressional lines is almost secondary. The commissioners were appointed, and staffed, by the leaders of the state legislature.

In redrawing district lines, solving one problem un-solves others. Each time the commission changes a district line, it probably requires changing the lines of every other of the 49 districts. Example: Aberdeen and Hoquiam are divided into three districts, but that's a small population area surrounded by very little population, so hard to get enough into one district without having to, say, split Mt. Vernon in half. Two commissions worked to change the Grays Harbor lines but couldn't get it to work.

Constituent/incumbent protection was their responsibility. They feel that they were representing the people of Washington and should not work to unseat those the voters had elected. At least one

commissioner pointed out that the incumbents had spent a great deal of money getting elected and it was not the commissioners' job to un-elect them.

You can't take the politics out of politics. They were there as political appointees, and they definitely kept their appointment in mind.

The commissions seem to have become more partisan over time, with the 1991 commission quite nonpartisan. One commissioner pointed out that everything, not just redistricting, seemed to begin to become more partisan in about 2000.

The public hearings.

The public needs to be better educated about the process. With redistricting only every ten years, it's hard to educate the public. Until the voters get their ballots and see they're in a different district, they may not appreciate the importance of the district lines.

Often the public participants were unable to give the commissioners enough information that could be used to solve whatever problem they're trying to address. Because of that, while the hearings were interesting, they were generally not really worthwhile. (Not all commissioners agreed with this.)

Redistricting is a complex process, and the public doesn't have the technical resources or an understanding of the process and the requirements. As one commissioner said, "It's like a five-layer complex jigsaw puzzle."

Some of the people there were idealists, and wanted as many competitive districts as possible. But because the east side of the state is mostly Republican, and downtown Seattle mostly Democratic, many districts were already determined, and only about 1/3 of the districts were negotiable.

I think people thought it important to have them. This affects the votes of the public and impacts every citizen. We had an obligation to the citizens to make sure they knew the process and progress

The 2011 lawsuit¹²

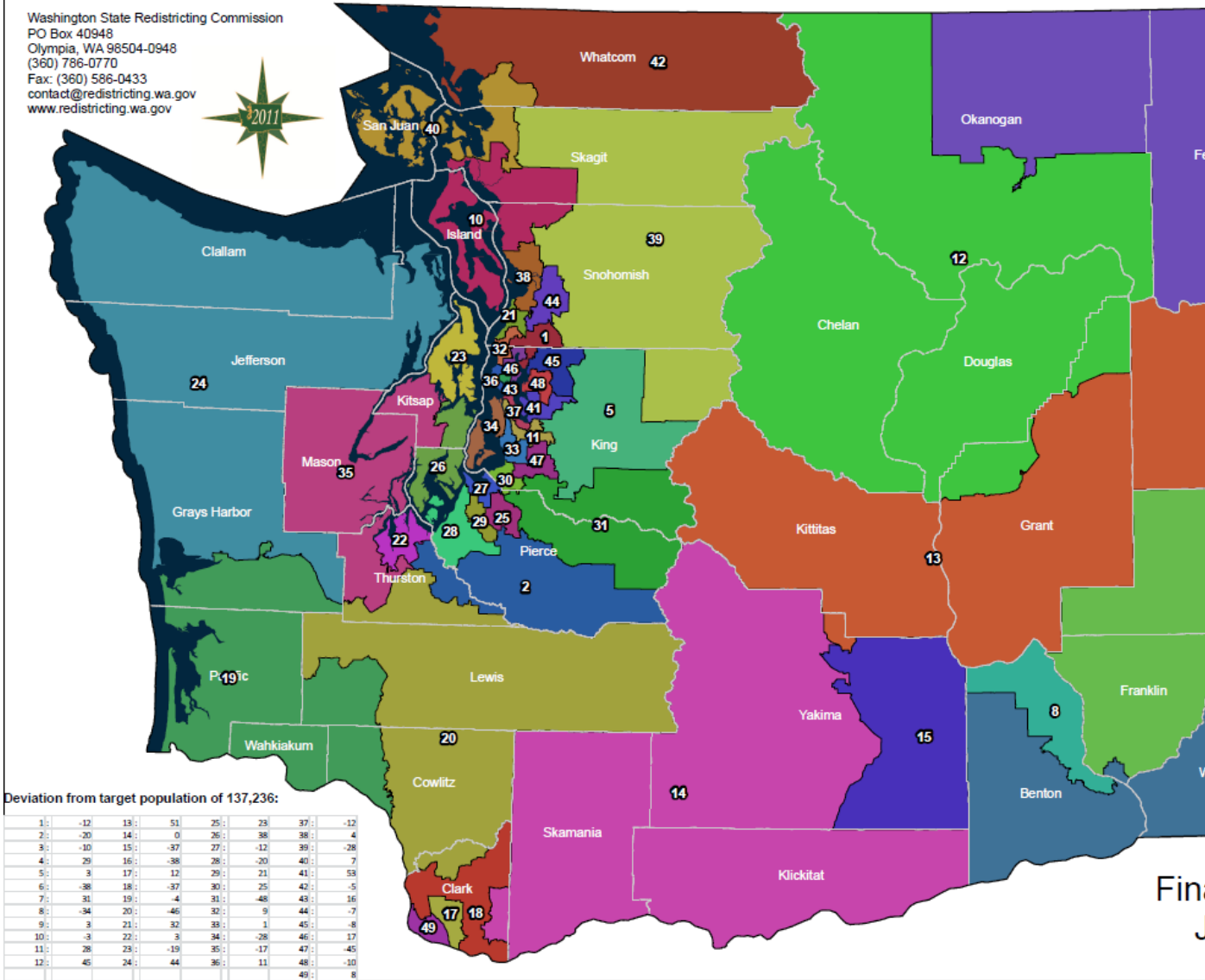
Following the 2011 Redistricting Commission efforts, John Milam, a retired attorney from Vancouver, WA challenged the plan in the State Supreme Court. Filed in February, 2012, the suit alleged the plan failed to meet the statutory and constitutional guidelines of compactness, equal representation, and encouraging electoral competition. The petition also alleged the commission plan divided too many counties and cities, contrary to the statutory provisions.

Because of the immediacy of filings for office the court ordered the 2012 elections would proceed pursuant to the commission plan. The Court ordered the parties to submit an agreed statement of facts within one month or the matter would be referred to the Thurston Co. Superior Ct. for hearings and a findings of fact to be submitted to the Supreme Court by May 29, 2012.

Without any ruling on the court of the validity of the plan, the suit was voluntarily dismissed by the petitioner in September because he was too ill to proceed. Unfortunately, no person or group intervened and sought to continue the action to test the assertions of the petition and force the court to rule on the validity of the plan, and possibly add interpretations and guidance to some of the legislative language

¹² <https://redistricting.lls.edu/files/WA%20milem%2020120308%20reply.pdf>

Washington State Redistricting Commission
 PO Box 40948
 Olympia, WA 98504-0948
 (360) 786-0770
 Fax: (360) 586-0433
 contact@redistricting.wa.gov
 www.redistricting.wa.gov



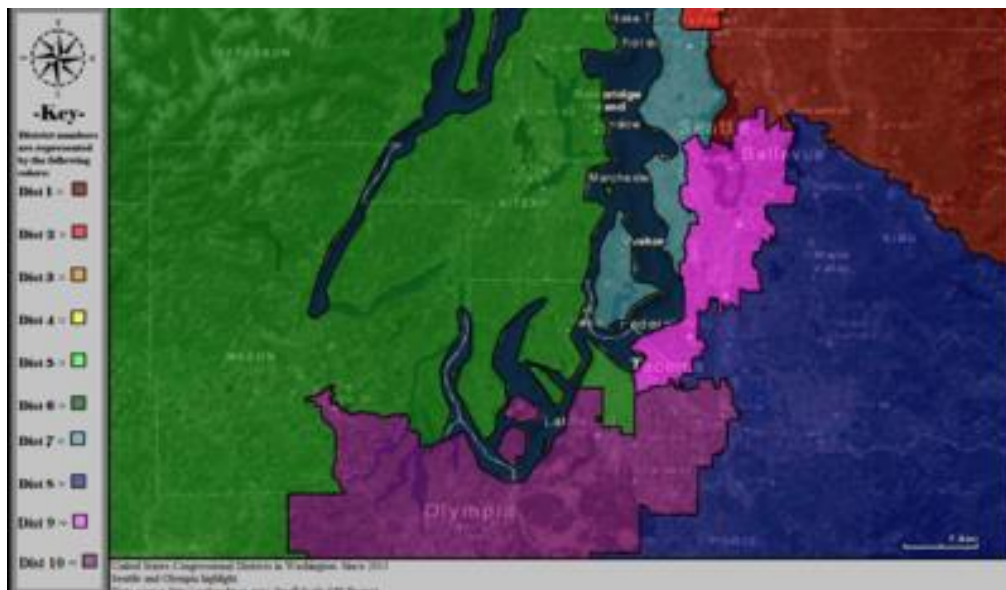
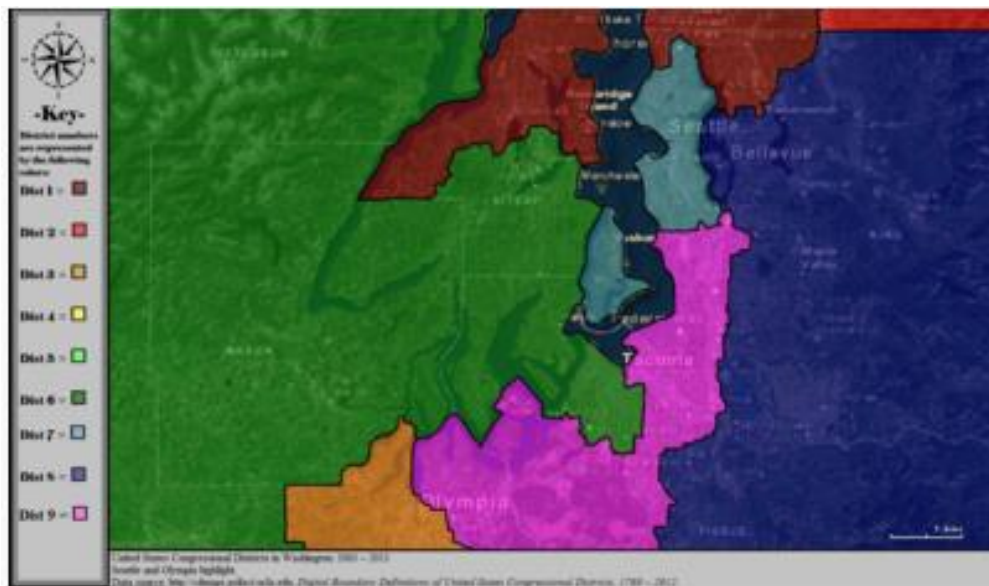
2003 – 2013



Since 2013



Congressional districts before and after redistricting 2011



The Puget Sound region Congressional districts of those pre- and post-2011 redistricting maps

Appendix K – Washington Legislative Elections Comparison

Pre- and Post- Redistricting:

1990 – 1992

2000 – 2002

2010 - 2012

Key to the information on the following pages:

- The color indicates the party. Red = Republican, Blue = Democrat, Green = other
- The numbers after the names are the vote share of the winner. If the number is 100, the candidate was unopposed. Example: **Wilcox 100**
- If there are two numbers after the name, the first number is the vote share of the winner, the (100) in parens indicates the opposition was from the same party. Example: **Bergquist 71.47 (100)**
- # followed by v. xxx indicates the opposition was from a party other than the opposing major party. Example: **Blake 57.89 (v. ind)**
- **Highlighted** names indicate a different party before/after redistricting.
- In 1990 – 1992 Districts 5 and 6 changed. Those races are highlighted in brown to indicate the change in the districts that the candidates/winners ran in.

Source: Washington Secretary of State Election Results, General Elections

	District	State Senate Race	Leg Pos. 1	Leg Pos. 2
1992	1	McAuliffe 56.75	Cothern 55.36	Johnson 57.5
	2	Rasmussen 58.4	Campbell 54.61	Dorn 67.09
	3	Moyer 51.68	Brown 64.48	Dellwo 67.63
	4	McCaslin 60.43	Orr 57.12	Padden 55.16
	5	Drew 52.1	Thomas 57.4	Dyer 51.35
	6		Silver 63.94	Mielke 64.12
	7		Fuhrman 61.62 (multi)	Morton 62.13
	8		Bray 55.03	Ludwig 64.33
	9	Prince 52.98	Sheahan 51.33 (multi)	Schoesler 58.3
	10	Haugen 58.55	Karahalios 50.79	Sehlin 59.19
	11	Prentice 73.14	Leonard 74.03	Veloria 69.86
	12	Sellar 51.96	Ballard 62.14	Foreman 100
	13	Hochstatter 55.91	Chandler 100	Hansen 51.74
	14	Deccio 69.67	Edmondson 100	Lemmon 51.51
	15		Rayburn 59.80	Lisk 57.76
	16	Loveland 50.79	Mastin 52.03	Grant 64.45
	17	Sutherland 55.75	Peery 60.4	Myers 57.55 (multi)
	18	Smith 58	Morris 57.86	Springer 52.64
	19	Snyder 100	Riley 75.34	Basich 100

	20	Amondson 60.91	Chappell 50.15	Brumsickle 55.48
	21		Wood 57.46	Shin 49.84 (multi)
	22	Fraser 65.46 (multi)	Romero 61.30	Wolfe 51.77 (multi)
	23	Sheldon 55.38	Zellinsky 59.15	Schmidt 58
	24	Hargrove 52.84 (multi)	Jones 52.83	Kessler 54.91
	25	Gaspard 61.21	Casada 51.89	Tate 56.27
	26		Meyers 57.01	Pruitt 57.73 (multi)
	27	Wojahn 87.04	Fisher 72.67	Wang 84.02 (v. L)
	28	Winsley 73.52	Talcott 52.09	Flemming 52.49
	29		Franklin 6.37	Ebersole 72.43
	30		Elde 50.81	Brough 50.45
	31		Roland 57.49	Vance 54.24
	32		Rust 65.65	Cole 64.98
	33		Hine 63.74	Fisher 57.96
	34		Heavey 72.59	Valle 60.42
	35		Holm 50.08	Sheldon 100
	36		Sommers 79.18	Kohl 77.92
	37		Wineberry 84 (multi)	Locke 90.06
	38		King 64.96	Scott 66.61
	39	Quigley 58.53	Stevens 52.44	Dunshee 52.66
	40	Spanel 55.41	Quall 58.42	Johnson 56.84
	41	Cantu 58.61	Horn 100	Ballasiotes 100
	42		Linville 54.14	Kremen 100
	43		Anderson 81.61	Thibaudeau 78.26
	44		Long 58.69	Johanson 50.85
	45		Finkbeiner 56.51	Miller 100
	46		Applewick 72.78 (multi)	Jacobsen 74.39
	47		Cooke 50.54	(multi)
	48		Reams 60.7 (multi)	Forner 57.49
	49	Bauer 58.49	Carlson 50.92	Van Luven 63.30
				Ogden 65.98
1990	1		Rust 64.94	Cole 61.24
	2		Rasmussen 66.92	Dorn 64.55
	3		Day 73.86	Dellwo 68.33
	4		Orr 51.73	Padden 53.06
	5		Silver 63.94	Mielke 52.37
	6	West 53.95	Sommers 57.36	Moyer 100
	7	Barr 56.42	Fuhrman 61.62	Morton 59.08
	8	Jeserning 51.51	Bray 62.27	Ludwig 56.93
	9		Nealey 51.17	Prince 61.39
	10		Wilson 100	Haugen 100
	11		Leonard 61.44	Prentice 57.69
	12		Ballard 100	McLean 63.62
	13	Hansen 55.4	Chandler 60.24	Hochstatter 54.06
	14		Edmondson 52.10	Inslee 61.82

15	Newhouse 57.46	Rayburn 75.45	Lisk 56.15
16		Neher 56.91	Grant 69.14
17		Peery 62.79	Myers 100
18		Morris 100	Cooper 52.30
19	Snyder 72.71	Riley 53.14	Basich 78.50
20		Bowman 65.93	Brumsickle 69.55
21	Nelson 53.08	Wood 61.40	Beck 60.92
22		Fraser 69.82	Belcher 57.31
23		Zellinsky 57.74	Schmidt 54.98
24		Jones 50.01	Hargrove 100
25		Casada 50.54	Tate 50.86
26	Oke 53.23	Meyers 60.52	Pruitt 100
27		Fisher 80.31 (v. L)	Wang 69.96 (multi)
28		Winsley 74.87	Broback 51.07
29	Rasmussen 100	Franklin 69.89	Ebersole 71.84
30	Von Reichbauer 51.33	Mitchell 50.79	Brough 61.26
31	Roach 50.69	Roland 53.64	Vance 52.09
32	Williams 63.10	Brekke 100	Nelson 100
33	Smith 51.68	Hine 61.95	Fisher 60.74
34	Talmadge 68.68	Heavey 100	Valle 62.01
35	Owen 61.54	Johnson 55.55	Sheldon 67.01
36	Moore 55.07	Sommers 70.64	Phillips 62.35
37	Pelz 82.23	O'Brien 71.08 (multi)	Locke 82.90 (multi)
38	Vognild 100	King 59.69	Scott 62.34
39	Wynne 50.85		Sprenkle 100
40		Spanel 58.60	Johnson 57.12
41		May 60.32	Horn 56.61
42	Anderson 55.63	Braddock 56.39	Kremen 62.56
43	Niemi 85.90	Anderson 84.30	Wineberry 100
44	Erwin 56.87	Cantwell 61.13	Paris 55.60
45	Bluechel 51.36	Betrozoff 50.24	Miller 72.56 (v. L)
46	Rinehart 68.19	Applewick 71.84	Jacobsen 100
47	Skratek 53.24	Holland 61.98	Forner 56.82
48	McDonald 67.33	Ferguson 100	Van Luven 64.30 (multi)
49		King 53.33	Ogden 52.02

	District	State Senate Race	Leg Pos. 1	Leg Pos. 2
2002	1		O'Brien 49.92	Edwards 50.4
	2		Bush 57	Campbell 100
	3		Wood 56.78	Gombosky 66.81
	4		Crouse 100	Schindler 100
	5		Pflug 64.14	Anderson 57.19
	6		Benson 59.84	Ahern 55.78
	7	Morton 100	Sump 68.03	McMorris 74.096
	8	Hale 100	Hankins 100	Delvin 100
	9		Cox 100	Schoesler 81.58 (v. Lib)
	10		Sehlin 100	Bailey 51.50 (multi)
	11		Hudgins 59.93	Veloria 65.95
	12		Condotta 61.52 (multi)	Armstrong 100
	13		Holmquist 100	Hinkle 100
	14		Mulliken 100	Skinner 100
	15	Honeyford 100	Chandler 70.76	Newhouse 73.47
	16		Mastin 68.34	Grant 100
	17		Boldt 100	Wallace 50.65
	18		Mielke 63.48	Orcutt 53.25
	19		Hatfield 67.31	Doumit 66.36
	20		DeBolt 100	Alexander 100
	21	Shin 62.07	Cooper 60.79	Sullivan 60.23
	22		Romero 63.96 (multi)	Hunt 66.99
	23		Rockefeller 60.03	Woods 52.06
	24		Buck 59.96	Kessler 100
	25		McDonald 60.16 (v. D + L)	Morrell 50.65
	26	Oke 50.42	Lantz 52.24 (multi)	McMahan 50.64
	27		Flannigan 100	Darneille 68.099
	28		Talcott 56.19	Carrell 54.80
	29	Franklin 100	Conway 100	Kirby 100
	30	Eide 54.05	Miloscia 55.91	Priest 51.13
	31	Roach 51.69	Roach 54.05	Shabro 100
	32	Fairley 61.74	Chase 58.12	Kagi 63.86
	33	Keiser 63.37	Swchual-Berke 62.69	Upthegrove 63.16
	34	Poulsen 100	Cody 100	McDermott 66.84 (multi)
	35	Sheldon 78.28 (v. Green)	Haigh 59.27	Eickmeyer 56.72
	36	Koh.-Welles 100	Sommers 78.34	Dickerson 80.4
	37	Kline 100	Santos 87.39 (v. IC)	Pettigrew 83.20 (v. L)
	38	Reardon 65.34	Berkey 58.76	McCoy 51.02
	39		Kristiansen 58.95	Pearson 58.95
	40		Quall 60.35 (multi)	Morris 62.07
	41		Jarrett 100	Clibborn 52.71
	42	Brandland 49.25 (multi)	Ericksen 57.56`	Linville 56.49
	43	Thibaudeau 79.04 (v. Green)	Murray 100	Chopp 100
	44	Schmidt 53.09	Dunshee 52.33	Lovick 52.40

	45	Finkbeiner 100	Nixon 51.97	Ruderman 53.38
	46	Jacobsen 100	McIntire 100	Kenney 100
	47	Johnson 55.52	Simpson 51.55	Cairnes 50.14
	48	Esser 77.51 (v. L)	Hunter 52.78	Tom 52.57 (multi)
	49		Fromhold 61.20	Moeller 53.18 (multi)
	District	State Senate Race	Leg Pos. 1	Leg Pos. 2
2000	1	McAuliffe 54.51	O'Brien 61.89	Edwards 57.47
	2	Rasmussen 57.46	Bush 56.27	Campbell 57.49
	3	Brown 100	Wood 68.09	Gombosky 69.05
		McCaslin 62.17		
	4	(multi)	Crouse 62.72	Schindler 60.3
	5	Rossi 69.58	Anderson 54.49 (multi)	Pflug 62.34
	6		Benson 56.22 (multi)	Ahern 48.67 (multi)
	7		Sump 67.61	McMorris 70.33
	8		Hankins 100	Delvin 65.93
	9	Sheahan 83.93	Cox 64.75	Schoesler 80.3 (v. L)
	10	Haugen 50.98 (multi)	Sehlin 50.57 (multi)	Barlean 58.43 (multi)
	11	Prentice 100	Cody 75.79	Veloria 75.85
	12	Parlette 100	Ballard 100	Armstrong 69.05
	13		Chandler 72.66	Mulliken 70.29
	14	Deccio 70.81	Skinner 66.99	Clements 73.49
	15		Chandler 65.18	Lisk 64.47
	16	Hewitt 52.49	Mastin 70.19	Grant 75.71 (v. AH)
	17	Benton 53.14	Boldt 52.74 (multi)	Dunn 54.95
	18	Zarelli 58.57	Mielke 60.65	Pennington 64.19
	19	Snyder 65.94	Hatfield 64.10	Doumit 67.83
	20	Swecker 61.51 (multi)	DeBolt 79.76 (v. NL)	Alexander 80.94 (v. L);
	21		Radcliff 52.43 (multi)	Cooper 59.23 (multi)
	22	Fraser 77.68 (v. L)	Ramero 64.14 (multi)	Hunt 67.58
	23	Sheldon 55.95	Rockefeller 55.35 (multi)	Woods 49.2 (multi)
	24	Hargrove 81.85 (v. L)	Buck 61.28	Kessler 66.04
	25	Kastama 49.12 (multi)	Casada 54.17	Morell 50.79
	26		Lantz 53.51 (multi)	Jackley 50.98
	27	Regala 100	Fisher 100	Darneille 67.02 (100)
	28	Winsley 68.40	Talcott 100	Carrell 51.68
	29		Conway 100	Kirby 68.60
	30		Miloscia 57.73	Mitchell 61.31
	31		Roach 50.38 (multi)	Hurst 54.54
	32		Edmonds 100	Kagi 83.28 (v. L)
	33		Schual-Berke 64.78	Keiser 63.96
	34		Poulsen 80.89 (v. L)	McDermott 74.34
	35		Haigh 59.41 (multi)	Eickmeyer 57.99 (multi)
	36		Sommers 77.41 (multi)	Dickerson 77.77 (multi)
	37		Santos 88.38	Tokuda 100
	38		Reardon 61.76	Scott 70.91 (multi)
	39	Stevens 54.94 (multi)	Kristiansen 55.2	Pearson 48.45 (multi)

40	Spanel 60.79	Quall 77.74	Morris 58.09 (multi)
41	Horn 100	Jarrett 100	Ballasiotes 82.40 (v. L)
42		Ericksen 57.47	Linville 48.88
43		Murray 100	Chopp 100
44		Schmidt 55 .27	Lovick 54.19 (multi)
45		Lambert 68.58	Ruderman 53.74
46		McIntire 86.05 (v. L & NL, multi)	Kenney 78.66
47		Simpson 50.15	Cairnes 50.13
48		Esser 58.88	Van Luven 56.75 (multi)
49	Carlson 53.44	Fromhold 55.29	Ogden 60.38

	District	%	Pres. Race	%	Gov race	State Senate Race	Leg Pos. 1	Leg Pos. 2
2012	1	60-38	Obama	53-47	Inslee	McAuliffe 55.49	Stanford 57.85	Moscosp 61.0
	2	48-50	Romney	43-57	McKenna	Becker 56.81	Alexander 58.01	Wilcox 100
	3	58-39	Obama	55-45	Inslee	Billig 57.85	Riccelli 62.68	Ormsby 62.0
	4	40-57	Romney	39-61	McKenna	Padden 100	Crouse 100	Shea 56.71
	5	53-44	Obama	45-55	McKenna	Mullet 54.43	Rodne 100	Magendanz 100
	6	47-51	Romney	44-56	McKenna		Parker 100	Holy 54.84
	7	36-61	Romney	35-65	McKenna		Short 100	Kretz 64.37 (
	8	36-61	Romney	35-65	McKenna		Klippert 62.06	Haler 72.42
	9	38-60	Romney	36-64	McKenna	Schoesler 100	Fagan 100	Schmick 100
	10	50-47	Obama	45-55	McKenna	Bailey 52.82	Smith 61.14	Hayes 52.32
	11	68-30	Obama	61-39	Inslee	Hasegawa 69.34	Hudgins 77.05 (100)	Bergquist 71
	12	40-58	Romney	37-63	McKenna	Parlette 100	Condotta 64.88 (100)	Hawkins 50.9
	13	36-62	Romney	34-66	McKenna		Warnick 100	Manweller 6
	14	43-55	Romney	41-59	McKenna	King 100	Johnson 63.93	Ross 65.59
	15	46-52	Romney	44-56	McKenna		Chandler 100	Taylor 61.08
	16	38-59	Romney	38-62	McKenna	Hewitt 69.74	Walsh 58.21 (100)	Nealey 100
	17	48-49	Romney	46-54	McKenna	Benton 50.07	Stonier 50.13	Harris 55.86
	18	44-54	Romney	42-58	McKenna	Rivers 67.86	Vick 67.86 (100)	Pike 60.46

19	54-44	Obama	50-41	Inslee	Hatfield 62.16	Takko 61.57	Blake 57.89
20	56	Romney	61	McKenna	Braun 55.43 (100)	DeBolt 100	Orcutt 68.68
21	62-36	Obama	55-45	Inslee		Roberts 100	Lilas 60.63
22	63-34	Obama	59-41	Inslee	Fraser 100	Reykdal 100	Hunt 100
23	58-40	Obama	53-47	Inslee	Rolfes 65.08	Appleton 60.92	Hansen 60.2
24	54-43	Obama	52-48	Inslee	Hargrove 65.44 (v. Ind.)	Van deWege 64.24	Tharinger 58
25	51-47	Obama	45-55	McKenna	Dammeier 61.74 Morrell 52.66		Zeiger 56.82
26	49-48	Obama	44-56	McKenna		Angel 59.09	Seaquist 53.3
27	67-30	Obama	61-39	Inslee	Darneille 57.29 (100)	Jinkins 71.36 (100)	Fey 63.28 (1
28	54-43	Obama	48-52	McKenna	Carrell 58.4	O'Ban 55.06	Green 55.38
29	63-35	Obama	57-43	Inslee		Sawyer 63.32	Kirby 100
30	59-39	Obama	52-48	Inslee		Kochmar 50.69	Freeman 54.
31	48-50	Romney	42-58	McKenna		Dahlquist 62.81	Hurst 55.3 (I
32	71-27	Obama	65-35	Inslee		Ryu 72.2	Kagi 72.89
33	66-32	Obama	60-40	Inslee		Orwall 71.64	Upthegrove
34	77-20	Obama	71-29	Inslee		Cody 85.9	Fitzgibbon 1
35	51-46	Obama	46-54	McKenna		Haigh 51.41	MacEwen 51
36	82-15	Obama	76-24	Inslee		Carlyle 88.53 (v. H & C pty)	Tarleton 55.8
37	86-11	Obama	83-17	Inslee		Santos 100	Pettigrew 87 nonpart)
38	60-37	Obama	55-45	Inslee		McCoy 60.47	Sells 62.38
39	49-48	Obama	45-55	McKenna	Pearson 57.62	Kristiansen 55.4	Scott 53.45
40	62-35	Obama	59-41	Inslee	Ranker 62.93	Lytton 73.62	Morris 75.37
41	60-38	Obama	49-51	McKenna	Litzow 54.04	Maxwell 58.53	Clibborn 100
42	50-47	Obama	47-53	McKenna		Overstreet 54.03	Buys 53.7
43	86-11	Obama	83-17	Inslee		Pederson 100	Chopp 70.63 Alt)
44	54-44	Obama	48-52	McKenna		Dunshee 54.36	Hope 55.81

45	58-40	Obama	50-50	McKenna		Goodman 56.46	Springer 57.8
46	78-19	Obama	72-28	Inslee	Frockt 100	Pollet 65.4 (100)	s
47	56-42	Obama	48-52	McKenna		Hargrove 50.15	Sullivan 60.1
48	62-36	Obama	53-47	Inslee		Hunter 69.27	Habib 61.38
49	57-40	Obama	55-45	Inslee	Cleveland 58.42	Wylie 60.16	Moeller 60.5

	District	State Senate Race	Leg Pos. 1	Leg Pos. 2
2010	1		Stanford 53.2	Moscoso 50.95
	2		McCune 58.99	Wilcox 60.3
	3		Billig 60.32	Ormsby 60.96
	4		Crouse 100	Shea 100
	5		Billig 60.32	Anderson 57.34
	6	Baumgartner 53.71	Parker 100	Ahern 51.78
	7	Morton 74.82	Short 100	Kretz 100
	8	Delvin 63.92	Klippert 61.32	Haler 100
	9		Fagan 100	Schmick 77.83
	10		Smith 60.58	Bailey 57.95
	11		Hudgins 73.49 (v. no pty)	Hasegawa 70.07
	12		Condotta 100	Armstrong 53.62
	13	Newbry 100	Warnick 100	Hinkle 85.06 (v. Bull M.)
	14		Johnson 52.5 (100)	Ross 100
	15	Honeyford 100	Chandler 64.13	Taylor 62.5
	16		Walsh 77.63 (v. Constit Pty)	Nealey 100
	17		Probst 53.18	Harris 53.62
	18		Rivers 60.16	Orcutt 100
	19		Takko 59.4	Blake 52.42
	20		DeBolt 64.2	Alexander 100
	21	Shin 63.26	Roberts 56.33	Lilas 54.22
	22		Reykdal 60.71	Hunt 71.89 (v no pty)
	23		Appleton 54.28	Rolfes 57.6
	24		Van de Wege 56.18	Tharinger 52.33
	25		Dammeier 63.66	Zeiger 50.05
	26	Kilmer 58.81	Angel 60.75	Seaquist 52.17
	27		Jinkins 54	Darneille 62.85
	28		Kelley 52.87	Green 51.53
	29	Conway 63.38	Ladenburg 59.94	Kirby 64.66
	30	Eide 52.13	Miloscia 59.5	Asay 50.4
	31	Roach 66.71	Dahlquist 53.17	Hurst 58.03 (Ind Dem)
	32	Chase 60.55	Ryu 61.15	Kagi 64.47

33	Keiser 59.78	Ornwall 100	Upthegrove 100
34	Nelson 100	Cody 80.59 (reluctant rep)	Fitzgibbon 57.3 (100)
35	Sheldon 61.81	Haigh 50.91	Finn 50.91
36	Kohl-Welles 83.93 (v. problemfix)	Carlyle 100	Dickerson 81.29
37	Kline (v. no pty)	Santos 100	Pettigrew 84.37 (100)
38	Harper 59.73 (v. conservative pty)	McCoy 57.89	Sells 58.55
39		Kristiansen 59.44	Pearson 100
40		Lytton 57.31`	Morris 56.87
41	Litzow 50.16	Maxwell 54.11	Clibborn 59.99
42	Ericksen 59.9	Overstreet 52.75	Buys 50.13
43	Murray 100	Pederson 100	Chopp 86.14
44	Hobbs 50.78	Dunshee 52.09	Hope 65.25
45	Hill 50.97	Goodman 51.33	Springer 58.22
46	White 100	Frockt 100	Kenney 83.99 (v. no pty)
47	Fain 54.99	Hargrove 56.33	Sullivan 57.13
48	Tom 52.63	Hunter 54	Eddy 57.31
49		Jacks 57.14	Moeller 53.48

APPENDIX L - Local Redistricting – King County & Peoria Arizona

King County has a separate redistricting committee.¹³ The County Council appoints four partisan people to its King County Districting Committee, and those four choose a fifth who is also a *voting* member of the committee but whom they consider to be impartial. That fifth person sets the tone, and if s/he is truly impartial and non-partisan, it works well.

The County has redistricted that way for years, using roughly the same guidelines and laws as the state. As with the state redistricting, “communities of interest” have been a focus, along with equal population. That districting group also has done much of their work in pairs in order to avoid having open meetings.

Most recently the process seems to have become less partisan, possibly because the King County Council is now mandated to be non-partisan. According to one of the recent commissioners, they received excellent, useable information at the public hearings.

Peoria Arizona.¹⁴ The city of Peoria recently completed a mid-decade redistricting of its City Council districts to equalize populations, as required by its city code, after the city’s 2015 special census. Its City Council directed staff to form an in-house redistricting team to manage the process, and authorized hiring a consultant to assist the team. The City Council insisted that the process allow Peoria residents to have a meaningful voice; that the city should do more than just give lip service to public input. As the process developed, that ambition was solidly fulfilled.

¹³ Interview with Sally Poliak, King county districting Commissioner – 1991, 2011.

¹⁴ Information based on a commentary in Arizona Capitol Times, 6-8-17.
<http://azcapitoltimes.com/news/2017/06/08/peorias-recent-redistricting-was-a-process-of-the-people/>

The city gave Peoria residents access to a free online resident redistricting application. Users were encouraged to “play” with the application (which also worked on smartphones) but to be sure to register with an email address to save or submit a plan. Early in the process, at a study session, the City Council adopted redistricting criteria: to the extent practicable, equal populations, compliance with the Voting Rights Act, compact and contiguous districts, age-restricted communities to be in separate districts, and a preference not to out-district any current council member.

Peoria residents had 45 days to submit proposed redistricting plans for consideration. After the February 28 cutoff, the city team and consultants scored each plan by objectively measuring observance of the council’s adopted criteria. Only the lead consultant knew the identity of each submitter. Residents, including three council members, submitted a total of 39 plans. After the scoring session, five highly compliant plans were presented to the City Council, which authorized a second round of open houses to display the plans for public comment. The city website and other media displayed the “finalist” plans and asked for public comment. The adopted plan was submitted by a resident.

APPENDIX M - California’s Independent Redistricting Commission

The 2011 California Redistricting Commission has been awarded the 2017 Roy and Lila Ash Innovation Award for Public Engagement in Government, announced July 6, 2017.¹⁵

The League of Women Voters of California published a report, “When the People Draw the Lines”¹⁶, on the 2011 California redistricting experience. The report discusses the process, the results, the strengths and the weaknesses of that first Commission’s experience. What follows is a synopsis of that report.

The Commission has fourteen members, including five Democrats, five Republicans and four of neither party. In 2011, they were chosen through a vigorous process after more than 30,000 people applied, of which 4,546 submitted full applications and became the applicant pool. Through a series of steps, a state agency winnowed the pool of applicants to 622, and then to sixty. During that part of the process, a working group of non-profits, including the League of women Voters of California, monitored the agency’s work and supplemented public information provided by the agency.

At the point when the list of applicants was down to sixty, the four legislative leaders were given the list and allowed to strike up to two applicants each from each of the three pools—Democrat, Republican and Neither. That brought the total down from 60 to 36, from which names were drawn randomly to get to the final fourteen.

Transparency was a high priority. All Commission meetings were held publicly, including live video streaming of deliberative sessions. Stenographers were present at business meetings where directions were given to contractors that were supporting the Commissioners. A website was created that included these and other Commission documents and records, as well as the recordings of their meetings for later viewing.

Education of the public was a critical part of effective citizen involvement, but difficult to enact due to the lack of sufficient funding. Outside organizations, including the League of Women Voters of California and the James Irvine Foundation, played important roles in the education and training of citizens, including:

¹⁵ email from Helen Hutchison, California LWV president, received 7-6-17

¹⁶ Sonenshein, Raphael J. *When the People Draws the Lines, An Examination of the California Citizens Redistricting Commission*. <https://cavotes.org/redistrictingreport>.

- Creating educational materials to explain to citizens the redistricting process and the opportunities for public involvement.
- Training citizens to learn how to provide more effective public input through the hearing process.
- Creating and maintaining technical assistance sites to provide online access to redistricting data and mapping software as well as to have hands-on access to Commission maps and to create new maps.

Besides the overall process, the timeline and the budget are important parts of the document, although the initial budget may not be useful as a projection for future years. The California Commission's proposed 2021 timeline requires a 50-month span of time to do the redistricting process. It includes a year for selection of commissioners, thirteen months for their preparation, and another thirteen for their deliberations, followed by a 'post-mapping wind-down'.¹⁷

Although the process appears to be more time-consuming, the public was very supportive. "In a comparative study of transparency of state governing process in which (California) received a B-overall, the citizen redistricting process received an A, with a score of 100 percent."¹⁸

Appendix N - Redistricting Process by State¹⁹

Alabama

The [Alabama State Legislature](#) is responsible for drawing both congressional and state legislative district lines. Both chambers of the state legislature must approve a single redistricting plan. State legislative district lines must be approved in the first legislative session following the United States Census. There is no statutory deadline for congressional redistricting. The [governor](#) may veto the lines drawn by the state legislature.

The [Alabama Constitution](#) requires that state legislative district lines be contiguous. In addition, the state constitution mandates that state Senate districts "follow county lines except where necessary to comply with other legal requirements."¹

In 2000, the legislative committee charged with redistricting "adopted guidelines ... asking that [congressional] districts be contiguous, reasonably compact, follow county lines where possible, and maintain communities of interest to the extent feasible." In addition, the committee agreed to "attempt to avoid contests between incumbents." Similar guidelines apply to state legislative redistricting. At its discretion, the state legislature may change these guidelines, which are non-binding.

Alaska

Because Alaska has only one congressional district, congressional redistricting is not necessary. An independent commission draws state legislative district lines. In place since 1998, Alaska's independent redistricting commission comprises five members. Two commissioners are appointed by the [governor](#), one by the [state Senate](#) majority leader, one by the [state House](#) majority leader, and one by the chief justice of the [Alaska Supreme Court](#). State law mandates that commissioners "be chosen without regard to party affiliation." One commissioner must be selected from each of the state's judicial districts.

¹⁷ Ibid., page 64

¹⁸ Ibid., page 71

¹⁹ Source: <https://ballotpedia.org/Redistricting>

The [Alaska Constitution](#) requires that state legislative districts be contiguous and compact. Furthermore, every state legislative district must contain a "relatively integrated socio-economic area." Each state legislative district is served by one state senator and two state representatives.

Arizona

The Arizona Independent Redistricting Commission is responsible for drawing both congressional and state legislative district lines. The commission is composed of five members. Of these, four are selected by the majority and minority leaders of each chamber of the state legislature from a list of 25 candidates nominated by the state commission on appellate court appointments. These 25 nominees comprise 10 Democrats, 10 Republicans and 5 unaffiliated citizens. The four commission members appointed by legislative leaders then select the fifth member to round out the commission. The fifth member of the commission must belong to a different political party than the other commissioners. The [governor](#), with a two-thirds vote in the [Arizona State Senate](#), may remove a commissioner "for substantial neglect of duty, gross misconduct in office, or inability to discharge the duties of office." The [Arizona State Legislature](#) may make recommendations to the commission, but ultimate authority is vested with the commission.

The [Arizona Constitution](#) requires that both congressional and state legislative districts be "contiguous, geographically compact, and respect communities of interest--all to the extent practicable." The state constitution further mandates that district lines "should [follow] visible geographic features, city, town, and county boundaries, and undivided census tracts." In addition, the constitution requires that "competitive districts be favored where doing so would not significantly detract from the goals above."

Arkansas

The [Arkansas General Assembly](#) is responsible for drawing congressional district lines. Both chambers of the state legislature must approve a single redistricting plan. The [governor](#) may veto the lines drawn by the state legislature.

Arkansas' state legislative district lines are drawn by a politician commission, the Arkansas Board of Apportionment. The commission comprises the governor, the [secretary of state](#) and the [attorney general](#).

The [Arkansas Constitution](#) requires that [Arkansas State Senate](#) district lines be "contiguous, and that they follow county lines except where necessary to comply with other legal requirements." There are no such requirements in place for congressional districts.

California

In California, an independent commission draws both congressional and state legislative district lines. Established in 2008 by ballot initiative, the commission comprises 14 members: five [Democrats](#), five [Republicans](#) and four belonging to neither party. A panel of state auditors selects the pool of nominees from which the commissioners are appointed. This pool comprises 20 Democrats, 20 Republicans and 20 belonging to neither party. The majority and minority leaders of both chambers of the [state legislature](#) may each remove two members from each of the aforementioned groups. The first eight commission members are selected at random from the remaining nominees. These first eight comprise three Democrats, three Republicans and two belonging to neither party. The first eight commissioners appoint the remaining six, which must include two Democrats, two Republicans and two belonging to neither party.

Commissioners must meet the following requirements in order to serve:

1. Members must have voted in at least two of the last three statewide elections.
2. Members cannot have switched party affiliation for at least five years.
3. "Neither commissioners nor immediate family may have been, within 10 years of appointment, a candidate for federal or state office or member of a party central committee; an officer, employee, or paid consultant to a federal or state candidate or party; a registered lobbyist or paid legislative staff; or a donor of more than \$2,000 to an elected candidate."

4. Members cannot be "staff, consultants or contractors for state or federal government" while serving as commissioners. The same prohibition applies to the family of commission members.

In order to approve a redistricting plan, nine of the commission's 14 members must vote for it. These nine must include three Democrats, three Republicans and three belonging to neither party. Maps drawn by the commission may be overturned by public referendum. In the event that a map is overturned by the public, the [California Supreme Court](#) must appoint a group to draw a new map. The [California Constitution](#) requires that districts be contiguous. Further, the state constitution mandates that "to the extent possible, [districts] must ... preserve the geographic integrity of cities, counties, neighborhoods and communities of interest." Districts must also "encourage compactness." State Senate and Assembly districts should be nested within each other where possible.

Colorado

In Colorado, the [state legislature](#) draws congressional district lines. These lines are subject to veto by the [governor](#).

Colorado's state legislative boundaries are drawn by a politician commission. The commission comprises 11 members selected as follows:

1. The legislature's four leaders (i.e., the majority and minority leaders of each chamber) select one member each.
2. The [governor](#) appoints three commissioners.
3. The chief justice of the [Colorado Supreme Court](#) selects the remaining four members.

Only four commissioners can be members of the state legislature. No more than six may belong to the same political party. No more than four commissioners may reside in the same congressional district. Each congressional district must be represented on the commission. At least one commissioner must live west of the continental divide.

State legislative district maps are automatically submitted to the Colorado Supreme Court for review. If the court rejects the plan, the commission is given another chance to draft a plan.

The [Colorado Constitution](#) requires that state legislative district boundaries "be contiguous, and that they be as compact as possible based on their total perimeter." In addition, "to the extent possible, districts must also preserve the integrity of counties, cities, towns and—where doing so does not conflict with other goals—communities of interest." There are no similar requirements for congressional districts.

Connecticut

In Connecticut, the [state legislature](#) is primarily responsible for drawing both congressional and state legislative district lines. Maps must be approved by a two-thirds vote in each chamber. If the state legislature is unable to approve new maps, a backup commission is convened to draw congressional and state legislative district boundaries. The commission consists of nine members. The four legislative leaders (i.e., the majority and minority leaders of each chamber of the legislature) appoint two members each. The ninth member is selected by the eight previously selected commissioners.

The [Connecticut Constitution](#) requires that all districts, whether congressional or state legislative, be contiguous. In addition, state House districts must "not divide towns except where necessary to comply with other legal requirements."

Delaware

Because Delaware has only one congressional district, congressional redistricting is not necessary. The state legislature draws state legislative district lines. The [governor](#) may veto the lines drawn by the state legislature.

State law requires that state legislative districts be "insofar as possible, contiguous and bounded by roads, streams and other natural boundaries." Further, state law stipulates that district lines "may

not be drawn to unduly favor any person or political party." Because these requirements are statutory, the legislature may amend them at its discretion.

Florida

In Florida, both congressional and state legislative district lines are drawn by the state legislature. Congressional lines are adopted as regular legislation and are subject to gubernatorial veto. State legislative lines are passed via joint resolution and are not subject to gubernatorial veto. State legislative district maps are automatically submitted to the [Florida Supreme Court](#) for approval. In the event that the court rejects the lines, the legislature is given a second chance to draft a plan. If the legislature cannot approve a state legislative redistricting plan, the state [attorney general](#) must ask the state supreme court to draft a plan. There are no similar procedures in place for congressional districts.

The [Florida Constitution](#) requires that all districts, whether congressional or state legislative, be contiguous. Also, "where doing so does not conflict with minority rights, [districts] must be compact and utilize existing political and geographical boundaries where feasible." Districts cannot be drawn in such a way as to "favor or disfavor a political party or incumbent."

Georgia

In Georgia, both congressional and state legislative district lines are drawn by the state legislature. A simple majority in each chamber is required to approve redistricting plans, which are subject to veto by the [governor](#).

The [Georgia Constitution](#) requires that state legislative districts be contiguous. There are no similar requirements for congressional districts.

In 2011, the House redistricting committee released guidelines recommending the following for both congressional and state legislative districts:

1. prohibition of multi-member districts
2. consideration of county and precinct boundaries
3. compactness
4. consideration of communities of interest

The committee also suggested that "efforts should be made to avoid the unnecessary pairing of incumbents" within single districts. These are not legal requirements; as such, they may be altered at any time.

Hawaii

In Hawaii, a nine-member politician commission draws both congressional and state legislative district lines. The majority and minority leaders of the [Hawaii State Senate](#) and [Hawaii House of Representatives](#) each select one member. These eight members then select a ninth tie-breaking commissioner. If the commission is unable to reach an agreement on a ninth member, the [Hawaii Supreme Court](#) must make the appointment.

Both congressional and state legislative district boundaries must be contiguous and compact. In addition, where possible, district lines "must follow permanent and easily recognized features ... and coincide with census tracts." In addition, "districts must also avoid submerging one area in another with substantially different predominant socioeconomic interests." No district can be drawn "to unduly favor a person or political faction."

State law permits state legislative districts to be multimember, but a maximum of four representatives can be elected from a single district.

Idaho

In Idaho, an independent commission is responsible for drawing both congressional and state legislative district lines. The commission is composed of six members.

1. One member is appointed by the majority leader of the [Idaho State Senate](#).
2. One member is appointed by the minority leader of the [Idaho State Senate](#).
3. One member is appointed by the majority leader of the [Idaho House of Representatives](#).
4. One member is appointed by the minority leader of the [Idaho House of Representatives](#).
5. The chairs of the state's two largest political parties each appoint one member.

According to the [Idaho Constitution](#), no member may be an elected or appointed official while serving on the commission. The state constitution further requires that the commission produce draft congressional and state legislative maps within 90 days of the commission's formation. There is no explicit deadline for final plans.

The state constitution requires that state legislative districts "be contiguous, and that counties be preserved intact where possible." State statutes require that both congressional and state legislative districts meet the following criteria:

- County lines must be maintained "to the extent possible."
- Districts must "preserve traditional neighborhoods, communities of interest, and (if possible) voting precinct boundaries."
- Districts should not be "oddly shaped."
- In districts comprising more than one county or a portion thereof, "those constituent pieces must also be connected by a state or federal highway."

Illinois

The [Illinois General Assembly](#) is responsible for drawing both congressional and state legislative district lines. Both chambers of the state legislature must approve a redistricting plan. The [governor](#) may veto the lines drawn by the state legislature.

In the event that both chambers of the state legislature do not approve a legislative redistricting plan, a backup commission must draw the lines. The majority and minority leaders of each chamber must appoint two members each to the commission (one legislator and one general citizen). Of the eight commission members, no more than four may belong to the same political party. In the event that these eight members cannot approve a plan, the [Illinois Supreme Court](#) must select two individuals (from different political parties) as potential tiebreakers. The [secretary of state](#) must then appoint one of these individuals to the backup commission to break the tie.

The [Illinois Constitution](#) requires that state legislative districts be "contiguous and reasonably compact." There are no such requirements in place for the state's congressional districts.

State law also mandates the establishment of state legislative districts "that allow racial or language minority communities to elect--or influence the election of--the candidates of their choice, even if no comparable district would be required by the federal [Voting Rights Act](#)."

Indiana

The [Indiana State Legislature](#) is responsible for drawing both congressional and state legislative district lines. The legislature must approve a redistricting plan by the close of the first legislative session occurring after completion of the United States Census. The [governor](#) may veto the lines drawn by the state legislature.

In the event that both chambers of the state legislature do not approve a congressional redistricting plan, a backup commission must draw the lines. The commission comprises the following members:

1. Speaker of the [House](#)
2. President Pro Tempore of the [Senate](#)
3. Chair of the [Elections Committee, Indiana State Senate](#)
4. Chair of the [Elections and Apportionment Committee, Indiana House of Representatives](#)
5. A gubernatorial appointment

The [Indiana Constitution](#) mandates that state legislative districts be contiguous. There are no such requirements for congressional district lines.

Iowa

In Iowa, an advisory commission drafts congressional and state legislative district boundaries. The state legislature retains final authority to implement district maps. The Legislative Services Agency prepares redistricting plans for approval by the [Iowa State Legislature](#). The Legislative Services Agency (LSA) consists of "civil servants committed to nonpartisanship and otherwise charged with tasks like legal and fiscal analysis of state legislation and state government oversight." The LSA is assisted by an independent commission, which consists of the following members:

1. one member selected by the majority leader of the [Iowa State Senate](#)
2. one member selected by the majority leader of the [Iowa House of Representatives](#)
3. one member selected by the minority leader of the [Iowa State Senate](#)
4. one member selected by the minority leader of the [Iowa House of Representatives](#)
5. one member selected by the first four members

The members of this commission cannot "hold partisan public office or an office in a political party, and none may be a relative or employee of a federal or state legislator (or the legislature as a whole)."

Working with this independent commission, the LSA drafts congressional and state legislative district lines. The maps are presented as a single bill to the state legislature, which may approve or reject the bill without altering it (the legislature can provide feedback). If the legislature rejects the plan, the LSA must draft a second proposal. If the legislature rejects the second proposal, the LSA must draft a third, and final, set of maps. If the legislature rejects this plan, it may then approve its own maps. Since the implementation of this process in 1980, the state legislature has never chosen not to approve an LSA proposal. Redistricting plans are also subject to gubernatorial veto. In addition, the legislature may repeal or revise the maps at any time, though it has never done so.

State law establishes the follow criteria for both congressional and state legislative districts:

1. Districts must be "convenient and contiguous."
2. Districts must "preserve the integrity of political subdivisions like counties and cities."
3. Districts must "to the extent consistent with other requirements, [be] reasonably compact—defined in terms of regular polygons, comparisons of length and width, and overall boundary perimeter."

In addition, state House districts are required to be contained within state Senate districts "where possible, and where not in conflict with the criteria above." It is explicit in state law that district lines cannot be drawn "to favor a political party, incumbent, or other person or group."

Kansas

In Kansas, the [state legislature](#) draws both congressional and state legislative district lines. Redistricting plans are subject to veto by the [governor](#). State legislative district maps must be submitted for final approval to the [Kansas Supreme Court](#), which must determine whether the maps are constitutional. If the court rules that the maps violate the law, the state legislature may attempt to draw the lines again.

There are no such provisions in place for congressional redistricting.

In 2002, Kansas adopted guidelines for congressional and state legislative redistricting. These guidelines ask that "both congressional and state legislative districts be contiguous, as compact as possible, and recognize and consider communities of common 'social, cultural, racial, ethnic, and economic' interests." In addition, these guidelines stipulate that state legislative districts should "preserve existing political subdivisions and avoid contests between incumbents to the extent possible." Congressional districts should "preserve whole counties and maintain the core of existing districts where possible." The state legislature may amend these guidelines at its discretion.

Kentucky

In Kentucky, both congressional and state legislative district boundaries are drawn by the [state legislature](#). District maps may be vetoed by the [governor](#).

Guidelines adopted in 1991 stipulate that congressional districts ought to be contiguous. In addition, county lines and communities of interest should be maintained if possible. These guidelines are not statutory; consequently, they may be amended by the legislature at its discretion.

The [Kentucky Constitution](#) requires that state legislative districts "be contiguous ... and preserve whole counties where possible."

Louisiana

In Louisiana, both congressional and state legislative districts are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#). In the event that the legislature is unable to approve state legislative district boundaries, the [state supreme court](#) must draw the lines. There is no such practice that applies to congressional districts.

The state legislature has adopted guidelines for redistricting. These guidelines suggest that both congressional and state legislative districts be contiguous and "respect recognized political boundaries and the natural geography of the state to the extent practicable." These guidelines are non-binding; as such, the legislature may alter them at its discretion.

Maine

In Maine, both congressional and state legislative district boundaries are drawn by the state legislature. An advisory commission is also involved in the process. A two-thirds majority is required to approve new district maps, which are subject to veto by the [governor](#).

The composition of the 15-member advisory redistricting commission is as follows:

1. The majority and minority leaders of the [Maine State Senate](#) each select two commissioners.
2. The majority and minority leaders of the [Maine House of Representatives](#) each appoint three commissioners.
3. The chairs of the state's two major political parties (i.e., the [Republican](#) and [Democratic](#) parties) each appoint one member.
4. The aforementioned 12 commissioners appoint two more members from the public, "with each party's representatives coordinating to choose one commissioner."
5. The two public commissioners appoint one additional member.

This commission may make recommendations to the state legislature regarding redistricting, but the legislature is not bound to abide by the commission's recommendations. If the state legislature is unable to pass a redistricting plan, the responsibility falls to the [Maine Supreme Court](#).

State statutes require that congressional districts be compact and contiguous. In addition, state laws require that congressional districts "cross political subdivision lines as few times as possible."

The [Maine Constitution](#) mandates that state legislative districts be "compact and contiguous, and that they cross political subdivision lines as few times as possible."

Maryland

In Maryland, the primary authority to draw both congressional and state legislative district lines rests with the state legislature. The [governor](#) submits a state legislative redistricting proposal (an advisory commission appointed by the governor assists in drafting this proposal). The state legislature may pass its own plan by joint resolution, which is not subject to gubernatorial veto. If the legislature fails to approve its own plan, the governor's plan takes effect.

Congressional lines are drawn solely by the legislature and may be vetoed by the governor.

The [Maryland Constitution](#) requires that state legislative districts be contiguous, compact, and "give 'due regard' for political boundaries and natural features." No such requirements apply to congressional districts.

Massachusetts

In Massachusetts, congressional and state legislative district lines are drawn by the [state legislature](#). The lines drawn by the state legislature are subject to veto by the [governor](#).

State statutes require that state legislative district boundaries be contiguous and "reasonably preserve counties, towns, and cities intact, where otherwise possible." There are no such requirements in place for congressional districts.

Michigan

In Michigan, congressional and state legislative district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

State statutes mandate that both congressional and state legislative districts meet the following requirements:

1. District should "comprise convenient and contiguous territory."
2. Districts should "break as few county, city and township boundaries as reasonably possible."
3. "If there are multiple districts within a city or township, districts [should] be as compact as possible."

The legislature may amend these statutes at its discretion.

Minnesota

In Minnesota, congressional and state legislative district boundaries are drawn by the [Minnesota State Legislature](#). These lines are subject to veto by the [governor](#).

The [Minnesota Constitution](#) requires "that state Senate districts be contiguous, and that Representative districts be nested within Senate districts." State statutes apply contiguity requirements to all congressional and state legislative districts. Furthermore, state statutes stipulate that political subdivisions should not be divided "more than necessary."

Mississippi

In Mississippi, both congressional and state legislative district boundaries are drawn by the [state legislature](#). Congressional district lines are approved as regular legislation and are thus subject to veto by the [governor](#). State legislative district boundaries are approved as a joint resolution; as such, they are not subject to gubernatorial veto.

If the legislature cannot approve a state legislative redistricting plan, a five-member commission must draw the lines. This commission comprises the chief justice of the [Mississippi Supreme Court](#), the [attorney general](#), the [secretary of state](#), and the majority leaders of the [Mississippi State Senate](#) and the [Mississippi House of Representatives](#).

The [Mississippi Constitution](#) requires that state legislative district boundaries be contiguous. State statutes further require that state legislative districts "be compact and cross political boundaries as little as possible."

Missouri

In Missouri, congressional district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

Two distinct politician commissions are responsible for state legislative redistricting, one for the [Missouri State Senate](#) and another for the [Missouri House of Representatives](#). Membership on these commissions is determined as follows:

1. Senate redistricting commission: The state committee of each major political party nominates 10 members to the commission, for a total of 20 nominees. From this pool, the governor selects five members per party, for a total of 10 commissioners.
2. House redistricting commission: The congressional district committee of each major political party nominates two members per congressional district, for a total of 32 nominees. From this pool, the governor appoints one member per party per district, for a total of 16 commissioners.

Active lobbyists are prohibited from serving on these commissions. In each commission, a redistricting plan must win the support of 70 percent of the commissioners in order to be enacted. In the event that a commission is unable to agree on a redistricting plan, the [Missouri Supreme Court](#) appoints a special panel of six appellate court judges to draw the district lines.

State law requires that congressional and state legislative districts "be contiguous, and as compact 'as may be.'" State law also requires that "county lines not be divided in drawing state Senate districts, except where otherwise required by law."

Montana

Montana is home to one at-large congressional district, making congressional redistricting unnecessary. An independent commission draws state legislative district boundaries. This commission comprises five members. The majority and minority leaders of each chamber of the [state legislature](#) select one member a piece. These four members then select a fifth to serve as the commission's chair. If the first four commissioners are unable to agree on an appointment, the [Montana Supreme Court](#) may select the fifth member.

The [Montana Constitution](#) requires that no commissioner be a public official. State statutes require that two of the first four commissioners "must be selected from certain counties (roughly, in the Montana Rockies to the west) and two must be selected from the rest of the state (to the east)."

The state constitution requires that districts be both contiguous and compact.

" The independent commission has stated that it may gauge compactness by looking to a district's general appearance, and the degree to which it fosters "functional compactness" through "travel and transportation, communication, and geography." The commission has similarly determined that it will, in drawing legislative districts, consider the boundary lines of political subdivisions (counties, cities, towns, school districts, Indian reservations, neighborhood commissions, and others); follow geographic boundaries; and consider keeping intact communities of interest (based on "Indian reservations, urban[, suburban, or rural] interests, . . . neighborhoods, trade areas, geographic location, communication and transportation networks, media markets, social, cultural and economic interests, or occupations and lifestyles").

Nebraska

In Nebraska, both congressional and state legislative district boundaries are drawn by the state legislature. A simple majority is required to approve a redistricting plan, which is subject to veto by the [governor](#).

The [Nebraska Constitution](#) requires that state legislative districts "be contiguous and compact, and they keep to county boundaries 'whenever practicable.'"

On April 8, 2011, the state legislature approved the following redistricting guidelines:

1. Congressional districts should be held to the same aforementioned constitutional requirements as state legislative districts.
2. Both congressional and state legislative districts should be "understandable to voters, preserve the cores of prior districts, and keep to boundaries of cities and villages when feasible."

3. District boundaries "should not be established with the intention of favoring a political party, other group or any person."

The legislature is entitled to amend these guidelines at its discretion.

Nevada

In Nevada, both congressional and state legislative district boundaries are drawn by the [state legislature](#). The lines are subject to veto by the [governor](#).

Apart from the aforementioned federally-mandated requirements, there are no additional redistricting criteria in Nevada.

New Hampshire

In New Hampshire, both congressional and state legislative district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

State law requires that state legislative districts "be contiguous, and maintain the boundaries of towns, wards or unincorporated places." There are no such requirements in place for congressional districts.

New Jersey

In New Jersey, congressional and state legislative district boundaries are drawn by two distinct politician commissions. The congressional redistricting commission comprises the following 13 members:

1. The majority and minority leaders of each chamber of the [New Jersey State Legislature](#) appoint two commissioners a piece (for a total of eight members).
2. The chairs of the state's two major political parties each appoint two members to the commission (for a total four members). Commissioners appointed by the political parties cannot be members of Congress or congressional employees.
3. The first 12 commissioners appoint the last member. This member cannot have held public office in the state within the previous five-year period. If the first 12 commissioners cannot agree on an appointment, they must submit two names to the [New Jersey Supreme Court](#). The court must then appoint the final commissioner.

If the congressional redistricting commission fails to reach an agreement about a redistricting plan, it must submit two plans to the state Supreme Court, which must in turn select from those two plans a final map.

The state legislative redistricting commission comprises 10 members. The chairs of the state's two major political parties each appoint five members to the commission. In the event that this commission is unable to reach an agreement about a redistricting plan, the state Supreme Court may appoint a tie-breaking member.

State law requires that state legislative districts meet the following criteria:

1. Districts must be contiguous.
2. Districts "must be as nearly compact as possible."
3. Municipalities "must be kept intact, except where otherwise required by law."

There are no such requirements in place for congressional districts.

New Mexico

In New Mexico, congressional and state legislative district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

State statutes require that state legislative districts be contiguous and compact. Redistricting guidelines adopted in 2011 suggest that congressional and state legislative districts meet the following criteria:

1. All districts should be "reasonably compact."

2. Districts should "not split voting precincts."
3. Districts should "attempt to preserve communities of interest and take into consideration political and geographic boundaries."

These guidelines are nonbinding and may be altered by the legislature at its discretion.

New York

In New York, beginning in 2020, congressional and state legislative redistricting will be the responsibility of a 10-member commission comprising the following members:

1. Two members must be appointed by the temporary president of the [New York State Senate](#).
2. Two members must be appointed by the speaker of the [New York State Assembly](#).
3. Two members must be appointed by the minority leader of the [New York State Senate](#).
4. Two members must be appointed by the minority leader of the [New York State Assembly](#).
5. Two members must be appointed by the aforementioned eight commissioners. These two appointees cannot have been enrolled in the top two major political parties in the state.

The legislature must approve the commission's plans by a simple up/down vote. The legislature must reject two separate sets of redistricting plans before it will be able to amend the commission's proposals. All districts will be required "to preserve minority rights, be equally populated, and consist of compact and contiguous territory." Further, state law will require that districts "not be drawn to discourage competition or to favor/disfavor candidates or parties."

North Carolina

In North Carolina, the state legislature is responsible for drawing both congressional and state legislative district lines. District maps cannot be vetoed by the [governor](#). State legislative redistricting must take place in the first regular legislative session following the United States Census. There are no explicit deadlines in place for congressional redistricting.

State law establishes the following requirements for state legislative districts:

- Districts must be contiguous and compact.
- Districts "must cross county lines as little as possible." If counties are grouped together, the group should include as few counties as possible.
- Communities of interest should be taken into account.

There are no similar restrictions in place regarding congressional districts.

North Dakota

Because North Dakota has only one congressional district, congressional redistricting is not necessary. The [state legislature](#) draws state legislative district boundaries. State legislative district lines are subject to veto by the [governor](#).

The [North Dakota Constitution](#) requires that state legislative districts be "compact and contiguous."

Ohio

In Ohio, congressional district boundaries are set by the [Ohio State Legislature](#). These lines are subject to veto by the [governor](#).

On November 3, 2015, voters in Ohio approved a [constitutional amendment](#) to create a bipartisan state legislative redistricting commission. The commission comprises seven members: the [governor](#), [state auditor](#), [secretary of state](#), one person appointed by the speaker of the [Ohio House of Representatives](#), one person appointed by the House leader of the largest political party of which the speaker is not a member, one person appointed by the President of the [Ohio State Senate](#), and one

person appointed by the Senate leader of the largest political party of which the president is not a member.

Under the amendment, maps drawn by the commission will be valid for 10 years if at least two commissioners from each major political party vote for them. Should the maps be passed along strictly partisan lines, the maps would only be valid for four years.

A six-member advisory commission is also involved in the congressional and state legislative redistricting processes. The majority leaders of the [Ohio House of Representatives](#) and the [Ohio State Senate](#) each appoint three members, "at least one of whom must be from a different party, and at least one of whom must not be a legislator."

All legislative districts are required to be compact and made of "contiguous territory, and the boundary of each district to be a single nonintersecting continuous line." The amendment forbids district plans from favoring or disfavoring either political party.

Oklahoma

In Oklahoma, both congressional and state legislative district boundaries are drawn by the [Oklahoma State Legislature](#). These lines may be vetoed by the [governor](#).

If the legislature is unable to approve a state legislative redistricting plan, a backup commission must draw the lines. The commission comprises the following seven members:

1. The [governor](#) appoints one Republican and one Democrat.
2. The majority leader of the [Oklahoma State Senate](#) appoints one Republican and one Democrat.
3. The majority leader of the [Oklahoma House of Representatives](#) appoints one Republican and one Democrat.
4. The [lieutenant governor](#) serves as the non-voting chair of the commission.

The [Oklahoma Constitution](#) requires that state Senate district boundaries take into account "population, compactness, area, political units, historical precedents, economic and political interests, contiguous territory, and other major factors."

The redistricting committee of the state House adopted redistricting guidelines similar to the senatorial district requirements described above. These guidelines apply to state House and congressional districts, as well. These guidelines may be amended by the state legislature at its discretion.

Oregon

In Oregon, congressional and state legislative district lines are drawn by the [state legislature](#). District lines are subject to veto by the [governor](#).

If the legislature fails to establish a redistricting plan for state legislative districts, it falls to the [secretary of state](#) to draw the boundaries.

State law requires that congressional and state legislative districts meet the following criteria:

- Districts must be contiguous.
- Districts must "utilize existing geographic or political boundaries."
- Districts should not "divide communities of common interest."
- Districts should "be connected by transportation links."
- Districts "must not be drawn for the purpose of favoring a political party, incumbent or other person."

Pennsylvania

In Pennsylvania, congressional district boundaries are drawn by the [Pennsylvania General Assembly](#). These lines are subject to gubernatorial veto.

State legislative district lines are drawn by a politician commission. Established in 1968, the commission comprises five members:

1. The majority leader of the [Pennsylvania State Senate](#) appoints one member.
2. The minority leader of the [Pennsylvania State Senate](#) appoints one member.
3. The majority leader of the [Pennsylvania House of Representatives](#) appoints one member.
4. The minority leader of the [Pennsylvania House of Representatives](#) appoints one member.
5. The first four commissioners appoint a fifth member to serve as the commission's chair. If the commission is unable to reach an agreement, the [Pennsylvania Supreme Court](#) must appoint a commission chair.

The [Pennsylvania Constitution](#) requires that state legislative districts be contiguous and compact. Further, state legislative districts should "respect county, city, incorporated town, borough, township and ward boundaries." There are no such requirements in place for congressional districts.

Rhode Island

In Rhode Island, both congressional and state legislative district boundaries are drawn by the [Rhode Island General Assembly](#). These lines are subject to veto by the [governor](#).

An 18-member advisory commission established in 2011 can recommend congressional and state legislative redistricting plans to the state legislature. The legislature may "adopt, modify or ignore the commission's proposals." The composition of the commission is as follows:

1. The majority leader of the [Rhode Island State Senate](#) chooses four commissioners who are state legislators and three who are not, for a total of seven commissioners.
2. The majority leader of the [Rhode Island House of Representatives](#) chooses four commissioners who are state legislators and three who are not, for a total of seven commissioners.
3. The minority leader of the [Rhode Island State Senate](#) chooses two commissioners who are state legislators.
4. The minority leader of the [Rhode Island House of Representatives](#) chooses two commissioners who are state legislators.

The [Rhode Island Constitution](#) requires that state legislative districts be compact.

State statutes require that congressional and state legislative districts meet the following criteria:

1. Districts should be contiguous.
2. Districts should "reflect natural, historical, geographical and municipal and other political lines, 'as well as the right of all Rhode Islanders to fair representation and equal access to the political process.'"
3. "The lines of state House, state Senate and congressional districts [should] coincide—or at least, if they do not overlap completely, they should avoid creating voting precincts with distinct ballot options where the precinct has fewer than 100 people."

South Carolina

In South Carolina, congressional and state legislative district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

South Carolina's legislative redistricting committees adopted redistricting guidelines in 2011. These guidelines recommend that all congressional and state legislative districts be contiguous and "attempt to preserve communities of interest and cores of incumbents' existing districts." Further, the guidelines suggest that districts should "adhere to county, municipal and voting precinct boundary lines." These guidelines may be modified by the legislature at its discretion.

South Dakota

South Dakota is home to a single at-large congressional district; as such, congressional redistricting is not necessary. State legislative districts are drawn by the [state legislature](#). A simple majority vote in each chamber is required to pass a redistricting plan, which is subject to veto by the [governor](#).

The [South Dakota Constitution](#) mandates that state legislative districts be contiguous and compact. State statutes "ask that districts protect communities of interest and respect geographical and political boundaries." Because these latter requirements are statutory, they can be modified by the state legislature at its discretion.

Tennessee

In Tennessee, both congressional and state legislative district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

The [Tennessee Constitution](#) requires that state Senate districts "preserve counties whole where possible." State statutes mandate that no more than 30 counties may be split across districts. Furthermore, state law requires that state legislative districts be contiguous. There are no such requirements in place for congressional districts.

Texas

In Texas, both congressional and state legislative district boundaries are drawn by the [Texas State Legislature](#). These lines are subject to veto by the [governor](#).

If the state legislature is unable to approve a state legislative redistricting plan, a backup commission must draw the lines. This backup commission, established in 1948, comprises the following members:

1. [Lieutenant governor](#)
2. Speaker of the [Texas House of Representatives](#)
3. [Attorney general](#)
4. [State comptroller](#)
5. [Commissioner of the General Land Office](#)

The [Texas Constitution](#) requires that state legislative districts be contiguous and "that they preserve whole counties when population mandates permit."

Utah

In Utah, both congressional and state legislative district boundaries are drawn by the [state legislature](#). These lines are subject to veto by the [governor](#).

In 2011, the state legislature adopted guidelines for both congressional and state legislative redistricting. These guidelines recommended that all districts be "contiguous and 'reasonably compact.'" These guidelines may be amended by the legislature at its discretion.

Vermont

Because Vermont has only one congressional district, congressional redistricting is not necessary. The state legislature draws state legislative district lines with the assistance of an advisory commission. This advisory commission consists of the following members:

1. The [governor](#) appoints one member each from the state's political parties. To qualify for consideration in this context, a political party must have had "at least three state legislators for six of the previous 10 years." Currently, three political parties qualify for appointments to the commission: Democrats, Republicans and Progressives.
2. The chairs of the aforementioned political parties each appoint an additional member.
3. The chief justice of the [Vermont Supreme Court](#) appoints the commission's chair.

Commissioners cannot be legislators, nor can they be employed by the legislature. The commission may make recommendations to the legislature, but these recommendations are non-binding.

State law requires that state legislative districts be contiguous and compact and that they "adhere to county and other political subdivision boundaries, except where necessary to comply with other legal requirements." In addition, state statutes specify that districts should account for "patterns of geography, social interaction, trade, political ties and common interests."

Virginia

In Virginia, congressional and state legislative district boundaries are set by the [Virginia General Assembly](#). These lines are subject to veto by the [governor](#).

In 2011, by executive order, Governor [Bob McDonnell](#) (R) established an advisory commission "to solicit public input and recommend congressional and state legislative districts to the legislature." The legislature was not bound by the commission's recommendations and could adopt, amend or discard those recommendations. The commission comprised 11 members. The governor appointed five members from each of the state's major political parties. These commissioners were not permitted to have held elected office within the preceding five-year period, nor could they be employees of Congress or the state legislature. The governor also appointed a commission chair "who [had] not held public or party office and [was] not 'identifiable with' any party." The [Virginia Constitution](#) requires that congressional and state legislative districts be compact and contiguous.

The legislative redistricting committees adopted additional redistricting guidelines in 2011, but these are nonbinding.

Washington

In Washington, congressional and state legislative district boundaries are drawn by a five-member independent commission. The commission was established by [constitutional amendment](#) in 1983. The majority and minority leaders of the [Washington State Senate](#) and [Washington House of Representatives](#) each appoint one registered voter to the commission. These four commissioners appoint a fifth, non-voting member to serve as the commission's chair. In the event that the four voting commissioners cannot agree on a chair, the [Washington Supreme Court](#) must appoint one.

The [Washington Constitution](#) stipulates that no commission member may have been an elected official or party officer in the two-year period prior to his or her appointment. Individuals who have registered with the state as lobbyists within the past year are also prohibited from serving on the commission. See Appendix XXXXX for the complete constitution segment on redistricting.

The [Washington State Legislature](#) may amend the commission's maps by a two-thirds vote in each legislative chamber.

The state constitution requires that congressional and state legislative districts "should be contiguous, compact, and convenient, and follow natural, geographic, artificial, or political subdivision boundaries." The constitution states that the redistricting commission "must not purposely draw plans to favor or discriminate against any political party or group."

State statutes require that congressional and state legislative districts "preserve areas recognized as communities of interest." State statutes also require the commission to draw districts that "provide fair and effective representation" and "encourage electoral competition."

West Virginia

In West Virginia, congressional and state legislative district boundaries are set by the [West Virginia State Legislature](#). These lines are subject to veto by the [governor](#).

The [West Virginia Constitution](#) requires that state Senate districts be "compact, contiguous, and bounded by county lines where doing so is not otherwise unlawful." There are no such requirements in place for congressional or state House districts.

Wisconsin

In Wisconsin, both congressional and state legislative district boundaries are drawn by the [Wisconsin State Legislature](#). These lines are subject to veto by the [governor](#).

The [Wisconsin Constitution](#) requires that state legislative districts be compact and "that they be bounded by county, precinct, town, or ward lines where possible." The state constitution further stipulates that state legislative districts should be contiguous.

Wyoming

Wyoming is home to one at-large congressional district, making congressional redistricting unnecessary. State legislative district lines are drawn by the state legislature. State legislative district plans are subject to veto by the [governor](#).

In 2011, a joint legislative committee adopted the following guidelines for state legislative redistricting:

1. Districts should be contiguous and compact.
2. Districts should "reflect a community of interest."
3. Districts should "consider significant geographic features."
4. "A majority of the population of each county" should reside within a single district.
5. "Consideration should be given to nesting two House districts in each state Senate district."

*Seven states have only one congressional district each; as such, congressional redistricting is not necessary in these states.

Appendix O – References

Baker, G.E. (1960). [The Politics of Reapportionment in Washington State. Case Studies in Practical Politics](#). Holt, Rinehart & Winston. Library of Congress Catalog Card Number 60-14639 (found in UW special collections)

Bishop, B. (2008). [The Big Sort, Why the Clustering of Like-Minded America Is Tearing Us Apart](#).

Ceballos, K. (2015). [Voter-Initiated Independent Redistricting Commissions Found Constitutional](#). www.lwv.org

Chen, J. and Cottrell, D. (2016). Evaluating partisan gains from Congressional gerrymandering. Elsevier, Electoral Studies, Vol 44.

Daley, D. (2016). [Rat F**ked, The True Story Behind the Secret Plan to Steal America's democracy](#). Liveright Publishing.

Drahan, Stephanie (2014) [Leagues and Redistricting Reform: Creating Representative Districts](#). www.lwv.org

Klass, B. (2017) [Gerrymandering is the biggest obstacle to genuine democracy in the United States](#). Washington Post, 2-10-17. <https://www.washingtonpost.com/news/democracy-post/wp/2017/02/10/>

Li, M. (2015). [Another Win for Florida Redistricting Reforms](#). Brennan Center for Justice <https://www.brennancenter.org/blog/another-win-florida-redistricting-reforms>. Read 5-9-17

Norris, P., Garnett, H.A. and Gromping, M. (2016). [Why it's not about election fraud, it's much worse](#). <https://www.electoralintegrityproject.com/eip-blogs/2016/12/22/was-there-fraud-in-us-elections>

Pillsbury, G. and Johannesen, J. [America Goes to the Polls 2016, a report on voter turnout in the 2016 election](#). Prepared for Nonprofit Vote www.nonprofitvote.org, and US Elections Project. www.electproject.org

Putnam, R. D. (2000). [Bowling Alone: The Collapse and Revival of American Community](#). Simon & Schuster Paperbacks.

Royden, L. and Li, M. (2017). [Extreme Maps](#). Brennan Center for Justice. www.brennancenter.org/publication/extreme-maps

Sonenshein, Raphael J., When the People Draw the Lines, An Examination of the California Citizens Redistricting Commission. Published by the League of Women Voters of California with funding from The James Irvine Foundation. <https://cavotes.org/redistrictingreport>

Stephanopoulos, N.O., and McGhee, E. M. 2015). Partisan Gerrymandering and the Efficiency Gap <http://www.law.uchicago.edu/faculty/research/nicholas-stephanopoulos-partisan-gerrymandering-and-efficiency-gap>.

The United States Election Project: Voter Turnout, State Turnout Rates, 1787-2016. [electproject.org](http://www.electproject.org)
<http://www.electproject.org/home/voter-turnout/voter-turnout-data>

Washington Secretary of State Election Results. <https://www.sos.wa.gov/elections/research/>

Washington State Redistricting Commission. <http://www.redistricting.wa.gov/history.asp>

References for information in sidebar insets:

The insets do not allow endnotes, so here are the sources, by report page number:

Page 4: All About Redistricting, Why does it matter? Professor Justin Levitt's guide to drawing the electoral lines. "Destroying Political Goodwill". <http://redistricting.lls.edu/why.php>

Page 6: All About Redistricting, Why does it matter? Professor Justin Levitt's guide to drawing the electoral lines. "Cherry-picking voters". <http://redistricting.lls.edu/why.php>

Page 6: Gerrymandering and partisan composition of Congress (cont.). Election Law Blog, February 14, 2017. Justin Levitt. <https://electionlawblog.org/?p=91110>

Page 10: Appendix F – Historical Timeline

Page 13: John Milem suit: #86976-6 Supreme Court of the State of Washington

Page 14: WA Poll, UW posted 10-27-16. <https://kcts9.org/programs/vote-2016/new-poll-finds-washington-state-often-divided-region-and-political-parties-many>

Page 20: Sonenshein, Raphael J., "When the People Draw the Lines, An Examination of the California Citizens Redistricting Commission". Published by the League of Women Voters of California with funding from The James Irvine Foundation. <https://cavotes.org/redistrictingreport>