

REDISTRICTING REFORM COMPARISON –FEBRUARY 25, 2010

NOTE: *Except as indicated in italics below, the description for the Republican’s proposal is identical to the comparison chart handed out by the Republicans on 2/18/2010.*

	<u>CURRENT LANGUAGE</u>	<u>REPUBLICAN PROPOSAL</u>	<u>SENATE DEMOCRATS PROPOSAL</u>
CRITERIA:	1. Compact. 2. Contiguous. 3. Substantially equal population. 4. Nested.	1. Compliance with Federal Laws, including providing substantive protection for voting rights. 2. Contiguity. 3. Substantially equal population. 4. Compact. 5. Follow geographic features and municipal boundaries. 6. Nondiscrimination against any political party or group. 7. Allows de-nesting.	House and Senate Districts must (in order of priority): 1. Comply with all applicable Federal laws 2. Substantially equal in population 3. Contiguous 4. Respect to the extent practical communities of interest 5. Respect to the extent practical municipal boundaries 6. Compact 7. Allows de-nesting. Other redistricting principles that are recognized by law or court order may also be considered.
WHO DRAWS:	Legislature	TRAC (Temporary Redistricting Advisory Commission) 9 members. 2 chosen by each legislative leader. Ninth member, who is the chair, chosen by the other members. No member can be a lobbyist, immediate family member, public or political official, contractor or employee of the State of Illinois.	The House can adopt a map for the House by a 3/5 supermajority vote. The Senate can adopt a map for the Senate by a 3/5 supermajority vote. Alternatively, the House and Senate can pass a redistricting plan via a bill signed into law by the Governor. If either or both chambers fail to adopt a map (or pass a map by law) by June 30, then a bipartisan Commission (see Commission) of each chamber can adopt a map by a simple majority vote. If the Commission fails to adopt a map then the Special Master takes over (see Fail-Safe)
WHO APPROVES:	Legislature by a majority vote, subject to approval by the Governor.	Legislative body that map affects (by a two-thirds vote).	Legislative body that map affects (by a 3/5 vote). Alternatively, the House and Senate can pass a redistricting plan via a bill signed into law by the Governor.

	<u>CURRENT LANGUAGE</u>	<u>REPUBLICAN PROPOSAL</u>	<u>SENATE DEMOCRATS PROPOSAL</u>
COMMISSIONS	<p>Legislative Redistricting Commission consisting of 8 members, 2 chosen by each legislative leader (one of each leader's choices must be a sitting legislator). The tiebreaker member is randomly selected.</p> <p>Appointed by July 10 if the GA fails to enact a map plan.</p>	<p>TRAC comprised of 9 members, 2 chosen by each legislative leader, the 9th member (also serves as chair) chosen by the other 8 members. No member can be a lobbyist, immediate family member, public or political official, contractor or employee of the State of Illinois.</p> <p><i>Appointed by second Tuesday in February, must chose 9th member by second Tuesday in March.</i></p>	<p>Senate Redistricting Commission: 14 members - 7 appointed by the Senate President and 7 appointed by the Senate Minority Leader - Of the 7 appointed by each leader - 3 are Senators and 4 do not hold a political party office or employed by a political party, are not family members of a member of the GA or Congress, and are not lobbyists. Members should reflect racial, ethnic, geographic, and cultural diversity of IL.</p> <p>House Redistricting Commission: 14 members - 7 appointed by the Speaker and 7 appointed by the Minority Leader - Of the 7 appointed by each leader - 3 are Representatives and 4 do not hold political party office or employed by a political party, are not family members of a member of the GA or Congress, and are not lobbyists. Members should reflect racial, ethnic, geographic, and cultural diversity of IL.</p> <p>Appointed by February 1.</p>
TRANSPARENCY:	Silent.	Requires notice for meetings, data and documents to be made available to the public and at least 8 public hearings in at least 5 different geographic areas.	<p>Requires the legislature to release census and other data, including election data, to the public who can use that data to propose redistricting plans.</p> <p>Requires the State Board of Elections to provide a means for public input about maps.</p> <p>Requires the House and Senate Redistricting Commissions to each conduct 10 public hearings (2 in each of 5 distinct areas of the State); file a report with their respective chamber by April 1. All hearings subject to a 6-day public notice requirement.</p> <p>GA committees must have at least 5 hearings in 5 distinct areas of the State prior to advancing a map plan out of committee with a 6-day notice requirement. If a GA committee advances a plan out of committee, then that committee must have at least 5 hearings in 5 distinct areas of the State with a 2-day notice requirement before the legislative chamber can take final action on such a plan.</p> <p>If a Commission draws and adopts a map, then the Commission must have at least 5 hearings in 5 distinct areas of the State before filing that map with the Secretary of State and State Board of Elections. Modifications to the map trigger additional hearings. Hearings subject to a 2-day public notice requirement.</p>

	<u>CURRENT LANGUAGE</u>	<u>Republican Proposal</u>	<u>SENATE DEMOCRATS PROPOSAL</u>
FAIL-SAFE PROVISION:	Legislative Redistricting Commission consisting of 8 members. 2 chosen by each leader and one of each leader's choices must be a sitting legislator. Tie breaker decided by picking a name out of a hat.	Special Master chosen by two Supreme Court Justices (most Senior in each party). Special Master cannot be a lobbyist, immediate family member, public or private official, contractor or employee of the State of Illinois.	Same as Special Master selection process as the Paul Simon Institute proposal (95th G.A. HJRCA 44 (Brosnahan)) whereby the Chief Justice of the Supreme Court and a justice of the opposite political party of the Chief Justice jointly select the Special Master. Special Master may not be a political party official or be employed by a political party, a member of the General Assembly or Congress, a family member of a member of the GA or Congress, or a lobbyist. Special Master must conduct at least 5 public hearings statewide in 5 distinct areas of the State subject to a 2 day notice requirement.
MINORITY PROTECTION:	Silent.	Specifically sets forth Federal law and echoes the current language of the Voting Rights Amendment as first priority requirements. Hence, if the VRA is ever endangered, minority protection would remain.	Specifically sets forth that applicable Federal laws have priority over all criteria. Requires, however, respect for communities of interest which includes minority voters and thus ensures protection for minority cross-over districts as noted below. <i>NOTE:</i> The federal Voting Rights Act (VRA) was reauthorized until 2031 in 2006 and the likelihood of repeal by Congress is remote. The real threat to the VRA is an adverse US Supreme Court decision striking down the VRA. If this were to occur, then the Republican proposal's minority voter language (modeled after the VRA) would be rendered unconstitutional. As a separate matter, Illinois courts would interpret the Republican proposal's minority voter language according to federal court decisions interpreting the VRA. Since the VRA no longer protects minority cross-over districts per <i>Bartlett v. Strickland</i> , 129 S.Ct. 1231, 1248 (2009), the Republican proposal would not allow mapmakers to draw these types of districts, which exist under our current legislative map. In sum, the Republican proposal makes the VRA a <i>ceiling</i> for minority voting rights protection, rather than <i>floor</i> like the Senate Democratic proposal.
TIMELINE:	Process must finish by October 5.	Process must finish by September 30.	Process must finish by October 5.