

Reasonable Redistricting Reform

*Key Takeaways
from an LWVNC White Paper Study
of 50 redistricting reform bills
introduced in 2017*

5

principles for designing a “reasonable redistricting reform” commission:

1. Include a **role for the legislature** in the process, such as naming some of the commissioners
2. Include **citizens and/or impartial experts** as commission members
3. Set **strict rules for the commission’s work** that:
 - ✓ apply traditional redistricting standards (compact, contiguous, keep local government units and communities of interest whole)
 - ✓ do not allow the use of partisan data or partisan objectives
 - ✓ use voting rules that require bipartisan support for the maps
4. Provide for **extensive citizen participation and transparency**
5. Make the **maps final on the commission’s vote**

North Carolina is one of 26 states where any redistricting reform must go through the legislature. To learn from other states with the same system, the LWVNC studied 50 redistricting reform bills filed in 15 state legislatures and the US Congress in 2017, analyzing how these bills handled 12 factors that define a redistricting commission reform (shown below). We did not try to define our own “best model”: we listened to the legislators.

12 decisions structure any redistricting system

Who picks members/chair?	Partisan/other makeup?
Commission size?	Role for judges?
Use of political data?	Political criteria?
Incumbent protection?	Commission voting rule?
Legislative action required?	Legislative voting rule?
Failsafe procedures?	Constitutional amendment?

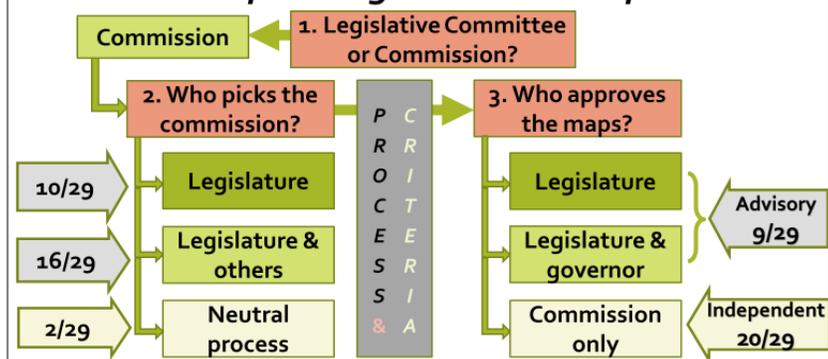
The **main findings** include:

1) **Legislative leaders** (the speaker, president pro tem, and minority leaders) play a major role in both current and proposed plans, especially in picking the commission.

2) Most **commission plans include both political appointees and independent voters and/or experts** among the members.

3) Plans that **give the legislature a role in picking commission members are more likely to make the maps final on the commission’s vote alone**, without a vote in the legislature.

29 commissions in 18 states: Most keep the legislature in the process



**California’s two commissions use the citizen-pool method; Missouri commission, not shown above, consists of the governor, attorney general and Secretary of State.*

Together, these features underpin “**reasonable redistricting reform,**” an approach to **prevent extreme partisan maps but still keep a real role for the legislature.**

Combined with an **open, participatory process** to draw the maps, this approach offers the best chance to achieve reform by 2021, when the next redistricting cycle begins. Five principles for reasonable redistricting are shown at the top of this page.

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Where did the study bills come out?			
Who picks?	lege+others: 58% lege only: 18% others only: 24%	Party makeup?	D+R+Expert: 48% D+R+Indep: 42% D+R only: just 10%
How many?	6-10 : 50% 5 or fewer: 25% 11-15: 25%	Role for judges?	Yes: 80% No: 20% Retired judge members: 16%
3 out of 4 include members selected by the legislature's four leaders		9 out of 10 include independent members or experts, as well as Dem & GOP members	

WHO

Where did the study bills come out?			
HOW			
Political data	Excluded: 54%	Political criteria	Excluded: 50-50
Incumbent protection	Excluded: 69%	Commission majority rule	MORE than simple: 60%
Legislative action	NOT required: 54%	Legislative majority rule	Simple: 91%

Commission designs define **WHO** draws the maps and **HOW** they do it. Most plans provide for the legislature to name most of the members, with the rest often selected by a **two-stage “pool” process**, in which applicants (citizens, retired judges, or experts) are screened to form a pool, then members are picked from the pool, sometimes at random but more often by legislative leaders, the parties, or other officials, such as judges.

Commission size matters! A midsize commission is probably best: big enough to be diverse and to make it hard for a holdout to block decisions, but small enough to be manageable and to monitor all commissioners to ensure they're following the rules.

Many plans assign roles to judges: retired judges serve as members, higher court judges name members or screen pools, special court procedures speed up dispute resolution, especially for map approval, and judges manage “failsafe” processes if commissions fail to act.

2/3 of bills prohibited **incumbent protection** but fewer ruled out using political data or partisan objectives. Most bills called for **more than a simple majority vote to force consensus**.

In 60% of the bills where legislative leaders pick some or all of the commission members, the **commission’s maps become final without a legislative vote**.

Reasonable redistricting reforms have been adopted in several states since 2010 and are attracting the most interest now in legislatures across the country.

North Carolina can develop its own “reasonable redistricting” design for 2021!

Four corners usually involved one way or another

Some role in the bill – 82%	The Four Corners Speaker of the House / Senate Pres. Pro Tempore House Minority Leader / Senate Minority Leader
Pick <u>some</u> members – 33%	
Pick <u>all</u> members – 14%	

OTHER ROLES:
 Role in selecting citizens or experts from a pool – 38%

- Strike from pool
- Name team who pick from pool
- Pick expert members

Mix'n'Match!

Voting rules—Forcing compromise

Partisan Composition	Examples with 11-Member Commission												Vote:
	X	X	X	X	I	I	I	Y	Y	Y	Y		
Simple Majority	X	X	X	X	I	I	I	Y	Y	Y	Y	6-5	
Bipartisan Simple Majority	X	X	X	X	I	I	I	Y	Y	Y	Y	6-5	
Supermajority	X	X	X	X	I	I	I	Y	Y	Y	Y	7-4	
Bipartisan Supermajority	X	X	X	X	I	I	I	Y	Y	Y	Y	7-4	
Concurrent Majority	X	X	X	X	I	I	I	Y	Y	Y	Y	8-3	