

February 5, 2007

**H 76. INDEPENDENT REDISTRICTING COMMISSION.** Filed 2/5/07. *TO AMEND THE CONSTITUTION TO ESTABLISH AN INDEPENDENT REDISTRICTING COMMISSION.* Subject to approval by the voters of the state in the November 2008 general election, proposes the following changes to the NC Constitution (Constitution). Rewrites Section 3 of Article II concerning senate districts and the apportionment of senators to those districts and Section 5 of Article II of the Constitution concerning representative districts and the apportionment of representatives. Current law requires the General Assembly to revise the senate and representative districts and the apportionment of Senators and Representatives among the districts at the first regular convening after the ten year population census taken by order of Congress. The amendments revise the Constitution to require the convening of the Independent Redistricting Commission (IRC) to revise the legislative districts and the apportionment of senators and representatives as soon as practical after the federal decennial census. Delineates specific goals applicable to both senate and representative districts and apportionment, (1) requiring compactness, to avoid elongated and irregularly shaped districts; (2) ensuring one person, one vote; and (3) minimizing the number of split counties, municipalities, and other communities of interest. Prohibits splitting of precincts in preparing a plan for legislative districts and requires that all districts be contiguous.

Enacts Section 25 of Article II of the Constitution to provide specific guidelines for the establishment and the membership of the IRC, including terms of office, filling vacancies, electing a chair and eligibility for appointment. Authorizes the IRC to adopt, with the force and effect of acts of the General Assembly, (1) plans for revising the legislative districts and (2) a district plan for election of members of the House of Representatives of Congress. Restricts the General Assembly from adopting these district plans. Requires the IRC to adopt the district plans by October 1 of the year following the federal decennial census. Directs the IRC in procedures and guidelines for preparing and adopting its plans and requires that there be a minimum 45-day period for public comment on a plan before it is adopted. Directs that if the IRC plan is held to be invalid, the IRC must adopt a new district plan. Requires the IRC to take into consideration all relevant requirements of the US Constitution, acts of Congress, and the NC Constitution as enunciated by the NC Supreme Court. Provides conditions under which the General Assembly may assign local government redistricting tasks to the IRC.

**Intro. by Blust.**

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