

## INFORMATIONAL BRIEF

### Enumerated Duties in Independent Redistricting Commissions Outside of California

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#### Core Question

The purpose of this brief is to address whether there any commissions outside of CA that have enumerated duties for commissioners and what those duties may be.

#### Summary of Topline Findings

There are redistricting commissions outside of CA at the city & state/congressional levels. Enumerated duties address when/how commissions can have meetings, their ability to organize the resources they may need, drawing district boundaries, involving the community in all stages of map development, maintaining a website, and issuing a report explaining their decisions.

#### Background & Information

##### Cities with IRCs include:

- a. Portland, OR
- b. St. Louis, MO
- c. Many cities also use the term “independent” but have political appointments and therefore do not satisfy the Fair Maps definition of ‘independent.’

##### States with IRCs for Congressional & State Legislative Districts include:

- d. AZ
- e. Colorado
- f. Idaho
- g. Iowa
- h. Michigan
- i. Montana
- j. Washington
- k. Most of these also have political appointments

#### Enumerated Duties

Bringing together the enumerated duties found in the respective charters for the IRCs above, most IRCs include most if not all the following:

- I. Conduct all business at open meetings, complying with city/state requirements for open meetings
  - i. Commission members and commission staff may not communicate with anyone outside of a public hearing about redistricting matters. This paragraph does not prohibit communication between commission

- members, commission staff (which shall exclude staff of any council members), legal counsel, and consultants retained by the commission that is otherwise permitted by state and city open meeting requirements.
- b.** Commission shall select chair and vice chairs; and hire staff, legal counsel, and consultants as needed
    - i.** establish clear criteria for the hiring and removal of these individuals, communication protocols, and a code of conduct
    - ii.** The commission shall require that at least one of the legal counsel hired by the commission has demonstrated extensive experience and expertise in implementation and enforcement of the federal Voting Rights Act
  - c.** Establish districts of equal population, meeting redistricting criteria in order of priority:
    - i.** With adjustments to be made as necessary to accommodate for goals set by US Constitution, VRA, be geographically compact and contiguous to the extent practicable, respect COIs to extent practicable, and to prioritize competitive districts where it does not detract from the other goals
  - d.** Commission shall advertise draft map, meetings, hearings to the public for comment in advance, through an extensive outreach program
    - i.** Determine # of minimum public hearings before and after preliminary map votes in specified separate locations
  - e.** Submit report of comments & maintain record of proceedings
    - i.** Each plan to be voted on shall have census data to accurately describe the plan and verify population of each district
  - f.** Commission shall establish final district boundaries
    - i.** Final decision of commission requires concurrence of majority of commissioners; all decisions to be recorded and made public
  - g.** Maps are effective once commission files/certifies maps to city elections officer
  - h.** Shall issue a report explaining the basis on which the commission made its decisions and how it complies with requirements
  - i.** Each commissioner's duties expire upon appointment of 1<sup>st</sup> member of next commission
  - j.** Legislature appropriates funds for commission for all its functions at an amount equal to not less than 25% of general fund/budget for the SOS, unexpended moneys at conclusion of duties returns to state treasury
    - i.** Each commissioner to receive compensation at least equal to 25% of governor's salary