

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 SENATE JOINT
4 RESOLUTION 12

By: Corn

5
6 AS INTRODUCED

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8 A Joint Resolution directing the Secretary of State
9 to refer to the people for their approval or
10 rejection proposed amendments to Sections 9A, 10A,
11 11A, 11B, 11C, 11D and 11E of Article V of the
12 Constitution of the State of Oklahoma; modifying
13 criteria for redistricting State Senate and House of
14 Representatives; requiring certain criteria be given
15 primacy; establishing specific number of members of
16 the House; removing authority of Legislature to
17 undertake certain redistricting; clarifying language;
18 providing ballot title; and directing filing.

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24 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
1ST SESSION OF THE 51ST OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for
their approval or rejection, as and in the manner provided by law,
the following proposed amendments to Sections 9A, 10A, 11A, 11B,
11C, 11D and 11E of Article V of the Constitution of the State of
Oklahoma to read as follows:

Section 9A. The state shall be apportioned into forty-eight
senatorial districts ~~in the following manner: the nineteen most~~

1 ~~populous counties, as determined by the most recent Federal~~
2 ~~Decennial Census, shall constitute nineteen senatorial districts~~
3 ~~with one senator to be nominated and elected from each district; the~~
4 ~~fifty eight less populous counties shall be joined into twenty nine~~
5 ~~two county districts with one senator to be nominated and elected~~
6 ~~from each of the two county districts of substantial equality of~~
7 ~~population. In ~~apportioning~~ redistricting the State Senate,~~
8 ~~consideration shall be given to population, compactness, area,~~
9 ~~political units, historical precedents, economic and political~~
10 ~~interests, and contiguous territory, ~~and other major factors,~~ to the~~
11 ~~extent feasible provided that population is given primacy.~~

12 ~~Each senatorial district, whether single county or multi county,~~
13 ~~shall be entitled to one senator, who senator nominated and elected~~
14 ~~shall hold office for four years; provided that any senator, serving~~
15 ~~at the time of the adoption of this amendment, shall serve the full~~
16 ~~time for which he such senator was elected. Vitalization of~~
17 ~~senatorial districts shall provide for one-half of the senators to~~
18 ~~be elected at each general election.~~

19 ~~Section 10A. The House of Representatives shall ~~consist of the~~~~
20 ~~number of Representatives as determined by the formula and procedure~~
21 ~~set forth herein. The number of members of the House of~~
22 ~~Representatives to which each county shall be entitled shall be~~
23 ~~determined according to the following formula:~~

24

1 ~~a. The total population of the state as ascertained by the most~~
2 ~~recent Federal Decennial Census shall be divided by the number one~~
3 ~~hundred and the quotient shall be the ratio of representation in the~~
4 ~~House of Representatives, except as otherwise provided in this~~
5 ~~Article.~~

6 ~~b. Every county having a population less than one full ratio~~
7 ~~shall be assigned one Representative; every county containing an~~
8 ~~entire ratio but less than two ratios shall be assigned two~~
9 ~~Representatives; every county containing a population of two entire~~
10 ~~ratios but less than three ratios shall be assigned three~~
11 ~~Representatives; and every county containing a population of three~~
12 ~~entire ratios but less than four ratios shall be assigned four~~
13 ~~Representatives.~~

14 ~~After the first four Representatives, a county shall qualify for~~
15 ~~additional representation on the basis of two whole ratios of~~
16 ~~population for each additional Representative be apportioned into~~
17 ~~one hundred one house districts of substantial equality of~~
18 ~~population. In redistricting the House of Representatives,~~
19 ~~consideration shall be given to population, compactness, area,~~
20 ~~political units, historical precedents, economic and political~~
21 ~~interests and contiguous territory, to the extent feasible provided~~
22 ~~that population is given primacy.~~

23 Each Representative nominated and elected shall hold office for
24 two years.

1 Section 11A. A. ~~The apportionment redistricting~~ of the
2 Legislature shall be accomplished by ~~the Legislature according to~~
3 ~~the provisions of this article, within ninety (90) legislative days~~
4 ~~after the convening of the first regular session of the Legislature~~
5 ~~following each Federal Decennial Census. If the Legislature shall~~
6 ~~fail or refuse to make such apportionment within the time provided~~
7 ~~herein, then such apportionment shall be accomplished by an~~
8 ~~Apportionment~~ a Redistricting Commission composed of the ~~Attorney~~
9 ~~General, Superintendent of Public Instruction and the State~~
10 ~~Treasurer of the State of Oklahoma according to the provisions of~~
11 ~~this article:~~

12 1. One member appointed by the President Pro Tempore of the
13 Senate;

14 2. One member appointed by the Minority Leader of the Senate;

15 3. One member appointed by the Speaker of the House of
16 Representatives;

17 4. One member appointed by the Minority Leader of the House of
18 Representatives; and

19 5. One member appointed by the Ethics Commission.

20 The member appointed by the Ethics Commission shall be a
21 registered Independent voter of this state and shall not have been
22 registered to vote as a member of any political party at any time
23 during the ten-year period preceding such member's appointment. No
24 member of the Redistricting Commission may be a legislator of this

1 state at the time of the member's appointment or at any time during
2 the member's service as a member of the Redistricting Commission.

3 Members shall be appointed to the Redistricting Commission
4 during the calendar year which ends in 0 and shall serve until
5 December 31 of the next calendar year which ends in 9.

6 Redistricting of the Legislature shall be accomplished within
7 six (6) months following publication of the results of each Federal
8 Decennial Census and shall occur only once every ten (10) years.

9 B. The redistricting plan of the House of Representatives and
10 the redistricting plan of the Senate shall be drawn with due
11 consideration given to maximizing congruency of House and Senate
12 boundaries.

13 Section 11B. Each order of apportionment rendered by the
14 ~~Apportionment~~ Redistricting Commission shall be in writing and shall
15 be filed with the Secretary of State and shall be signed by at least
16 two members of the Commission.

17 Section 11C. Any qualified elector may seek a review of any
18 ~~apportionment~~ redistricting order of the Commission, ~~or~~
19 ~~apportionment law of the legislature,~~ within sixty days from the
20 filing thereof, by filing in the Supreme Court of Oklahoma a
21 petition which must set forth a proposed ~~apportionment~~ redistricting
22 plan more nearly in accordance with this Article. Any ~~apportionment~~
23 redistricting plan of either the Senate or the House of
24 Representatives, as ordered by the Commission, ~~or apportionment law~~

1 ~~of the legislature~~, from which review is not sought within such
2 time, shall become final. The court shall give all cases involving
3 ~~apportionment~~ redistricting precedence over all other cases and
4 proceedings; and if said court ~~be~~ is not in session, it shall
5 convene promptly for the disposal of the same.

6 Section 11D. Upon review, the Supreme Court shall determine
7 whether or not the ~~apportionment~~ redistricting order of the
8 Commission ~~or act of the legislature~~ is in compliance with the
9 ~~formula as set forth in~~ provisions of this Article and, if so, it
10 shall require the same to be filed or refiled as the case may be
11 with the Secretary of State ~~forthwith~~, and such ~~apportionment~~
12 redistricting order shall become final on the date of said writ. In
13 the event the Supreme Court shall determine that the ~~apportionment~~
14 redistricting order of ~~said the~~ Commission ~~or legislative act~~ is not
15 in compliance with the ~~formula~~ provisions of this Article for either
16 the Senate or the House of Representatives ~~as set forth in this~~
17 ~~Article~~, it will remand the matter to the Commission with directions
18 to modify its order to achieve conformity with the provisions of
19 this Article.

20 Section 11E. The Supreme Court, upon petition of any qualified
21 elector alleging failure of the Commission to timely act, is hereby
22 vested with original jurisdiction to compel, and shall compel, the
23 Commission to make the ~~apportionment~~ redistricting as herein
24 provided. It shall also have exclusive jurisdiction of any review

1 hereunder. If more than one petition ~~be~~ is filed, the court shall
2 consolidate such proceedings for hearing and disposition, and shall
3 file its opinion and issue its writ within sixty days from the
4 timely filing of such last petition. In the event any action filed
5 hereunder shall be abandoned or dismissed, any other qualified
6 elector shall be allowed to intervene within ten days thereof.

7 SECTION 2. The Ballot Title for the proposed Constitutional
8 amendment as set forth in SECTION 1 of this resolution shall be in
9 the following form:

10 BALLOT TITLE

11 Legislative Referendum No. _____ State Question No. _____

12 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

13 This measure amends several sections in Article V of the State
14 Constitution. It changes the way legislative districts are
15 determined. It makes the one-man, one-vote principal the most
16 important factor. It keeps the Legislature from determining
17 legislative districts. It gives more time for drawing new
18 legislative districts.

19 SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

20 YES, FOR THE AMENDMENT

21 NO, AGAINST THE AMENDMENT

22 SECTION 3. The President Pro Tempore of the Senate shall,
23 immediately after the passage of this resolution, prepare and file
24 one copy thereof, including the Ballot Title set forth in SECTION 2

1 hereof, with the Secretary of State and one copy with the Attorney
2 General.

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