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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

ESTABLISHING A REAPPORTIONMENT COMMISSION

Introduced By: Senators McCaffrey, Ruggerio, Goodwin, Algieri, and Jabour

Date Introduced: April 28, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Establishment of commission. - (a) There is hereby created a special
2 commission on reapportionment, which shall consist of eighteen (18) members: four (4) of whom
3 shall be from the house of representatives, to be appointed by the speaker; two (2) of whom shall
4 be from the house of representatives, to be appointed by the minority leader of the house of
5 representatives; four (4) of whom shall be from the senate, to be appointed by the president of the
6 senate; two (2) of whom shall be appointed by the minority leader of the senate; three (3) of
7 whom shall be members of the general public to be appointed by the speaker; and three (3) of
8 whom shall be members of the general public to be appointed by the president of the senate.

9 (b) It shall be the purpose and responsibility of the commission to draft and to report to
10 the general assembly an act to reapportion the districts of the general assembly and the state's
11 United States congressional districts and to perform the necessary functions incident to drafting
12 such an act including, but not limited to, the division of the state into seventy-five (75) state
13 representative districts, thirty-eight (38) state senatorial districts and two (2) United States
14 congressional districts as near equal as possible.

15 (c) Forthwith upon the passage of this act, the members of the commission shall meet and
16 organize, and shall select from among themselves a chairman. Vacancies in said commission
17 shall be filled in like manner as the original appointment.

18 (d) The membership of said commission shall receive no compensation for their services,
19 but shall be allowed their travel and necessary expenses. The commission may engage such

1 clerical, technical and other assistance as it may deem necessary and spend such other funds as
2 may be necessary to accomplish its purposes.

3 (e) All departments and agencies of the state shall furnish such advice and information,
4 documentary and otherwise, to said commission and its agents as is deemed necessary or
5 desirable by the commission to facilitate the purposes of this act.

6 (f) The director of administration is hereby authorized and directed to provide suitable
7 quarters for said commission.

8 (g) The commission is hereby authorized to accept from local, state and federal
9 government agencies, grants in money, services or otherwise in carrying out the purposes of said
10 commission.

11 SECTION 2. Reapportionment standards. - (a) All districts shall be single member
12 districts.

13 (b) Congressional and state legislative districts shall comply with all requirements of the
14 United States Constitution. All state legislative districts shall comply with all requirements of the
15 United States Constitution and of the Rhode Island Constitution, and recognize pertinent or
16 applicable federal legislation and court precedent.

17 (c) Congressional and state legislative districts shall be as nearly equal in population as
18 possible, and:

19 (1) In no case shall congressional districts vary in population by more than one percent
20 (1%) from each other as determined by the population reported in the federal census in 2010; and

21 (2) In no case shall a single state senate district have a population which varies by more
22 than five percent (5%) from the average population of all senate districts as determined by the
23 population reported in the federal census in 2010, and in no case shall a single state representative
24 district have a population which varies by more than five percent (5%) from the average
25 population of all representative districts as determined by the population reported in the federal
26 census in 2010.

27 (d) Congressional and state legislative districts shall be as compact in territory as possible
28 and, to the extent practicable, shall reflect natural, historical, geographical and municipal and
29 other political lines, as well as the right of all Rhode Islanders to fair representation and equal
30 access to the political process.

31 (e) To the extent practicable, congressional and state legislative districts shall be
32 composed of contiguous territory.

33 (f) To the extent practicable, the commission should endeavor to avoid the division of
34 state representative districts in the formation of state senate districts and the division of state

1 senate districts in the formation of United States congressional districts in any manner which
2 would result in the creation of voting districts composed of fewer than one hundred (100)
3 potential voters.

4 SECTION 3. Public access. - (a) The commission shall set its own rules of procedure.

5 (b) The commission shall be subject to the provisions of chapter 42-46 ("Open
6 Meetings") and chapter 38-2 ("Access to Public Records") of the general laws.

7 (c) The commission shall conduct public hearings prior to the issuance of its findings and
8 recommendations.

9 (d) Members of the public shall have access to the technical software used for district
10 mapping in a location to be determined, in the State House, on a sign up basis, during reasonable
11 business hours as determined by the commission.

12 SECTION 4. Reporting date. - The commission shall report its findings and
13 recommendations to the general assembly on or before January 15, 2012.

14 SECTION 5. Severability. - The provisions of this act are severable, and if any provisions
15 hereof shall be held invalid for any reason, such invalidity shall not affect the validity of any
16 other provisions herein. This act shall be construed in all respects so as to meet any constitutional
17 requirements in carrying out the purposes and provisions of this act, all steps shall be taken which
18 are necessary to meet constitutional requirements.

19 SECTION 6. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
ESTABLISHING A REAPPORTIONMENT COMMISSION

- 1 This act would create an eighteen (18) member special commission on reapportionment
- 2 whose purpose is to draft and to report to the general assembly an act to reapportion the districts
- 3 of the general assembly and the state's United States Congressional districts.
- 4 This act would take effect upon passage.

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