

2021 -- H 6222 SUBSTITUTE A

LC002620/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

ESTABLISHING A REAPPORTIONMENT COMMISSION

Introduced By: Representatives Shekarchi, Blazejewski, Kazarian, Ackerman, Edwards,
and Abney

Date Introduced: April 08, 2021

Referred To: House State Government & Elections

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 whom
7 shall be members of the general public to be appointed by the speaker; and three (3) of whom shall
8 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 the
10 general assembly an act to reapportion the districts of the general assembly and the state's United
11 States congressional districts and to perform the necessary functions incident to drafting such an
12 act including, but not limited to, the division of the state into seventy-five (75) state representative
13 districts, thirty-eight (38) state senatorial districts and two (2) United States congressional districts
14 as near equal as possible, subject to the final 2020 census data provided by the United States Census
15 Bureau.

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

19 (d) The membership of said commission shall receive no compensation for their services.

1 The commission may engage such clerical, technical and other assistance as it may deem necessary
2 and spend such other funds as 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 desirable
5 by the commission to facilitate the purposes of this act.

6 (f) The joint committee on legislative services is hereby authorized and directed to provide
7 suitable quarters for said commission, and provide technical and other assistance to the commission
8 as it may deem necessary to facilitate the purposes of this act.

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

12 SECTION 2. Reapportionment standards. - (a) All districts shall be single member 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, including but not limited to, the Voting Rights
17 Act of 1965.

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

20 (1) In no case shall congressional districts vary in population by more than one percent
21 (1%) from each other as determined by the population reported in the federal census in 2020; and

22 (2) In no case shall a single state senate district have a population which varies by more
23 than five percent (5%) from the average population of all senate districts as determined by the
24 population reported in the federal census in 2020, and in no case shall a single state representative
25 district have a population which varies by more than five percent (5%) from the average population
26 of all representative districts as determined by the population reported in the federal census in 2020.

27 (3) Congressional and state legislative districts shall be subject to the final 2020 census
28 data provided by the United States Census Bureau.

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

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

1 (f) To the extent practicable, the commission should endeavor to avoid the division of state
2 representative districts in the formation of state senate districts and the division of state senate
3 districts in the formation of United States congressional districts in any manner which would result
4 in the creation of voting districts composed of fewer than one hundred (100) potential voters.

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

6 (b) The commission shall be subject to the provisions of chapter 42-46 ("open meetings")
7 and chapter 38-2 ("access to public records") of the general laws.

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

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

13 (e)(i) The commission shall have the discretion to determine if there exists a public health
14 or other emergency or circumstance that could pose a risk to the health and safety of the public and
15 members and staff of the commission, that would affect public access to the state house to utilize
16 the technical software used for district mapping.

17 (ii) Due to the dangers to public health and safety posed by the ongoing COVID-19
18 pandemic, and to provide the public with alternative means of accessing information, the
19 commission, with public notice on the general assembly website, shall provide the public with
20 access to the web-based software program used for district mapping.

21 SECTION 4. Reporting date. - The commission shall report its findings and
22 recommendations to the general assembly on or before January 15, 2022.

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

1 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 of
3 the general assembly and the state's United States Congressional districts.

4 This act would take effect upon passage.

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