

ALASKA STATE LEGISLATURE



REPRESENTATIVE LES GARA

Sponsor Statement

Sponsor Substitute HJR 26 – Non-Partisan Legislative District Redistricting Commission

Historically states and Congress have set up rules so that the majority party gets to draw legislative districts. Frequently this results in that majority party drawing districts in a manner that is aimed at keeping political control of the legislative body. Both major political parties have used these procedures to their advantage to keep their party in control of the Legislature or Congress. This disenfranchises voters, as mappers from the major political party, if they are effective at gerrymandering, can potentially ensure that no matter the views of voters, the majority political party will run the Legislature/Congress.

Voters in a number of states have demanded an end to partisan gerrymandering so voters' voices can be fairly heard, and not snuffed out by the political party in charge. A recent article concludes that the vast majority of Congressional districts are drawn so that there is a 90% chance the candidate from the party those districts were designed for will win the election in those districts, leaving only 10% of the seats truly competitive.

HJR 26 follows closely on the bi-partisan redistricting laws adopted in Washington, Pennsylvania and New Jersey. Those plans are straightforward. HJR 26 will give an independent member the greatest voice in drawing non-partisan districts. It is designed so no political party has a majority voice, allowing them to control the drawing of district lines. Somewhat similarly to the Board make-up used in the above-three states, two members from each of the two parties garnering the most legislative race votes in the prior election will be on the Redistricting Board, as selected by their party bylaws. Those four members will then be required to choose an independent, mutually agreeable 5th person, who is not a member of a political party. That fifth person will hold the balance of power on the Board. If they cannot agree to a fifth person, then the Alaska Supreme Court will be charged to appoint five additional non-partisan members the court determines will not favor one party or the other in drawing district lines. Washington, Pennsylvania and New Jersey all use a similar court-appointment process if the party members cannot agree to an independent member(s).

The intent language specifically states the Board shall draw a non-partisan district map, and that change is important especially in the event the Court ends up choosing the five non-partisan members.

Some other states try to create "independent" commissions, and in at least one state names are arbitrarily picked. The flaw with those approaches is that it is difficult to determine that a person is truly independent, and does not harbor partisan views. Under HJR 26 it will be in the parties'

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self-interest to make sure the tie-breaking Independent member is acceptable and fair. It is more likely in this approach that the fifth person will be vetted heavily for fairness or bias.

The Resolution also does not let the party in control of the legislature deny the Board the mapping and expert resources needed to draw fair districts. If that were left to statute, the party in charge, with the appropriating power, might deny the Board those resources, and hope the Board then has to rely on Party-supplied maps and experts.

This approach would replace the current Alaska approach that allows, in many cases, one party to dominate the Redistricting Board. Currently the House Speaker picks one member, the Senate President picks one, the Governor picks two and the Supreme Court picks one. If the Governor and either house officer are members of the same party, then it raises a significant risk they will pick partisans to support their side in drawing district maps.

We hope you will work to support this legislation and our office is happy to answer any questions and entertain any additional ideas that will ensure a non-partisan legislative district map.