

# SENATE BILL REPORT

## ESHB 2575

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As of February 28, 2020

**Title:** An act relating to reforms to increase transparency and accountability of the Washington redistricting commission.

**Brief Description:** Concerning reforms to increase transparency and accountability of the Washington redistricting commission.

**Sponsors:** House Committee on State Government & Tribal Relations (originally sponsored by Representatives Pellicciotti, Ryu, Tarleton, Orwall, Dolan, J. Johnson and Pollet).

**Brief History:** Passed House: 2/19/20, 57-41.

**Committee Activity:** State Government, Tribal Relations & Elections: 2/26/20, 2/28/20 [DPA-WM, w/oRec].

Ways & Means:

### Brief Summary of Amended Bill

- Makes changes to the administration of the Washington Redistricting Commission (Commission), including altering staff and salary requirements.
- Adds requirements for Commission meetings and public forums, including notice and language access requirements.

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### SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

**Majority Report:** Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Muzzall, Assistant Ranking Member; Hawkins and Takko.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Hasegawa.

**Staff:** Samuel Brown (786-7470)

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### SENATE COMMITTEE ON WAYS & MEANS

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Julie Murray (786-7711)

**Background:** Redistricting Commission. The Commission, established by constitutional amendment, provides for the redistricting of state legislative and congressional districts every ten years based on the federal decennial census. The Commission is composed of five members. The legislative leaders of each of the two largest political caucuses in each house of the Legislature appoint one person to the Commission, and the nonvoting chair is appointed by the four legislative appointees. Voting members must be appointed by January 15th of each year ending in one, and the chairperson must be selected by January 31st.

The Commission may employ experts, consultants, and support staff. Commissioners may receive \$100 in compensation for each day performing their duties.

Redistricting Plan and Report. The affirmative vote of three members is required to approve the redistricting plan. If three members cannot agree on a plan by the deadline, November 15th of each year ending in one, the Washington Supreme Court must adopt a plan. The Legislature can amend a redistricting plan by a two-thirds majority vote in each chamber within 30 days of a legislative session after the plan is submitted by the Commission, but may not amend the plan by more than 2 percent of the population in any district.

Each congressional and legislative district must have a population, excluding nonresident military personnel, equal as practicable to the population of each other district. The Commission's plan may not be drawn purposely to favor or discriminate against any political party or group. To the extent reasonable, each district must:

- contain contiguous territory;
- be compact and convenient; and
- be separated from adjoining districts by natural geographic barriers, artificial barriers, or political boundaries.

Along with the redistricting plan, the Commission must publish a report that includes:

- the population of each district and the percentage it deviates from the average district population, along with a justification for each deviation;
- an explanation of the criteria used in developing the plan;
- a map of all the districts; and
- the estimated cost incurred by the counties for adjusting precinct boundaries.

**Summary of Amended Bill:** Commission Administration. Commissioner compensation is matched to the current salaries of legislators, beginning on the date of official appointment to the Commission and ending November 15th of each year ending in one. Commissioners must attend trainings on the Public Records Act and the Open Public Meetings Act.

Meetings and Public Input. The Commission must hold at least one public forum in each congressional district and at least 12 public forums in total. Notice of any public forum must be provided at least ten days in advance in English, Spanish, and all languages required for voting materials in the district under the federal Voting Rights Act or local ordinance or executive order.

The Commission must contract to provide translation services and other accommodations for limited-English-speaking individuals at Commission meetings. The Commission website must include information about Commission meetings, documents and draft plans produced by the Commission, archives of Commission meetings, and a no-cost means to submit public comments and proposed plans.

**EFFECT OF STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS COMMITTEE AMENDMENT(S):** Commission Administration. Processes for pre-designation of redistricting commissioners are removed. Commissioners are not required to attend training on nonpartisan redistricting. The Commission is not required to employ staff in positions related to communications, information technology, and language access.

Meetings and Public Input. The requirement that the Commission seek input is removed. The Commission must hold 12, rather than 10, public forums. Notice must be given 10, rather than 20, days in advance. Notice must be given in English, Spanish, and all languages required for voting materials in the district under the federal Voting Rights Act or local ordinance or executive order. Requirements for additional public forums if input is insufficient are removed.

The deadline for soliciting information on local demographics is removed. The Commission is not required to publish a report describing its priorities and intentions. The Commission must contract to provide translation and accommodation services. Persons who submit testimony at Commission meetings are not required to identify whether they are lobbyists. The Commission website is not required to include data used for decision-making.

Reporting. Requirements that the Commission produce preliminary and reasonably final plans is removed. Changes to the contents of the final Commission report are removed. The requirement that a commissioner who votes against the redirecting plan file a minority report explaining their decision is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Engrossed Substitute House Bill (State Government, Tribal Relations & Elections):** *The committee recommended a different version of the bill than what was heard.* PRO: We need to modernize and update these statutes to increase public confidence in redistricting. This takes steps we would expect in light of technological changes, such as providing increased opportunities for digital public input. When other states look to reform their redistricting processes, this will make them look to Washington as a national leader. Measurements and community engagement are important to the public in making our communities better. This bill says that we have a good process, but defines how to make it better by providing a framework to build on how

Washington is changing. This will lead to making better decisions; it is messy, but worth it. Dissenting commissioner views should be made public.

It is really important to have public hearings after preliminary maps are out so communities can have meaningful input. A dedicated language access position will help people who speak English as a second language. Many communities where English is not spoken struggle with how to engage in civic participation, but still have great ideas. In the last round of redistricting, the Yakama Nation was divided into two legislative districts, and there were questions in the community about why that happened. This provides a clear timeline for engaging the public so everyone can understand why recommendations were made. Language access is a real issue, as many families across the state rely on their children to translate for them, particularly in government interactions.

**Persons Testifying (State Government, Tribal Relations & Elections):** PRO: Representative Mike Pellicciotti, Prime Sponsor; Alison McCaffree, Karen Crowley, Marty Webb, League of Women Voters; Alex Hur, Washington Voting Justice Coalition; Kamau Chege, Washington Census Alliance; Oskar Zambrano, Giovanni Severino, Latino Community Fund.

**Persons Signed In To Testify But Not Testifying (State Government, Tribal Relations & Elections):** No one.