
State of Missouri
SENATE APPORTIONMENT COMMISSION

Public Hearing
Springfield, Missouri

May 23, 2011

Missouri State University
Plaster Student Union, Ballroom East

**Written Testimony of
Senator Bob Dixon (30th)**

REDISTRICTING PRINCIPLES

- I. **Missouri Constitutional Requirements—Senatorial Districts** [Missouri Constitution, Article III, Section 7]
 - a. Population (“As Nearly As Possible, Equal To” Ideal Population)
 - b. Multi-District County Provision
- II. **Federal Constitutional Requirements**
 - a. Population (“One Person, One Vote”) [U.S. Constitution, Fourteenth Amendment (Equal Protection Clause)]
 - b. Racial and Language Minorities [U.S. Constitution, Fourteenth and Fifteenth Amendments; Voting Rights Act of 1965, Section 2]
- III. **Judicially-Recognized “Traditional Districting Principles”**
 - Geographical and Natural**
 - a. Compactness
 - b. Contiguity
 - c. Preservation of counties and other political subdivisions
 - Political and Legal**
 - d. Preservation of communities of interest
 - e. Preservation of cores of existing districts
 - f. Incumbent residency
 - g. Compliance with Section 2 of the Voting Rights Act, as amended

With respect to congressional redistricting, past General Assemblies have adopted the following standards and guidelines:

1. Be composed of contiguous territory
2. Be compact
3. Have equality of population
4. Not dilute the voting strength of racial or language minority populations
5. Not degrade a voter’s or a group of voters influence on the political process as a whole
6. Not divide counties, except in large metropolitan areas
7. Not divide cities, except in large metropolitan areas and except when cities are in more than one county
8. Preserve long-standing communities of interest based on social, cultural, ethnic and economic similarities
9. Preserve the geographic cores of existing districts

RECOMMENDATIONS

1. Preserve the current configuration of the 30th Senatorial District, where an undivided City of Springfield is contained entirely within one district.
2. Join Christian County and part of Greene County together as the 20th Senatorial District.
3. Reassign the necessary precincts (VTDs) between the 30th Senatorial District and the 20th Senatorial District to achieve as near to population equality as possible.

BACKGROUND FACTS

The commission has been charged with drawing senatorial districts with populations “as nearly as possible, equal” to 176,145 persons. The current population totals for the 30th and 20th Senatorial Districts are:

District	2000 Census Total Population	2010 Census Total Population	Population Change Over the Decade	Percent Change Over the Decade
State Senate District 20	169,277	222,813	53,536	32%
State Senate District 30	169,528	179,669	10,141	6%

The 30th District is 3,524 persons over the ideal population, and the 20th is 46,668 persons over. Together, the two districts encompass four counties, with the following population totals:

Name	2000 Census Total Population	2010 Census Total Population	Population Change Over the Decade	Percent Change
Christian	54,285	77,422	23,137	43%
Douglas	13,084	13,684	600	5%
Dunklin	33,155	31,953	-1,202	-4%
Greene	240,391	275,174	34,783	14%
Webster	31,045	36,202	5,157	17%

DISCUSSION

Constitutional Standards (State and Federal)

I. Population (“As Nearly As Possible, Equal To” Ideal Population/”One Person, One Vote” Standard)

Article III, Section 7 of the Missouri Constitution mandates that each senatorial district be established “so that the population of that district shall, as nearly as possible, equal” the ideal population. The U.S. Supreme Court has interpreted the Equal Protection Clause of the Fourteenth Amendment to require that legislative districts be of substantially equal population (“one person, one vote” rule). This standard requires state legislative districts to differ by no more than ten percent from the smallest to the largest, unless justified by some “rational state policy.”

Compliance with these constitutional standards when redrawing the boundaries of the 30th and 20th Senatorial Districts can best be achieved with minimal changes. The total population of Greene and Christian Counties combined (352,596) is equivalent to two senatorial districts. Removing Douglas and Webster Counties (49,886 persons) from the 20th District leaves 172,927, only 3,218 short of the ideal population. The current 30th District must cede 3,524 persons. Transferring a few voter tabulation districts from the current 30th District to a newly redrawn 20th District (Christian and part of Greene County) yields a *de minimus* deviation.

II. Multi-District County Provision

Article III, Section 7 of the Missouri Constitution also requires the preservation of county boundaries in the creation of senatorial districts. Senatorial districts may not cross county lines except to add to a multi-district county, or to complete a district that lies partly within the multi-district county. Greene County is one of six multi-district counties. An “ordinary meaning” interpretation of this provision of Article III, Section 7 indicates only one district may be located partially within a single multi-district county or city. No court cases have interpreted this particular provision, nor do any historical materials provide greater clarification of the meaning of this provision.

Redrawing the 30th and 20th Districts in the manner recommended satisfies both the equal population requirement and limits the number of partial districts within Greene County. The current 30th District constitutes an entire senatorial district, with only minimal changes to its boundaries necessary. A 20th District consisting of Christian County and the remainder of Greene County crosses county lines only to complete a district that lies partly within the multi-district county of Greene.

Judicially-Recognized “Traditional Districting Principles”

III. Compactness and Contiguity

A district is compact if it has the minimum distance between all parts of a constituency (a circle, square or a hexagon). It is contiguous if all of the lines that create it are connected. Article III, Section 2 of the Missouri Constitution requires that “each [representative] district shall be composed of contiguous territory as compact as may be.” Article III, Section 7 does not impose the same requirements with respect to senatorial districts. However, compact and contiguous districts have been a natural result of complying with explicit constitutional standards.

The 30th District is presently a compact district, and would remain so. The recommended boundaries of a new 20th District, reducing its territory by two whole counties, would render it more compact than its predecessor district. Each of the two districts would be compact, contiguous, and compliant with constitutional standards of population equality and respect for county boundaries.

IV. Preservation of Counties and Other Political Subdivisions

The Missouri Constitution codifies this traditional districting principle, at least with respect to the preservation of county boundaries and senatorial districts. In accordance with this principle, district boundaries should coincide with the boundaries of political subdivisions, and the number of municipalities divided among more than one district should be as small as possible. In addition, the U.S. Supreme Court has recognized a rational state interest in “according political subdivisions some independent representation in at least one body of the state legislature, as long as the basic standard of equality of population among districts is maintained.”

Redrawing these districts in the manner recommended would accomplish several objectives related to the above principle: (1) preserve the boundaries of Greene and Christian Counties, in compliance with the Missouri Constitution; (2) maintain the integrity of the various political subdivisions involved; and (3) allow focused representation of those political subdivisions. The recommended district boundaries for the 30th and 20th Districts coincide substantially with the boundaries of several political subdivisions, including those of Greene and Christian Counties and the City of Springfield. The number of cities divided among the districts is as small as possible.

In this particular instance, dividing the most populous political subdivision (City of Springfield) would likely be detrimental to effective representation of the city and the surrounding political subdivisions and communities of interest. Springfield is the third largest municipality in the state, with a very dense urban population and the associated needs and concerns. The transcripts from the public hearings of the 2001 apportionment commission (and appellate commission) clearly demonstrate a consensus in favor of keeping Springfield within a single district. Mavis Busiek (2001 House and Senate commissions member), Jim Kreider (former Speaker of the House), Darrell Decker

(former Greene County Commissioner), and State Representative Charlie Denison all advocated this approach. Even divided, the city represents a community of interest that would dwarf other political subdivisions included in the same senatorial district. Furthermore, the 2001 record attests to concerns about representing an urban district and the surrounding suburban or rural areas effectively. These underlying concerns undoubtedly contributed to the current boundaries of the 30th and 20th Districts (the “doughnut hole”). The recommended configurations retain the features of the current districts boundaries most likely to contribute to effective representation.

V. Preservation of Communities of Interest Based on Social, Cultural, Ethnic and Economic Similarities

Many of the same factors relevant to the previous principle relate to this principle as well. Communities of interest can be identified on the basis of social, cultural, ethnic and economic characteristics. Preserving a fundamentally similar 30th District and combining Christian County and part of Greene County would not divide populations or communities that have common “needs and interests.” As the third largest city in the state, Springfield has unique urban needs and concerns, which representation by a single senator can reflect. Christian County is the fastest growing county in the state of Missouri. Municipalities in Greene County, outside the city of Springfield, have also experienced rapid population growth, and the issues attendant to such growth. In a single senatorial district, the many similarities between these two areas can be balanced in a manner that also facilitates effective representation. Reconfiguring the districts in the manner recommended preserves identifiable communities of interest in conjunction with other traditional principles.

VI. Preservation of the Geographic Core of Existing Districts

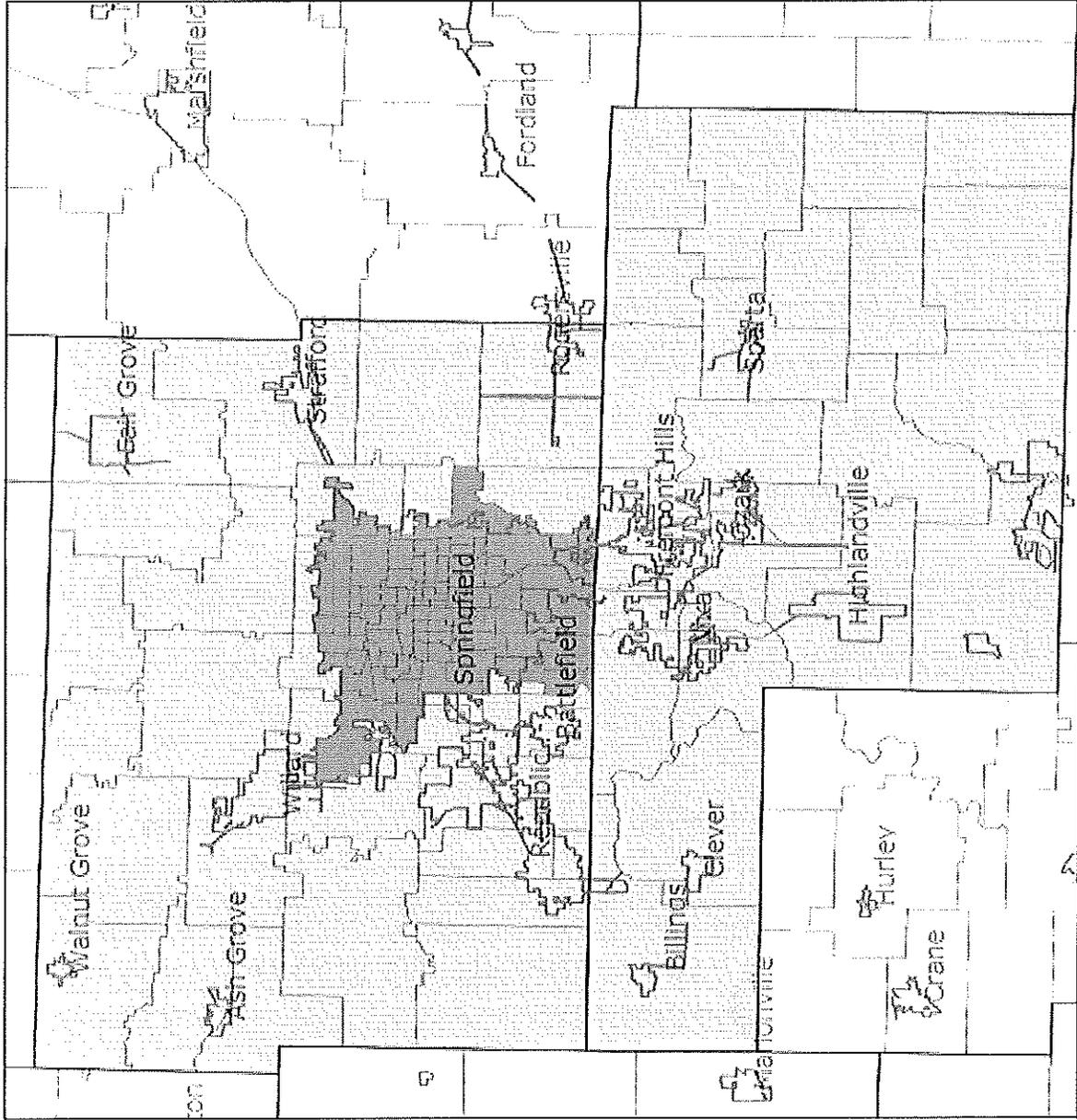
The recommended districts also preserve the geographic and population cores of the existing 30th and 20th Senatorial Districts. The recommended district boundaries give due consideration to traditional districts alignments, and they would be easily identifiable and understandable to voters. Preserving the cores of the existing districts will contribute as well to constituent consistency and continuity of representation, minimizing voter confusion. This is a particularly important point when one considers the perpetual nature of the Missouri Senate, with one-half of the senators representing holdover districts. Redrawing the boundary between the 30th and 20th Districts to achieve population equality can be achieved with minimal alterations. This approach should minimize voter confusion and the cost of election administration, and avoid creating even more work for already overburdened election officials. In this instance, the preservation of the cores of two existing districts can be accomplished easily, while also satisfying a number of other principles.

CONCLUSION

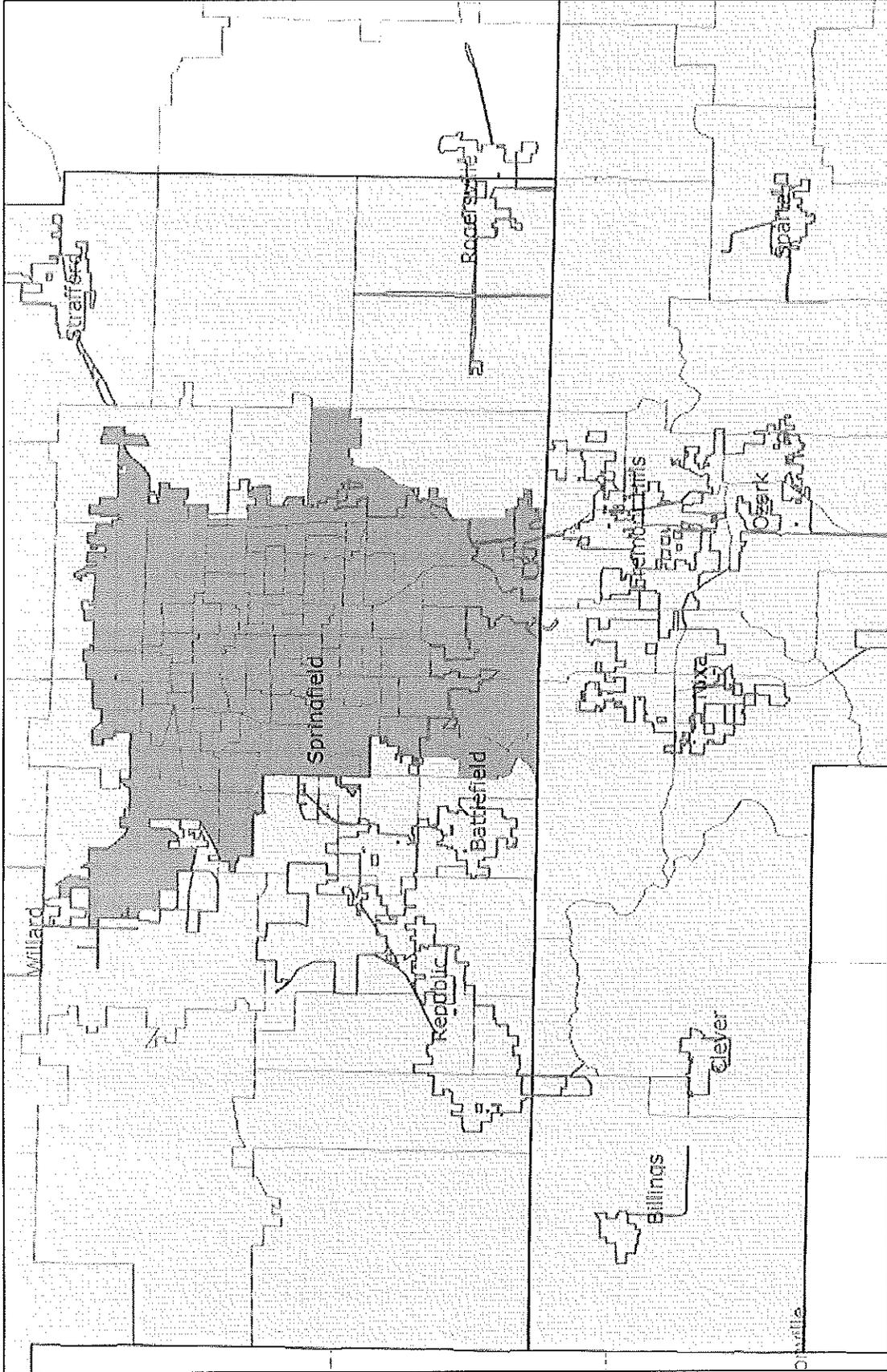
We recommend to the commission that the current 30th Senatorial District remain substantially similar, containing as much of the City of Springfield as practicable, and the 20th Senatorial District be comprised of Christian County and part of Greene County, with minimal changes in district boundaries to achieve population equality. Redrawing the districts as recommended meets the primary constitutional standards of population equality and preserving county boundaries. The recommended districts would be compact and contiguous. They preserve identifiable communities of interest while maintaining the integrity of counties and other political subdivisions. By preserving the geographic and population cores of existing districts, they also promote constituent consistency and continuity of representation.

MAPS

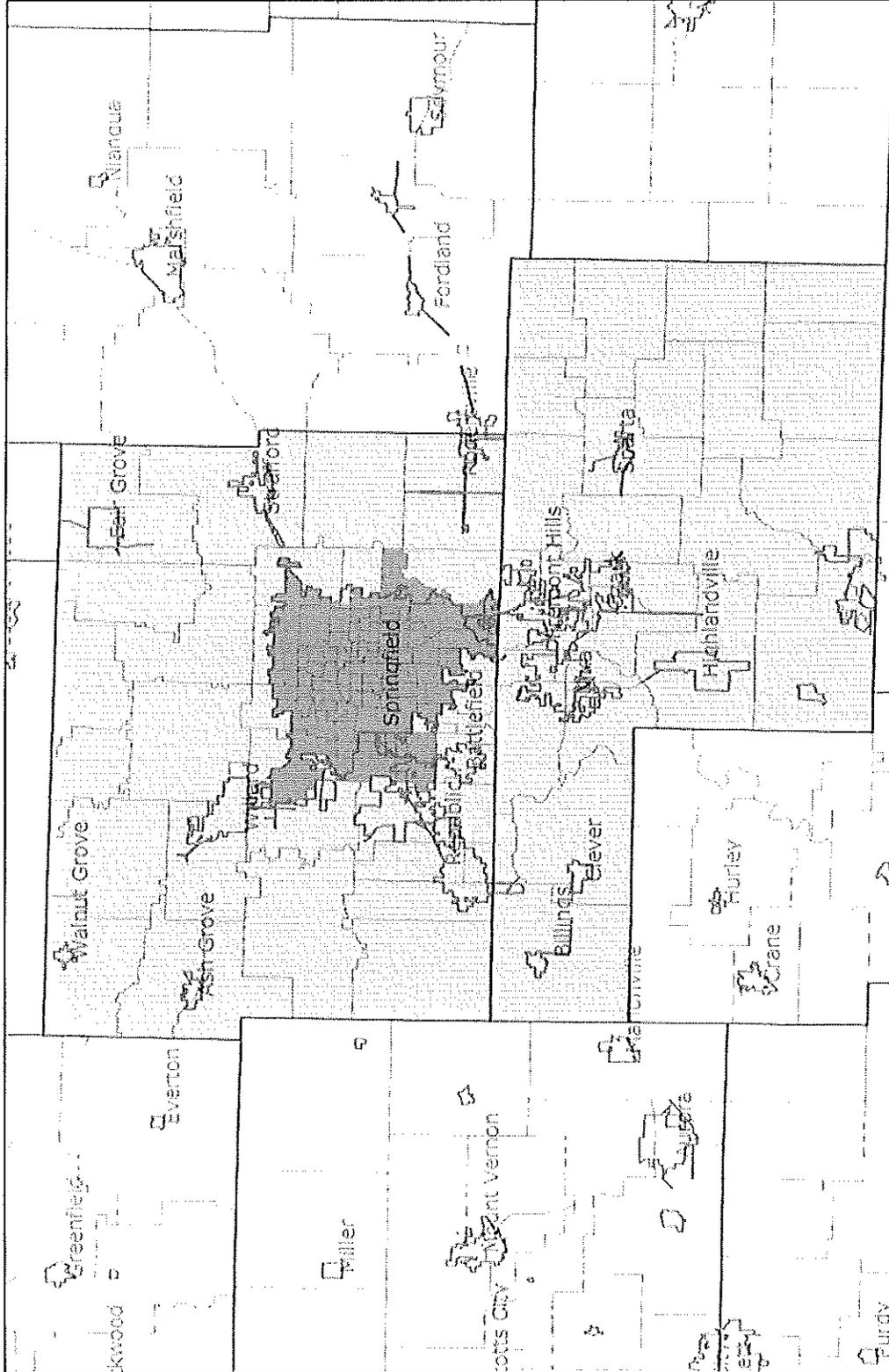
<u>Map</u>	<u>District</u>	<u>Total Population</u>	<u>Total Population (18+)</u>	<u>Absolute Deviation</u>	<u>Relative Deviation</u>
Greene-Christian 01	20	176861	130735	716	0.41%
Greene-Christian 01	30	175735	142302	-410	-0.23%
Greene-Christian 02	20	176436	130117	291	0.17%
Greene-Christian 02	30	176160	142920	15	0.009%
Greene-Christian 03	20	176871	130301	726	0.41%
Greene-Christian 03	30	175725	142736	-420	0.24%
Greene-Christian 04	20	176891	130322	746	0.42%
Greene-Christian 04	30	175705	142715	-440	0.25%



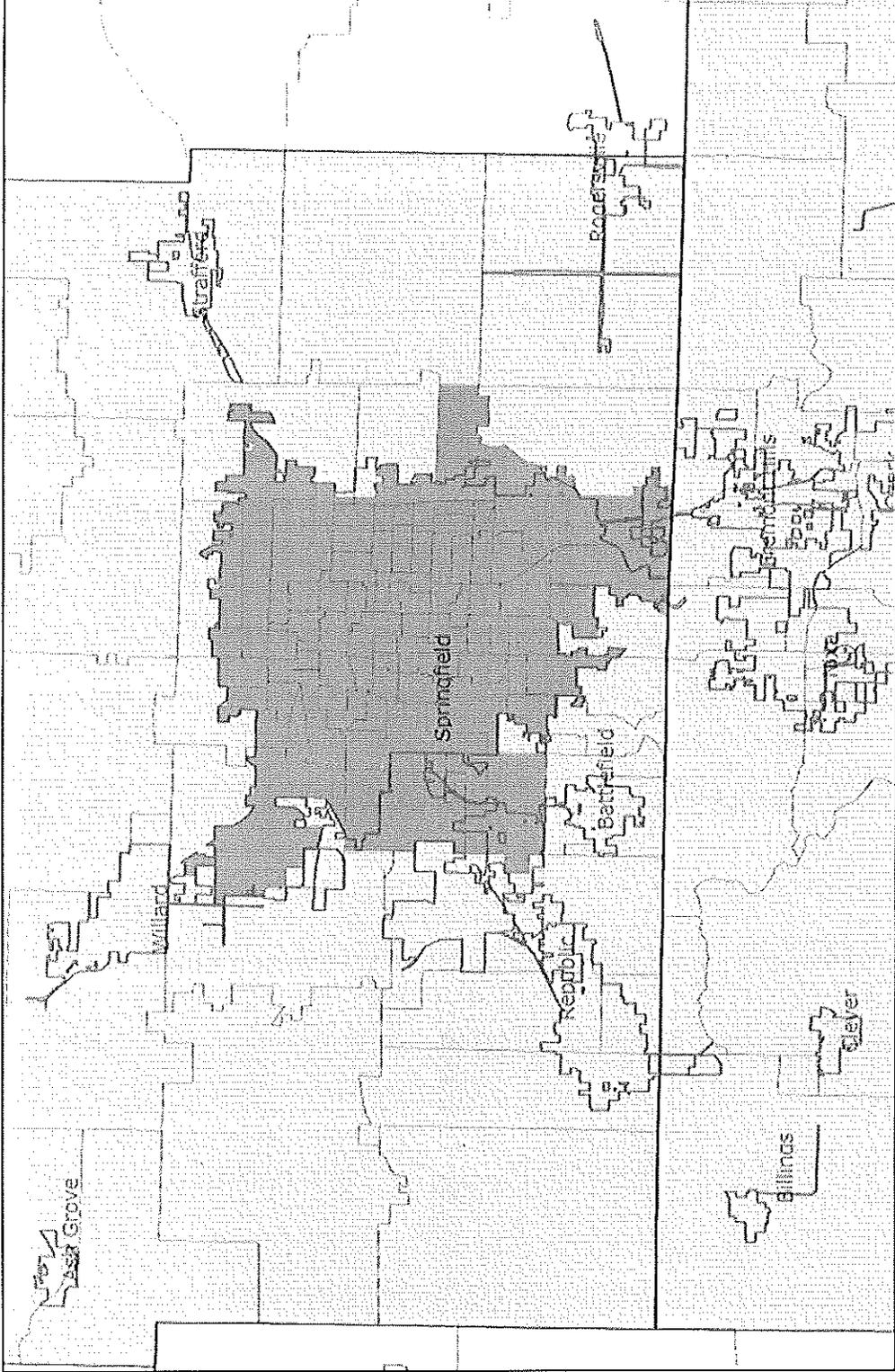
GREENE-CHRISTIAN 01 (District 20)



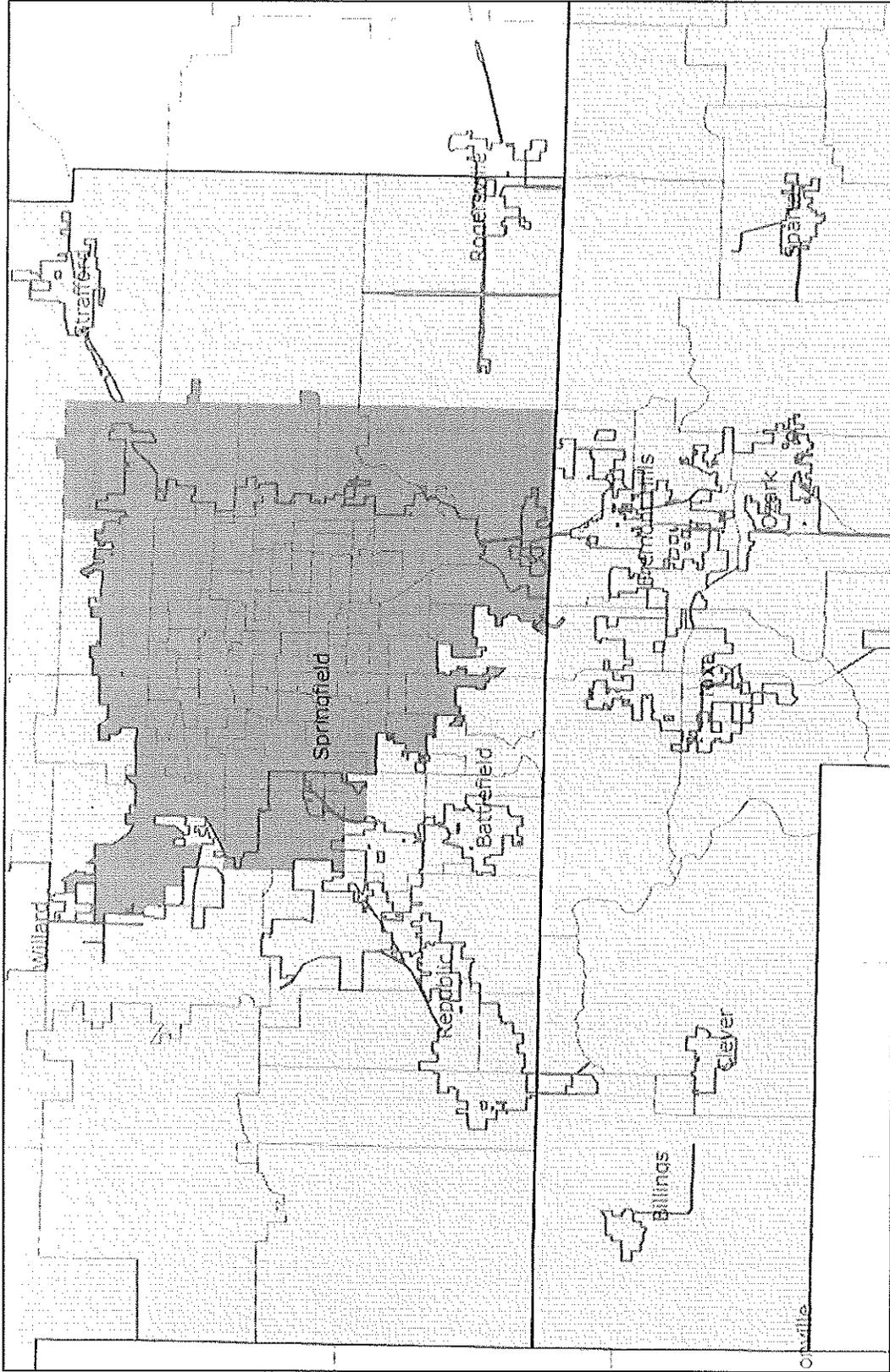
GREENE-CHRISTIAN 01 (District 30)



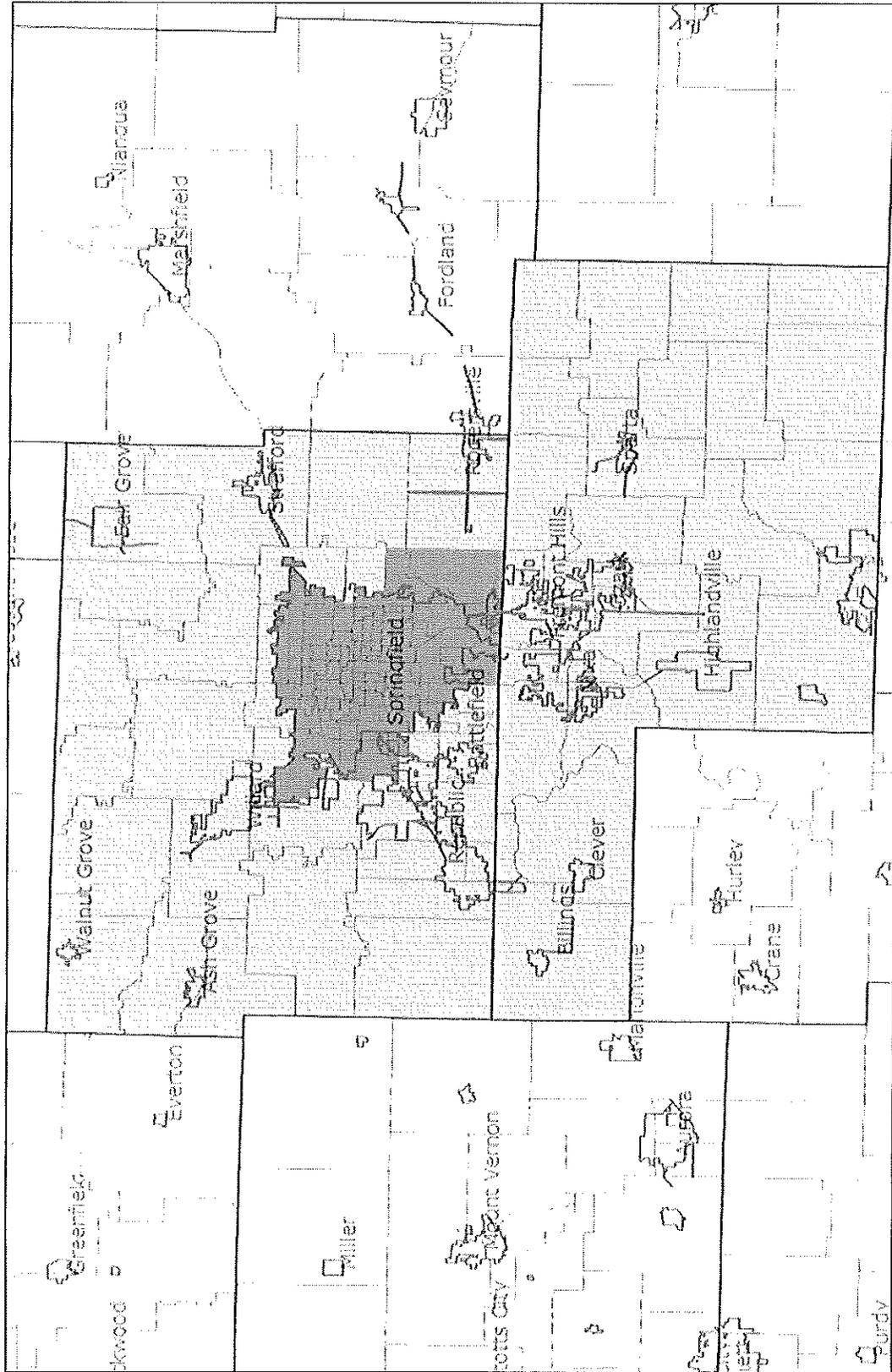
GREENE-CHRISTIAN 02 (District 20)



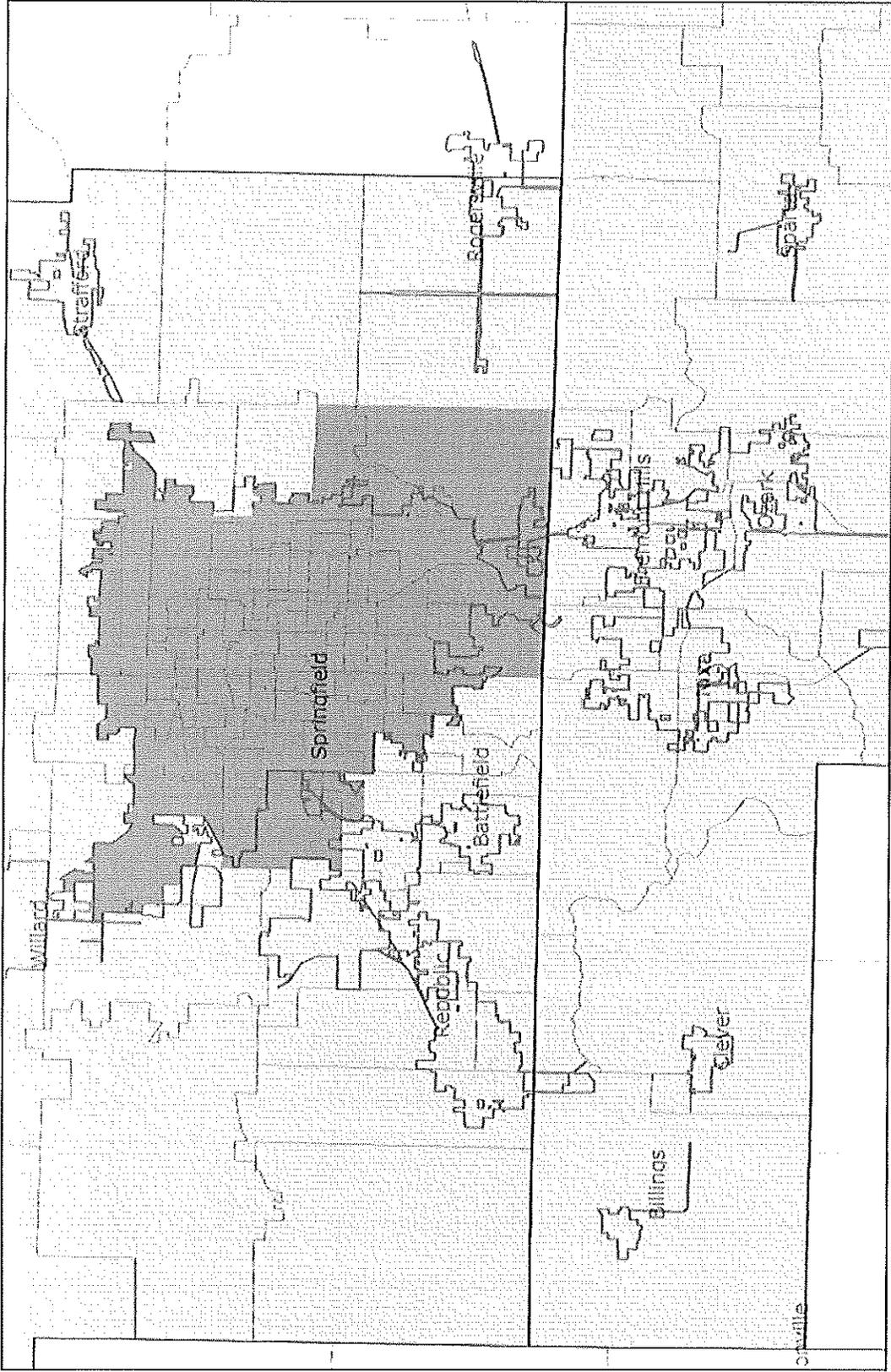
GREENE-CHRISTIAN 02 (District 30)



GREENE-CHRISTIAN 03 (District 30)



GREENE-CHRISTIAN 04 (District 20)



GREENE-CHRISTIAN 04 (District 30)