

**INITIATIVE FINANCIAL INFORMATION STATEMENT  
IMPLEMENTATION OF APPORTIONMENT AND DISTRICTING COMMISSION 2007**

**SUMMARY OF INITIATIVE FINANCIAL INFORMATION STATEMENT**

Article III, Section 16 of the Florida Constitution currently provides for the legislature to redistrict the state into legislative and congressional districts in the second year following each decennial census. The proposed amendment would require that the Apportionment and Districting Commission redistrict the state in 2007 (if the electorate adopts the amendment establishing such commission), and compel that elections held in 2008 be held pursuant to the apportionment plan adopted by the commission.

Based on information provided through public workshops and collected through staff research, the Financial Impact Estimating Conference expects that the proposed amendment will result in one-time costs for the 2007 redistricting ranging from \$6.7 million to \$13.4 million for state government and \$6.5 million to \$7.5 million for local governments. This estimate is based on the following:

- The Apportionment and Districting Commission will incur the following direct costs:
  - Administrative expenses related to staff, consultant fees, travel, public hearings, data preparation, equipment and software, and
  - Legal expenses related to the development of the plans and the defense thereof.
- The state will be required to pay attorney's fees for successful plaintiffs.
- Total commission costs will be no more than the average amount expended by the legislature over the last two cycles and no less than one-half of that amount.
- The average cost to the legislature of redistricting over the last two cycles has been \$13.4 million.
- Additional anticipated costs to state government include increased direct costs due to the commission's expedited work schedule. These costs include, but are not limited to, data preparation, the need for additional staff and consultants, and possible additional litigation due to the accelerated and compressed work schedule as well as the reliance on 2000 Bureau of Census data. The fiscal impact is indeterminate.
- The Department of State will experience increased workload during the 2008 election cycle as a result of the additional redistricting. The fiscal impact is indeterminate but expected to be minor.
- Supervisors of Elections have estimated their direct costs to be between \$6.5 million and \$7.5 million for implementing changes in voting districts. Printing and mailing costs related to the distribution of voter information/education are among those costs included in the fiscal impact.

**FINANCIAL IMPACT STATEMENT**

If the constitutional amendment creating the commission is adopted, the one-time costs for the 2007 redistricting that will result from adoption of this amendment are estimated to range from \$6.7 million to \$13.4 million for state government and \$6.5 million to \$7.5 million for local governments. These estimates include the state costs of the commission and associated staff, data, technology and legal expenses, and the local government costs to the supervisors of elections.

## I. SUBSTANTIVE ANALYSIS

### A. Proposed Amendment

#### Ballot Title:

IMPLEMENTATION OF APPORTIONMENT AND DISTRICTING COMMISSION 2007

#### Ballot Summary:

Requires that state legislative and congressional districts be established in accordance with the provisions of the amendment to Article III, Section 16, creating an Apportionment and Districting Commission in 2007, provided that amendment is adopted by the electorate at the general election of 2006, and that elections for state legislative and congressional districts in 2008 shall be held pursuant to plans adopted by the Commission in 2007.

#### 1) Statement and Purpose:

Article III, Section 16 of the Florida Constitution currently provides for legislative apportionment and redistricting<sup>1</sup> of the state into legislative and congressional districts in the year following each decennial census.

This proposed amendment is dependent upon another proposed amendment concurrently on the ballot that would provide for apportionment and redistricting by an Apportionment and Districting Commission rather than the legislature. The amendment creating the commission requires that the state be apportioned and redistricted in the year following the next decennial census which is 2011. If the amendment creating the commission is adopted by the electors in the 2006 general election and this amendment is also adopted, then the Apportionment and Districting Commission would first apportion and redistrict the state in 2007. The state elections held in 2008 would be held pursuant to the redistricting plan adopted by the commission in 2007.

#### 2) Amendment of Florida Constitution:

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<sup>1</sup> Question: What is the difference between apportionment and redistricting?

Answer: Apportionment is the process of determining the number of representatives to which each state is entitled in the U.S. House of Representatives based on the decennial census. By law, the apportionment results must be submitted to the President by December 31 of the census year. Redistricting is the process of revising the geographic boundaries of areas from which people elect representatives to the U.S. House of Representatives, a state legislature, a county or city council, a school board, etc. By law, redistricting data law must be submitted to the states by April 1 of the year after the census.

Source: U.S. Census Bureau, Population Division, Population & Housing Programs Branch

The terms "apportionment", "reapportionment", and "redistricting" are often used interchangeably. For example, Black Law Dictionary states that "reapportionment" is "also termed redistricting."

The Florida Constitution directs the legislature to "apportion" the state; however, as part of the apportionment process the legislature redistricts the state. Since the redistricting, the "revising of geographic boundaries", is the most costly aspect of the apportionment process, the FIEC will use the term "redistricting" throughout this statement.

Article XXI, Section 26, is created to read:

Section 26. Implementation Schedule for Apportionment and Districting Commission.—If the proposed amendment to Article III, Section 16, establishing an Apportionment and Districting Commission is adopted by the electorate at the general election of 2006, 15 commissioners shall be certified by the respective appointing authorities, as provided for in Article III, Section 16(a) of that amendment, on or before March 1, 2007. Following certification of the members of the Commission by the respective appointing authorities, the Commission, on or before December 31, 2007, shall establish state legislative and congressional districts in the manner provided in Article III, Section 16. Elections for state legislative and congressional districts in 2008 shall be held pursuant to plans adopted by the Commission in 2007.

3) Effective Date and Severability:

If the proposed amendment creating the Apportionment and Districting Commission is approved by the electorate at the general election of 2006, pursuant to Article XI, Section 5, this amendment will be effective on January 2, 2007.

B. Effect of Proposed Amendment

Background

The Committee for Fair Elections is the official sponsor of this proposed constitutional amendment. The Committee for Fair Elections is a registered political committee whose pronounced main focus is advocating for the creation of fair districts in Florida.

The Committee for Fair Elections is also the official sponsor of the Proposed Commission Amendment.

Current Law

Article III, Section 16 of the Florida Constitution currently provides for legislative apportionment and redistricting of the state into legislative and congressional districts in the year following each decennial census.

In its next regular session after the decennial census, the legislature must redistrict the state into not less than thirty nor more that forty consecutively numbered senatorial districts and not less than eighty nor more than one hundred twenty consecutively numbered representative districts. The legislature must follow the state constitution, the federal constitution, and federal laws.

If the regular legislative session adjourns without a redistricting plan, the governor must within thirty days call a special redistricting session which shall not exceed thirty days. If the legislature adjourns and fails to redistrict the state, then the attorney general shall, within five days, petition the supreme court of the state to make the redistricting. No later than sixty days after the filing of the petition, the supreme court shall issue an order making the redistricting.

When the legislature adopts a redistricting plan, within fifteen days the attorney general shall petition the supreme court of the state to review the plan. The supreme court must issue its judgment on the plan within sixty days of the filing of the petition for review. If the supreme court determines the plan is valid, then the plan is binding on all citizens of the state. If the supreme court rules the plan invalid, then the governor shall reconvene the legislature within five days for an extraordinary redistricting session not to exceed fifteen days.

Within fifteen days after the extraordinary redistricting session, the attorney general shall petition the supreme court to review the plan or to inform the court that no plan was adopted. If the legislature fails to adopt a plan or if supreme court finds the plan invalid, the court shall, not later than sixty days after receiving the petition, make the redistricting plan for the state.

### Proposed Amendment Creating the Apportionment and Districting Commission

The proposed amendment creating the Apportionment and Districting Commission proposes to delete current Article III, Section 16, and insert the following:

Section 16. Apportionment and Districting Commission. --.

(a) APPORTIONMENT AND DISTRICTING COMMISSION. In the year following each decennial census or when required by the United States or by court order, a commission shall divide the state into not less than 30 or more than 40 consecutively numbered single-member senatorial districts of convenient contiguous territory, not less than 80 or more than 120 consecutively numbered single-member representative districts of convenient contiguous territory as provided by this constitution or by general law and shall divide the state to create as many congressional districts as there are representatives in congress apportioned to this state. Districts shall be established in accordance with the constitution of this state and of the United States and shall be as nearly equal in population as practicable.

(1) On or before June 1 in the year following each decennial census, or within 15 days after legislative apportionment or congressional districting is required by law or by court order, 15 commissioners shall be certified by the respective appointing authorities to the custodian of records. The president of the senate and the speaker of the house of representatives each shall select and certify three commissioners. Members of minority parties in the senate shall elect one from their number who shall select and certify three commissioners. Members of minority parties in the house of representatives shall elect one from their number who shall select and certify three commissioners. On or before June 1 of the same year, the chief justice of the supreme court shall select three members of the commission , each of whom shall be a registered voter who for the previous two years was not registered as an elector of either of the two largest political parties in the senate and the house of representatives. The chief justice shall select commissioners from recommendations made by the chief judge of each district court of appeal. Each chief judge shall recommend three individuals who otherwise meet the requirements of this section and who reside in that district. From the individuals recommended by chief judges of the district courts of appeal, the chief justice shall select and certify three commissioners. No two commissioners selected by the chief justice shall reside in the same appellate district.

(2) a. No commissioner shall have served during the four years prior to his or her certification as an elected state official, member of congress, party officer or employee,

paid registered lobbyist, legislative or congressional employee, and no commissioner shall be a relative, as defined by law, or an employee of any of the above.

b. As a condition of appointment, each commissioner shall take an oath affirming that the commissioner will not receive compensation as a paid registered lobbyist, or seek elected office in any legislative or congressional district for a period of four years after concluding service as a commissioner.

(3) The commission shall elect one of its members to serve as chair and shall establish its own rules and procedures. All commission actions shall require 10 affirmative votes. Meetings and records of the commission shall be open to the public and public notice of all meetings shall be given.

(4) Within 180 days after the commission is certified to the custodian of records, the commission shall file with the custodian of records its final report, including all required plans.

(5) After the supreme court determines that the required plans are valid, the commission shall be dissolved.

(b) FAILURE OF COMMISSION TO APPORTION; JUDICIAL APPORTIONMENT. If the commission does not timely file its final report including all required plans with the custodian of records, the commission shall be dissolved, and the attorney general shall, within five days, petition the supreme court of the state to make such apportionment. No later than the sixtieth day after the filing of such petition, the supreme court shall file with the custodian of records an order making such apportionment.

(c) JUDICIAL REVIEW OF APPORTIONMENT. Within 15 days after the final report of the commission is filed with the custodian of records, the attorney general shall petition the supreme court to review and determine the validity of the apportionment. The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within 30 days from filing the petition, shall enter its judgment.

(d) EFFECT OF JUDGMENT IN APPORTIONMENT. A judgment of the supreme court determining the apportionment to be valid or ordering judicial apportionment shall be binding upon all citizens of the state. Should the supreme court determine that the apportionment made by the commission is invalid, the commission, within 20 days after the ruling, shall adopt and file with the custodian of records an amended plan that conforms to the judgment.

### This Amendment

The amendment creating the Apportionment and Districting Commission will be on the ballot at the next general election if the measure meets all the requirements of law. Under that amendment, the first apportionment and redistricting of the state by the Apportionment and Districting Commission would be in 2011. Under this proposed amendment, the commission would be certified on or before March 1, 2007. The commission, on or before December 31, 2007, would establish state legislative and congressional districts in the manner provided in the amendment creating the commission. Elections for state legislative and congressional districts in 2008 would be held pursuant to plans adopted by the commission in 2007.

### Apportionment and Redistricting In Florida

Historically, the legislature has fulfilled its responsibility for apportionment and redistricting with support from House and Senate staff as well as outside consultants and attorneys. During the 2002 redistricting, significant time was required by legal, professional and technical staff to perform the many tasks associated with analyzing data, working with the

Census bureau, building data sets and databases, generating reports and maps, writing briefs, developing defense arguments and providing legal advice.

Historical Costs

The total costs to the state for each of the last two redistricting cycles averaged over \$13 million. These costs included technology and staffing costs as well as the costs of legal representation during the redistricting process and in defense of the redistricting plans.

	Senate Costs	House Costs	EDR <sup>2</sup> Costs	Payments to Plaintiffs	Total Costs to State
1988 – 1990	\$4.4 million	\$8.1 million	\$0.9 million	\$1.6 million	\$15.0 million
1998 – 2000	\$3.9 million	\$6.9 million	\$0.9 million		\$11.7 million
				Average Cost	\$13.4 million

During previous redistricting cycles, each house of the legislature drew plans for the Florida Senate, the Florida House of Representatives, and Florida's congressional seats using separate computer equipment, software, staff, and other resources. This resulted in a significant level of duplication, but not a complete duplication of effort. The majority of the work performed by the Senate focused on the Senate and congressional plans, while the majority of the work performed by the House focused on the House and congressional plans.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

Section 100.371, Florida Statutes, requires that the Financial Impact Estimating Conference (FIEC) "...complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenue or costs to state or local governments resulting from the proposed initiative."

As part of determining the fiscal impact of this proposed amendment, the FIEC held three public meetings during September and October 2005.

**A. FISCAL ANALYSIS**

The fiscal impact summary for this proposed amendment is based on independent research; testimony before the FIEC public workshop; written statements from the proponents and opponents of the initiative; responses to a survey of state agencies and local governments regarding fiscal impacts; and discussions among the FIEC principals and other professional staff. Based on this information, the FIEC expects the proposed amendment will result in one-time costs for the 2007 redistricting ranging from \$6.7 million to \$13.4 million for state government and \$6.5 million to \$7.5 million for local governments.

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<sup>2</sup> Legislative Office of Economic and Demographic Research

This estimate is based on the following:

- **The Apportionment and Districting Commission will incur the direct costs of administrative expenses related to staff, consultant fees, travel, public hearings, data preparation, equipment and software.**

The commission will need staff, consultant fees, travel, data preparation, equipment and software.

The need for the commissioners to travel in order to hear public comments may be greater and they may need to hold more public hearings than the legislature previously held. Legislators often travel and spend time with their constituency, making travel for the sole purpose of seeking input on redistricting less necessary. During the 2002 reapportionment process, legislators held 21 public hearings across the state to receive public input.

- **The Apportionment and Districting Commission will incur legal expenses related to the development of the plans and the defense thereof.**

During its existence, the commission will need legal advice on the standards for redistricting<sup>3</sup>. An issue for the commission will be how it will defend its plans and its actions in lawsuits brought after the commission has been disbanded. Typically, a plaintiff challenging a redistricting plan will list numerous state defendants<sup>4</sup> including the chairs of the Senate and House reapportionment

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<sup>3</sup> The Voting Rights Act (VRA), 42 U.S.C.A. s. 1971, et. seq., is a Federal mandate that requires the drawing of special majority-minority districts under certain circumstances: when a minority population is large enough to draw a district around and when racially polarized voting patterns exist (i.e., racial groups voting for candidates along racial lines). Originally, the 1965 VRA was designed to protect African-Americans, but was extended in 1982 to include “language minorities” such as Hispanics. In covered jurisdictions under § 5 of the VRA, primarily the South and non-Southern states with substantial minority populations, all levels of government must submit any change in electoral law – including redistricting – to the Justice Department or the District Court of DC for approval or “preclearance.” Any racial group in the United States may challenge an electoral system they feel is biased against them under § 2 of the VRA.

<sup>4</sup> See e.g.; MIGUEL DE GRANDY, MARIO DIAZ-BALART, ANDY IRELAND, CASIMER SMERICKI, VAN B. POOLE, TERRY KETCHEL, ROBERTO CASAS, RODOLFO GARCIA, JR., LUIS ROJAS, LINCOLN DIAZ-BALART, JAVIER SOUTO, JUSTO LUIS POSO, ALBERTO CARDENAS, REY VELAZQUEZ, LUIS MORSE, ALBERTO GUTMAN, KAREN E. BUTLER, SGT. AUGUSTA CARTER, JEAN VAN METER, ANNA M. PINELLAS, ROBERT WOODY, GINA HAHN, BILL PETERSEN, TERRY KESTER, MARGIE KINCAID, and BROOKS WHITE, Plaintiffs, v. T.K. WETHERELL, in his official capacity as Speaker of the Florida House of Representatives, GWEN MARGOLIS, in her official capacity as President of the Florida Senate, LAWTON CHILES, in his official capacity as Governor of the State of Florida, JACK GORDON, in his official capacity as Chairman of the Senate Reapportionment Committee, PETER R. WALLACE, in his official capacity as Chairman of the House Reapportionment Committee, JIM SMITH, in his official capacity as Secretary of State of Florida, ROBERT BUTTERWORTH, in his official capacity as Attorney General of Florida, Defendants. FLORIDA STATE CONFERENCE OF NAACP BRANCHES, T. H. POOLE, SR., WHITFIELD JENKINS, LEON W. RUSSELL, WILLYE DENNIS, TURNER CLAYTON, RUFUS BROOKS, VICTOR HART, KERNA ILES, ROOSEVELT WALTERS, JOHNNIE MCMILLIAN, PHYLLIS BERRY, MARY A. PEARSON, MABLE BUTLER, IRIS WILSON, JEFF WHIGHAM, AL DAVIS, PEGGY DEMON, CARLTON MOORE, RICHARD POWELL, NEIL ADAMS, LESLIE MCDERMOTT, ROBERT SAUNDERS, SR., IRV MINNEY, ADA MOORE, ANITA DAVIS, and CALVIN BARNES,

committees. While the Attorney General may provide representation for the defendants, individual defendants may wish to have their own representation.

- **The state will be required to pay attorney's fees for successful plaintiffs.**

Title 42 United States Code Section 1983 provides that citizens may bring civil actions to enforce their constitutional rights. In these cases, the court may award successful plaintiff's attorney's fees.<sup>5</sup>

Citizens may challenge redistricting plans under section 1983 if their civil rights are violated. For example in *Johnson v. Mortham*<sup>6</sup>, the plaintiffs were awarded attorney's fees after the successful challenge of a congressional redistricting plan as violating equal protection.

For the 1990 redistricting cycle, the legislature paid \$1.6 million to successful plaintiffs.

- **Additional anticipated costs to state government include increased direct costs due to the commission's expedited work schedule.**

These costs include, but are not limited to, data preparation, the need for additional staff and consultants, and possible additional litigation due to the accelerated and compressed work schedule as well as the reliance on 2000 Bureau of Census data.

- In 2007, the most recent U.S. Census Bureau data available will be the 2000 data. Using dated (2000) data may result in additional technology and staffing costs.<sup>7</sup> Alternatively, any proposal to use more updated data based on samples of population may prove unworkable because no such sampled data exists at the census block level, which appears to be necessary for redistricting<sup>8</sup>.
  - Redistricting by commission will be a completely new process that will undoubtedly have unanticipated issues and problems to be worked out. These may cause additional expenditures for technology, staffing, or consultants and attorneys.

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Plaintiffs, v. LAWTON CHILES, in his official capacity as Governor of Florida, JIM SMITH, in his official capacity as Secretary of State of Florida, ROBERT BUTTERWORTH, in his official capacity as Attorney General of Florida, GWEN MARGOLIS, in her official capacity as President of the Florida Senate, T. K. WETHERELL, in his official capacity as Speaker of the Florida House of Representatives, JACK GORDON, in his official capacity as Chairperson of the House Reapportionment Committee, and PETER R. WALLACE, in his official capacity as Chairman of the House Reapportionment Committee, Defendants, 794 F. Supp. 1076 (N.D.Fla. 1992)

<sup>5</sup> 42 USC sec. 1988(b)

<sup>6</sup> 950 F.Supp. 1117 (N.D.Fla.1996)

<sup>7</sup> Florida continues to experience substantial growth in its population. That growth is not uniform around the state. There is no reason to believe that districts drawn proportionately using 2000 data will actually be proportionate based on 2007 populations.

<sup>8</sup> Data from NCSL *Constituents per State Legislative District*:

Florida 2002 Resident Population	15,982,378
Senate Seats 40	Constituents per Senate District 399,559
House Seats 120	Constituents per House District 133,186

- While most states use decennial census data in redistricting, this is not a requirement under federal law (Florida state law is silent on the matter). With respect to federal constitutional law, the United States Supreme Court has written that “the Equal Protection Clause does not require the States to use total population figures derived from the federal census as the standard by which this substantial population equivalency is to be measured.”<sup>9</sup> For example, the Supreme Court upheld Hawaii’s use of voter registration data – despite potential problems with the use of such data – because the resulting apportionment “produced a distribution of legislators not substantially different from that which would have resulted from the use of a permissible population basis.”<sup>10</sup> Special circumstances in Hawaii led to the decision not to use population data; specifically, the Court recognized the state’s high number of military residents and tourists – and their distribution throughout the state – as factors that may have distorted the applicability of population data. Each of these factors led the Supreme Court to conclude that apportionment could be based on registered voter data, though the Court was careful to note that if registered voter data were used and subsequently shown to not approximate resident population, it would be constitutionally suspect.<sup>11</sup> Nonetheless, it remains the case that states need not necessarily use decennial census data in apportionment.<sup>12</sup>
- The fiscal impact is indeterminate.
- Any lawsuits challenging this redistricting may be more complex and expensive to defend than in the past because the process of using a commission will be novel, the time frame abbreviated, and the data drawn either from dated Census data or from updated data based on a yet to-be-developed sample.
  - As a matter of federal constitutional law, the United States Supreme Court has held that equal protection requires that “the overriding objective” in drawing redistricting plans “be substantial equality of population among the various districts.”<sup>13</sup> Although the Court recognizes that reaching actual equality is unlikely, districts must be drawn “as nearly of equal population as is practicable.”<sup>14</sup> In giving meaning to “substantial equality”, the Court has allowed plans that result in maximum population deviations – defined as the total variation between the two districts furthest from the ideal population – of less than 10%.<sup>15</sup> A state may deviate from this standard to preserve political subdivisions if it can articulate a rational basis for wanting to do so.<sup>16</sup> Nonetheless, deviations from the 10% standard are closely examined to

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<sup>9</sup> Burns v. Richardson, 384 U.S. 73, 91 (1966).

<sup>10</sup> Id. at 93.

<sup>11</sup> In fact, a federal court later determined this to be the case and struck down Hawaii’s plan as unconstitutional. Travis v. King, 552 F. Supp. 554 (D. Haw. 1982).

<sup>12</sup> See also Winter v. Docking, 373 F. Supp. 308 (D. Kan. 1974) (allowing Kansas’ use of a state census in apportionment);

<sup>13</sup> Reynolds v. Sims, 377 U.S. 533, 579 (1964).

<sup>14</sup> Id. at 577.

<sup>15</sup> E.g. Gaffney v. Cummings, 412 U.S. 735 (1973); White v. Regester, 412 U.S. 755 (1973).

<sup>16</sup> E.g. Mahan v. Howell, 410 U.S. 315 (1973); Voinovich v. Quilter, 507 U.S. 146 (1993).

protect against vote dilution, which runs afoul of the Court's "one person, one vote" standard on equal protection grounds.<sup>17</sup>

- One big event that many states will need to follow closely is how Congress reviews Section 5 of the federal Voting Rights Act. Section 5 is the part of the Act that requires all or parts of 16 states to submit their redistricting plans (and all changes in voting laws) to the U.S. Department of Justice (or a federal court in D.C.) for approval before those plans can become law. Section 5 expires in mid-2007, so Congress must revisit the provision. Changes are possible in the sometimes controversial process.
- The fiscal impact is indeterminate.
- **Total commission costs will probably be no more than the average amount expended by the legislature over the last two cycles and no less than one-half of that amount.**

The costs to the State of Florida will be largely controlled by:

- 1) Amounts appropriated for the operation of the commission by the legislature.
- 2) Amounts expended by the legislature, including the Office of Economic and Demographic Research (EDR), in support of the commission.<sup>18</sup>
- 3) Costs to defend any lawsuits that may be brought challenging the commission's processes or work product<sup>19</sup>.

The commission will have costs similar to, but not identical to, the direct costs of the legislature for redistricting; therefore, the estimate is primarily based on historical costs to the legislature. Since the legislature had duplication of staff, computer equipment, and other resources between the two chambers, there should be lower direct costs for the commission. As discussed above, there could be some additional costs to the commission for certain functions.

- **The average cost to the legislature of redistricting over the last two cycles has been \$13.4 million.** See Historical Costs above.
- **The Department of State will experience increased workload during the 2008 election cycle as a result of the additional redistricting.** The fiscal impact is indeterminate but expected to be minor.

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<sup>17</sup> See *Baker v. Carr*, 369 U.S. 186 (1962); *Gray v. Sanders*, 372 U.S. 358 (1973).

<sup>18</sup> During the 1997-1998 constitutional revision process, the Florida Senate devoted substantial resources, both technological and professional staff, to support the Constitutional Revision Commission, in addition to the \$2.2 million in direct funding appropriated for the commission.

<sup>19</sup> Lawsuits have typically been brought as challenges based on traditional districting principles such as compactness, population equity, contiguity, and respect for political subdivisions. See, e.g.; *Shaw v. Reno*, 509 U.S. 630, 644, 125 L. Ed. 2d 511, 113 S. Ct. 2816.

- **Supervisors of Elections have estimated their direct costs to be between \$6.5 million and \$7.5 million for implementing changes in voting districts.** Printing and mailing costs related to the distribution of voter information/education are among those costs included in the fiscal impact.
- **If the proposed amendment creating the commission is not approved by the voters, then this amendment will have no fiscal impact.**

**B. FISCAL IMPACT ON STATE AND LOCAL GOVERNMENTS:**

**1. Revenues:**

There will be no direct financial impact on the revenues of state or local government.

**2. Expenditures:**

The direct financial impact on government expenditures is expected to be one-time costs for the 2007 redistricting ranging from \$6.7 million to \$13.4 million for state government and \$6.5 million to \$7.5 million for local governments.