

IN THE SUPREME COURT OF OHIO

LEAGUE OF WOMEN VOTERS
OF OHIO, *et al.*,

Relators,

v.

OHIO REDISTRICTING
COMMISSION, *et al.*,

Respondents.

Case No. 2021-1193

BRIA BENNETT, *et al.*,

Relators,

v.

OHIO REDISTRICTING
COMMISSION, *et al.*,

Respondents.

Case No. 2021-1198

THE OHIO ORGANIZING
COLLABORATIVE, *et al.*,

Relators,

v.

OHIO REDISTRICTING
COMMISSION, *et al.*,

Respondents.

Case No. 2021-1210

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Members Brief

An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

Author: Emily E. Wendel, Attorney
Reviewer: Amber Hardesty, Division Chief

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Redistricting in Ohio

Every ten years, Ohio must adopt new district maps for the purpose of electing members of the U.S. House of Representatives, the Ohio Senate, and the Ohio House of Representatives. This brief provides an overview of redistricting in Ohio, compares the separate constitutional processes for General Assembly and congressional redistricting, explains some essential district-drawing concepts, and summarizes several landmark U.S. Supreme Court rulings concerning redistricting.

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Redistricting basics

Ohio elects its members of the U.S. House of Representatives, its state senators, and its state representatives from districts with roughly equal populations, giving each person's vote the same amount of influence. Every ten years, Ohio must redraw its congressional and General Assembly districts based on the latest population data from the U.S. Census in order to maintain population equality between districts and, in some cases, to change the number of congressional districts to match the new number of representatives to which Ohio is entitled.



Congressional Districts
2011-2021

The Census Bureau releases new population data for redistricting purposes by April 1 of each year ending in 1 (such as 2021), and the Ohio Constitution provides deadlines in the fall of that year to adopt new district maps based on the data. The new maps must be in place in time to nominate congressional and General Assembly candidates in the primary election held the next year. When that year is a

presidential election year, candidates must file their papers based on the new district map as early as mid-December of the year ending in 1.¹

Redistricting processes at a glance

The state uses two separate processes for General Assembly and congressional redistricting. The voters approved a constitutional amendment implementing a new General Assembly redistricting process in November 2015, and a separate constitutional amendment prescribing a new congressional redistricting process in May 2018. The following table compares several major aspects of the processes. For detailed explanations of the General Assembly and congressional redistricting procedures, please see LSC's final analyses of H.J.R. 12 of the 130th General Assembly and S.J.R. 5 of the 132nd General Assembly, respectively.

| General Assembly Districts | Congressional Districts |
|--|---|
| Who draws the districts | |
| Ohio Redistricting Commission | General Assembly |
| Required bipartisan vote | |
| Four of seven members of the Commission, including at least two members who represent each of the two largest political parties represented in the General Assembly | ¾ of the members of each chamber of the General Assembly, including at least ½ of the members of each of the two largest political parties represented in the chamber |
| Deadline to adopt a plan | |
| September 1 of a year ending in 1 | September 30 of a year ending in 1 |
| Impasse procedure | |
| <ul style="list-style-type: none"> ▪ The deadline is extended to September 15. ▪ If the Commission adopts the plan only by a simple majority vote, the plan must be replaced after four years. | <ul style="list-style-type: none"> ▪ The Ohio Redistricting Commission must adopt a plan by a bipartisan vote by October 31. ▪ If the Commission fails to do so, the General Assembly must adopt a plan by November 30. ▪ If the General Assembly adopts the plan only by a simple majority vote, it must follow |

¹ 13 U.S.C. 141(c); Ohio Constitution, Articles XI and XIX (effective January 1, 2021); and R.C. 3513.05. Ohio's current district maps are available from the Ohio Secretary of State here. The Bureau has asked Congress to extend the redistricting data delivery deadline to July 31, 2021, because of the COVID-19 pandemic. U.S. Census Bureau, *U.S. Department of Commerce Secretary Wilbur Ross and U.S. Census Bureau Director Steven Dillingham Statement on 2020 Census Operational Adjustments Due to COVID-19* (April 13, 2020).

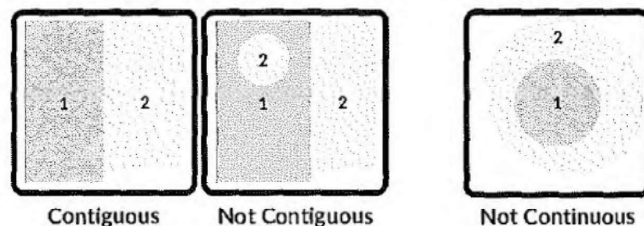
| General Assembly Districts | Congressional Districts |
|--|---|
| | additional district standards, described below, and the plan must be replaced after four years. |
| Population equality between districts | |
| <ul style="list-style-type: none"> ▪ District populations must be substantially equal. ▪ No district may contain a population of less than 95% or more than 105% of the ideal district population. | Not specified (see " Selected U.S. Supreme Court cases, " below) |
| District standards considered | |
| Mandatory standards: | General standards: |
| <ul style="list-style-type: none"> ▪ Contiguity ▪ Boundary must be a single nonintersecting continuous line ▪ Keep counties, municipal corporations, and townships whole, based on a specified procedure ▪ Each Senate district must consist of three contiguous House districts | <ul style="list-style-type: none"> ▪ Contiguity ▪ Boundary must be a single nonintersecting continuous line ▪ Compactness ▪ Keep counties, municipal corporations, and townships whole, based on a specified procedure |
| Standards the Commission must attempt to follow: | Standards the General Assembly must follow if it does not pass the plan by the required bipartisan vote: |
| <ul style="list-style-type: none"> ▪ No plan shall be drawn primarily to favor or disfavor a political party. ▪ The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party must correspond closely to the statewide preferences of the voters of Ohio. ▪ Districts must be compact. | <ul style="list-style-type: none"> ▪ The plan must not unduly favor or disfavor a political party or its incumbents. ▪ The plan must not unduly split governmental units, giving preference to keeping whole, in the order named, counties, then townships and municipal corporations. ▪ The General Assembly must attempt, but is not required, to draw districts that are compact. |
| Legal challenges | |
| <ul style="list-style-type: none"> ▪ States that the Ohio Supreme Court has exclusive, original jurisdiction in any challenge. ▪ Requires the Ohio Redistricting Commission to amend the plan or adopt a new plan, as | <ul style="list-style-type: none"> ▪ States that the Ohio Supreme Court has exclusive, original jurisdiction in any challenge. ▪ Requires that, if a plan, district, or group of districts is ruled unconstitutional, the General |

| General Assembly Districts | Congressional Districts |
|--|--|
| <p>applicable, if a plan, district, or group of districts is ruled unconstitutional.</p> <ul style="list-style-type: none"> Prohibits a court from ordering the implementation of a plan not approved by the Commission. Prohibits a court from ordering the Commission to adopt a particular plan or to draw a particular district. Prescribes the available remedies in the event that the Court determines that a General Assembly district plan adopted by the Commission does not comply with the constitutional district standards. | <p>Assembly must adopt a new plan within 30 days after the appeal deadline expires or after the order is issued, if it is not appealable.</p> <ul style="list-style-type: none"> Requires the Ohio Redistricting Commission to adopt a plan not later than 30 days after the General Assembly's deadline, if the General Assembly misses the deadline. Requires the new plan to remedy any legal defects, but to include no other changes. |

District-drawing concepts

Contiguity and continuous boundary lines

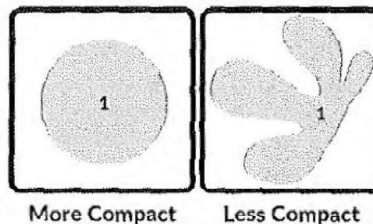
Every congressional and General Assembly district in Ohio must be contiguous, meaning that it is a single, unbroken shape, with no "islands" of territory that do not touch the rest of the district. Each district's boundary also must be a single nonintersecting continuous line. This standard prevents, for example, the creation of "donut" districts, with one district entirely surrounding another.²



² Ohio Const., art. XI, sec. 3(B)(3) and art. XIX, sec. 2(B)(3) (effective January 1, 2021).

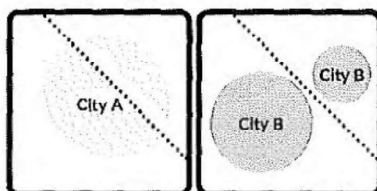
Compactness

A district is considered compact if it has a minimal distance between all parts of its territory. Multiple methods exist to measure a district's compactness, such as calculating the total length of its perimeter (a shorter perimeter meaning a more compact district), or calculating the average distance between locations on the outer edges of the district and the center of the district (a shorter average distance meaning a more compact district).



Under the Ohio Constitution, the Ohio Redistricting Commission must attempt to draw compact General Assembly districts, but it is not explicitly required to do so. On the other hand, congressional districts must be compact, except that under the modified district standards that apply if the General Assembly fails to pass a district plan by the required bipartisan vote, the legislature must attempt to draw compact districts, but is not required to.³

Keeping political subdivisions whole

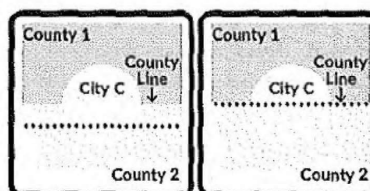


City A - Split

City B - Not Split

Ohio's congressional and General Assembly redistricting processes both place a priority on keeping counties, cities, villages, and townships together within one district. Splitting a political subdivision is necessary when, for example, its population exceeds the ideal district population. But, the Ohio Constitution includes procedures to minimize any unnecessary splitting.

Under both redistricting processes, a political subdivision is considered to be split if any contiguous portion of its territory is not contained entirely within one district. If a political subdivision has an island of territory that does not touch the rest of the subdivision, putting the island in a different district is not considered splitting the political subdivision (see above). Further, if a city, village, or township has territory in more than one county, drawing the district line along the county line is not considered splitting the city, village, or township.⁴



City C - Split

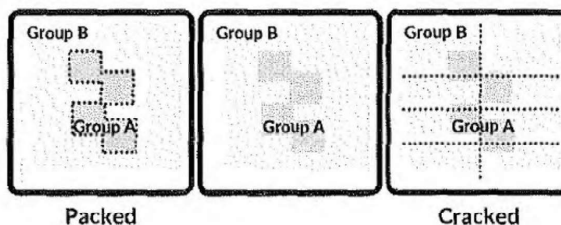
City C - Not Split

³ Ohio Const., art. XI, sec. 6 and art. XIX, secs. 1(F)(3)(c) and 2(B)(2) (effective January 1, 2021).

⁴ Ohio Const., art. XI, sec. 3(D) and art. XIX, sec. 2(C) (effective January 1, 2021).

Packing and cracking

Two district-drawing practices, commonly called packing and cracking, can give one group less influence than another. At one extreme, when a group is “packed” into a single district, it makes up a supermajority within the district, but is less able to influence the outcome of elections outside that district. Conversely, when a group is “cracked” among many districts, it makes up only a minority of the vote in each district, and is less able to influence the outcome of elections in any district. In some redistricting cases, packing and cracking have given rise to claims of unlawful gerrymandering (see “Selected U.S. Supreme Court cases,” below).



Political considerations

The Ohio Constitution includes two separate standards for the inclusion of political considerations in the drawing of district maps. For a General Assembly district plan, the Ohio Redistricting Commission must attempt to adopt a plan (1) that is not drawn primarily to favor or disfavor a political party, and (2) in which the statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to the statewide preferences of the voters of Ohio.

For a congressional district map, the Ohio Constitution specifies that if, under the impasse procedure, the General Assembly passes a redistricting plan by a simple majority vote instead of by the required bipartisan vote, the plan must not unduly favor or disfavor a political party or its incumbents.⁵

Majority-minority districts

The Equal Protection Clause of the 14th Amendment and the federal Voting Rights Act of 1965 (VRA) prohibit any district plan from denying or abridging citizens’ right to vote on account of race, color, or status as a member of a language minority group. The U.S. Supreme Court has developed a test to determine whether a district map dilutes minority voting strength in violation of the VRA by cracking a minority population among multiple districts, as described above. Essentially, the test examines whether (1) the minority group is “sufficiently numerous and compact to form a majority in a single-member district,” (2) the minority group is “politically cohesive,” meaning its members tend to vote similarly, and (3) “the majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority’s preferred candidate.”⁶

In order to remedy a case of minority vote dilution, a court may require the adoption of a majority-minority district, in which a sufficient population of a minority group exists to allow the group to elect its candidate of choice. Currently, no court has expressly required Ohio to

⁵ Ohio Const., art. XI, sec. 6 and art. XIX, sec. 1(C)(3)(a) and (F)(3)(a) (effective January 1, 2021).

⁶ 52 United States Code 10301; *Thornburg v. Gingles*, 478 U.S. 30, 50 (1986); and *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252, 264 (1977).

create majority-minority congressional or General Assembly districts. A state may draw majority-minority districts voluntarily in order to remedy past discrimination. However, in some circumstances, the courts have overturned plans that included voluntarily created majority-minority districts because creating those districts amounted to unconstitutional racial gerrymandering.⁷

Other common concepts

The Ohio Redistricting Commission and the General Assembly might consider other district-drawing concepts in creating district maps, so long as the constitutional requirements are met. For example, some states use criteria such as preserving communities of interest in a single district or maintaining previous district lines to the extent feasible. The National Conference of State Legislatures offers several useful references on these topics, including a 50-state survey of redistricting criteria and *The Redistricting Glossary*.⁸

Selected U.S. Supreme Court cases

The following cases represent a sample of the landmark U.S. Supreme Court rulings on congressional and state legislative redistricting. This list is intended to provide a basic foundation for understanding some of the legal discussions surrounding redistricting. However, the list is not exhaustive, and it does not include later rulings that have added nuance to these decisions.

Population equality

- *Wesberry v. Sanders*, 376 U.S. 1 (1964) – Held that the population of congressional districts in the same state must be as nearly equal as practicable.
- *Reynolds v. Sims*, 377 U.S. 533 (1964) – Specified that the Equal Protection Clause of the 14th Amendment requires states to draw legislative districts that are substantially equal in population.
- *Karcher v. Daggett*, 462 U.S. 725 (1983) – Held that congressional districts must be mathematically equal in population, except as necessary to achieve a legitimate state objective.

Racial and language minorities

- *Thornburg v. Gingles*, 478 U.S. 30 (1986) – Held that the VRA requires that a majority-minority district be drawn to remedy minority vote dilution if (1) the racial or language minority group is “sufficiently numerous and compact to form a majority in a single-member district,” (2) the minority group is “politically cohesive,” meaning its members tend to vote similarly, and (3) the “majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority’s preferred candidate.”

⁷ *Voinovich v. Quilter*, 507 U.S. 146 (1993); *Bush v. Vera*, 517 U.S. 952 (1996); *Shaw v. Hunt*, 517 U.S. 899 (1996); and *Alabama Legislative Black Caucus v. Alabama*, 135 S.Ct. 1257 (2015).

⁸ National Conference of State Legislatures, *NCSL’s Redistricting Webpages*.

- *Shaw v. Reno*, 509 U.S. 630 (1993) – Held that districts violate the Equal Protection Clause if they cannot be explained on grounds other than race.
- *Miller v. Johnson*, 515 U.S. 900 (1995) – Specified that a district is unconstitutionally racially gerrymandered if race is the “predominant” factor in drawing its lines.
- *Bush v. Vera*, 517 U.S. 952 (1996) – Found that if race was the predominant factor in drawing a district, the district cannot be justified by the VRA unless there is a strong basis in evidence that drawing the district was reasonably necessary to avoid denying or abridging equal voting rights.

Partisan gerrymandering

- *Rucho v. Common Cause*, 139 S.Ct. 2484 (2019) – Found that partisan gerrymandering represents a political question on which the federal courts cannot rule because there is no credible way to define and measure fairness in the political context.



Ohio Legislative Service Commission

Final Analysis

Emily E. Wendel

Am. Sub. H.J.R. 12 130th General Assembly (As Adopted by the General Assembly)

Reps. Huffman and Sykes, Amstutz, Anielski, Ashford, Baker, Brown, Burkley, Clyde, Duffey, Grossman, Hackett, C. Hagan, Hayes, Kunze, Letson, McClain, McGregor, Patmon, Scherer, Schuring, Stebelton, Wachtmann, Batchelder

Sens. Faber, Coley, Bacon, Balderson, Beagle, Burke, Eklund, Gardner, Gentile, Hite, LaRose, Lehner, Peterson, Sawyer, Schiavoni, Turner, Widener

Adopted: December 17, 2014; approved by the voters on November 3, 2015; effective January 1, 2021

RESOLUTION SUMMARY

Ohio Redistricting Commission

- Replaces the Apportionment Board with the Ohio Redistricting Commission, and makes the Commission responsible for redistricting the state for the General Assembly.
- Specifies that the Commission consists of the Governor, the Auditor of State, the Secretary of State, and four persons appointed by majority and minority leaders in the General Assembly.
- Requires the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the General Assembly, acting jointly by political party, to appoint a co-chairperson of the Commission.
- Requires the Governor to convene the Commission only in years ending in the numeral one, unless the Commission is convened by a court to draw judicially invalidated districts or the Commission must draw new districts following the expiration of a plan adopted under the proposal's impasse procedure.
- Prescribes procedural requirements for meetings of the Commission.

* This update notes the approval by voters and the effective date.

- Requires the General Assembly to make the appropriations it determines are necessary in order for the Commission to perform its duties.

Method of selecting a district plan

- Requires the Commission to adopt a district plan by a specified bipartisan vote of four members.
- Specifies that, if the Commission fails to adopt a final district plan not later than September 1, the Commission must introduce a district plan by a simple majority vote and must hold a public hearing on the plan.
- Requires the Commission, not later than September 15, to adopt a final district plan, either by the bipartisan vote described above or by a simple majority vote.
- Specifies that if the Commission adopts a plan by that bipartisan vote, the plan remains effective until the next year ending in the numeral one, unless a court convenes the Commission to redraw judicially invalidated districts.
- Provides generally that if the Commission adopts a plan by a simple majority vote, the plan remains effective until two general elections for the House of Representatives have occurred under the plan.
- Specifies that if, before a year ending in the numeral one, the Commission adopts another plan by a simple majority vote to replace a plan adopted under the impasse procedure, the newly adopted plan remains effective until a year ending in the numeral one, unless the Commission is reconstituted and convened by a court to draw judicially invalidated districts.
- Requires a plan adopted by a simple majority vote to include a statement explaining what the Commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to those preferences.
- Allows a member of the Commission who does not vote in favor of the plan to submit a declaration of the member's opinion concerning that statement.
- Requires, after a plan adopted by a simple majority vote ceases to be effective after two general elections for the House of Representatives, that the Commission convene not earlier than July 1 of the following year to adopt a new General



Assembly district plan using the same population and political subdivision boundary data as were used to draw the previous plan.

District standards

- Establishes new constitutional standards for the drawing of General Assembly districts.

Legal challenges

- Specifies that, if any section of the Constitution relating to redistricting, any General Assembly district plan, or any district is determined to be invalid by an unappealed final order of a court of competent jurisdiction, then the Commission must be reconstituted and convene to adopt a district plan that conforms with the provisions of the Constitution that are then valid.
- Prohibits a court, in any circumstance, from ordering the implementation or enforcement of any plan that has not been approved by the Commission.
- Prohibits a court from ordering the Commission to adopt a particular General Assembly district plan or to draw a particular district.
- Prescribes the available remedies in the event that the Ohio Supreme Court determines that a General Assembly district plan adopted by the Commission does not comply with the constitutional district standards.

Miscellaneous

- Repeals the current constitutional provision describing the district plans in effect until January 1, 1973.

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CONTENT AND OPERATION

Ohio Redistricting Commission

The joint resolution proposes an amendment to the Ohio Constitution to create the Ohio Redistricting Commission to replace the Apportionment Board as the body responsible for drawing General Assembly districts.

Composition

Under the resolution, the Ohio Redistricting Commission consists of the following seven members:⁴

- The Governor;
- The Auditor of State;
- The Secretary of State;
- One person appointed by the Speaker of the House of Representatives;
- One person appointed by the President of the Senate;
- One person appointed by the Minority Leader of the House;
- One person appointed by the Minority Leader of the Senate.

The legislative leaders in the Senate and the House of each of the two largest political parties represented in the General Assembly, acting jointly by political party, must appoint one member of the Commission to serve as a co-chairperson.

Currently, the Apportionment Board is responsible for drawing General Assembly districts. The Apportionment Board consists of the Governor, the Auditor of State, the Secretary of State, one person chosen by the Speaker of the House and the leader in the Senate of the political party of which the Speaker is a member, and one person chosen by the legislative leaders in the two houses of the political party of which the Speaker is not a member.¹¹

Organizational procedures

The resolution requires the Governor to convene the Ohio Redistricting Commission only in a year ending in the numeral one, unless the Commission is convened by a court to draw judicially invalidated districts or the Commission must draw new districts following the expiration of a plan adopted under the proposal's



impasse procedure (see "**Method of selecting a district plan**," below). Under the resolution, district boundaries must not be changed at any other time.

The Constitution currently requires the Governor to convene the Apportionment Board between August 1 and October 1 of a year ending in the numeral one, and to give the Board two weeks advance notice of the date, time, and place of the meeting.

At the Commission's first meeting, the proposal requires the Commission to set a schedule for the adoption of procedural rules for the operation of the Commission.

Under the resolution, a simple majority of the Commission generally is required for any organizational action by the Commission. A majority vote of the Commission, including at least one member of the Commission who is a member of each of the two largest political parties represented in the General Assembly, is required to adopt rules of the Commission, to hire staff for the Commission, or to expend funds. However, if the Commission is unable to agree by that vote on the manner in which funds should be expended, each co-chairperson of the Commission has the authority to expend ½ of the funds that have been appropriated to the Commission. Finally, a specified bipartisan vote generally is required to adopt a district plan (see "**Method of selecting a district plan**," below).

The Commission must release a proposed district plan to the public. The proposed plan must be drafted according to the constitutional requirements. After introducing a General Assembly district plan but before adopting a final plan, the Commission must conduct a minimum of three public hearings across the state to present the proposed plan and to seek public input regarding the proposed plan. All meetings of the Ohio Redistricting Commission must be open to the public. Meetings must be broadcast by electronic means of transmission using a medium readily accessible to the general public.

Four weeks after the adoption of a General Assembly district plan, the Commission is automatically dissolved.

Finally, under the resolution, the General Assembly must make the appropriations it determines are necessary in order for the Commission to perform its duties.ⁱⁱⁱ

Method of selecting a district plan

In order to adopt a final district plan, the resolution requires the affirmative vote of four members of the Commission, including at least two members of the Commission who represent each of the two largest political parties represented in the General Assembly. A member of the Commission is considered to represent a political party if



the member was appointed to the Commission by a member of that party or if, in the case of the Governor, the Auditor, or the Secretary of State, the person is a member of that party.

The Commission must adopt a final General Assembly district plan not later than September 1 of a year ending in the numeral one. The plan becomes effective upon filing with the Secretary of State, which the Commission must do promptly.^{iv}

If the Commission fails to adopt a final district plan by that deadline, the Commission must introduce a district plan by a simple majority vote of the Commission. Then, the Commission must hold a public hearing concerning the introduced plan. Members of the Commission should attend the hearing; however, only a quorum of the members of the Commission is required to conduct the hearing. At the hearing, the public may offer testimony, and the Commission may adopt amendments to the introduced plan.

After that hearing is held, and not later than September 15 of that year, the Commission must adopt a final district plan, either by the bipartisan vote described above or by a simple majority vote. If the Commission adopts a plan by that bipartisan vote, the plan remains effective until the next year ending in the numeral one, unless a court convenes the Commission to redraw judicially invalidated districts.

If the Commission adopts a plan by a simple majority vote, the plan remains effective until two general elections for the House of Representatives have occurred under the plan. However, if, before a year ending in the numeral one, the Commission adopts another plan by a simple majority vote to replace a plan adopted under the impasse procedure, the newly adopted plan remains effective until a year ending in the numeral one, unless the Commission is reconstituted and convened by a court to draw judicially invalidated districts.

A plan adopted by a simple majority vote must include a statement explaining what the Commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to those preferences, as described in the procedure for drawing districts (see "**District standards**," below). At the time the plan is adopted, a member of the Commission who does not vote in favor of the plan may submit a declaration of the member's opinion concerning that statement.

When a plan adopted by a simple majority vote ceases to be effective before a year ending in the numeral one, not earlier than July 1 of the year following the year in which the plan ceased to be effective, the Commission must be reconstituted, convene,



and adopt a new General Assembly district plan. The Commission must draw the new plan using the same population and political subdivision boundary data as were used to draw the previous plan.”

Existing law requires a majority vote of the Apportionment Board to adopt a district plan, and requires the Governor to cause a district plan to be published no later than October 5 of the year in which it is made.^{vi}

District standards

The table below compares the Ohio Constitution's current requirements for drawing General Assembly districts with the requirements proposed by the resolution.

| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|---|---|--|
| District population requirements | <p>Permits the General Assembly to designate a method for determining the population of the state for purposes of calculating the ratios of representation in the General Assembly, if the federal decennial census is unavailable.</p> <p>Requires the population of each House of Representatives district to be substantially equal to the ratio of representation in the House of Representatives, and generally prohibits a House of Representatives district from containing a population of less than 95% nor more than 105% of the ratio of representation.</p> <p>Specifies that a reasonable effort must be made to draw a county that has between 90% and 95% or 105% and 110% of the ratio of representation in the House of Representatives as a single district.^{vii}</p> <p>Requires the population of each Senate district to be substantially equal to the ratio of representation in the Senate, and prohibits any Senate district from containing a population of less than 95% nor more than 105% of the ratio of representation.^{viii}</p> | <p>Same as the current Constitution, but eliminates the option to draw a county that has a population of between 90% and 95% or 105% and 110% of the ratio of representation in the House of Representatives as a single district.^x</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|---|---|--|
| | Specifies that each House of Representatives district is entitled to a single representative in each General Assembly and that each Senate district is entitled to a single senator in each General Assembly. ^{ix} | |
| Legal requirements for districts | No provision. | Requires any plan adopted by the Commission to comply with all applicable provisions of the constitutions of Ohio and the United States and of federal law. ^{xi} |
| General requirements for House districts | Requires every House of Representatives district to be compact and composed of contiguous territory, and the boundary of each district to be a single nonintersecting continuous line. ^{xii} | Requires every House of Representatives district to be composed of contiguous territory, and the boundary of each district to be a single nonintersecting continuous line. ^{xiii} |
| Procedure for drawing House districts | <p>Specifies that, to the extent consistent with population requirements, the boundary lines of districts must be so drawn so as to delineate an area containing one or more whole counties.</p> <p>Specifies that, where population requirements cannot feasibly be attained by forming a district from a whole county or counties, the district must be formed by combining the areas of governmental units giving preference, in the order named, to counties, townships, municipalities, and city wards.</p> <p>Specifies that, where governmental units must be divided to meet population requirements, only one such unit may be divided between two districts, giving preference in the selection of a unit for division to a township, a city ward, a city, and a village in the order named.^{xiv}</p> <p>Requires a county having at least one House of Representatives ratio of</p> | <p>Requires House of Representatives districts to be created and numbered in the following order of priority, to the extent that such order is consistent with the foregoing standards:^{xix}</p> <p>(1) Proceeding in succession from the largest to the smallest, each county containing population greater than 105% of the ratio of representation in the House must be divided into as many House districts as it has whole ratios of representation. Any fraction of the population in excess of a whole ratio must be a part of only one adjoining House district.</p> <p>(2) Each county containing population of not less than 95% nor more than 105% of the ratio of representation in the House must be designated a House district.</p> <p>(3) The remaining territory of the state must be divided into House districts by combining the areas of</p> |

| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|-------|--|--|
| | <p>representation to have as many House of Representatives districts wholly within the boundaries of the county as it has whole ratios of representation, and requires any fraction of the population in excess of a whole ratio to be a part of only one adjoining House of Representatives district.^{xv}</p> <p>Requires each county containing population substantially equal to one ratio of representation in the House of Representatives, but in no event less than 95% of the ratio nor more than 105% of the ratio to be designated a representative district.^{xvi}</p> <p>Requires a reasonable effort to be made to create a House of Representatives district consisting of a whole county, when the county has a population of between 90% and 110% of the ratio of representation.^{xvii}</p> <p>Proceeding in succession from the largest to the smallest, requires each remaining county containing more than one whole ratio of representation to be divided into House of Representatives districts, with the remaining territory within such county containing a fraction of one whole ratio of representation included in one representative district by combining it with adjoining territory outside the county.^{xviii}</p> | <p>counties, municipal corporations, and townships. Where feasible, no county may be split more than once.</p> <p>Provides that in general, a county, municipal corporation, or township is considered to be split if any contiguous portion of its territory is not contained entirely within one district.</p> <p>Specifies that if a municipal corporation or township has territory in more than one county, the contiguous portion of that municipal corporation or township that lies in each county must be considered to be a separate municipal corporation or township for the purposes of drawing House districts.</p> <p>Provides that if a municipal corporation or township that is located in a county that contains a municipal corporation or township that has a population of more than one ratio of representation is split because it is not possible for the Commission to comply with all of the requirements for drawing House districts, the municipal corporation or township must be considered to be a separate municipal corporation or township for the purposes of drawing House districts.</p> <p>Requires House districts to be drawn so as to split the smallest possible number of municipal corporations and townships whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>Specifies that where the above requirements cannot feasibly be attained by forming a House district</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|-------|-------------------------------|--|
| | | <p>from whole municipal corporations and townships, not more than one municipal corporation or township may be split per House district.^{xx}</p> <p>Requires the Commission, if it is not possible for the Commission to comply with all of the requirements for drawing House districts in drawing a particular district, to take the first action listed below that makes it possible for the Commission to draw that district:</p> <p>(1) The Commission must create the district by splitting two municipal corporations or townships whose contiguous portions do not contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(2) The Commission must create the district by splitting a municipal corporation or township whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(3) The Commission must create the district by splitting, once, a single county that contains a population of not less than 95%, but not more than 105%, of the ratio of representation.</p> <p>(4) The Commission must create the district by including in two districts portions of the territory that remains after a county that contains a population of more than 105% of the ratio of representation has been divided into as many House districts as it has whole ratios of representation.</p> |

| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|-------|-------------------------------|--|
| | | <p>Specifies that if the Commission takes an action listed immediately above, the Commission must include in the district plan a statement explaining which action the Commission took and the reason the Commission took that action.</p> <p>Specifies that if the Commission takes an action listed immediately above in drawing a district and includes the required statement in the district plan, the Commission must not be considered to have violated the applicable requirement for that district, for the purpose of a court's analysis.^{xxi}</p> <p>Requires the Commission to attempt to draw a General Assembly district plan that meets all of the following standards:</p> <ul style="list-style-type: none"> • No district plan shall be drawn primarily to favor or disfavor a political party. • The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party must correspond closely to the statewide preferences of the voters of Ohio. • General Assembly districts must be compact. <p>Specifies that nothing in those provisions permits the Commission to violate the other General Assembly district standards described in the resolution.^{xxii}</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|--|---|---|
| General requirements for Senate districts | Requires Senate districts to be composed of three contiguous House of Representatives districts. ^{xxiii} | Requires Senate districts to be composed of three contiguous House of Representatives districts. ^{xxiv} Requires every Senate district to be composed of contiguous territory, and the boundary of each district to be a single nonintersecting continuous line. ^{xxv} |
| Procedure for drawing Senate districts | Requires a county having at least one whole Senate ratio of representation to have as many Senate districts wholly within the boundaries of the county as it has whole Senate ratios of representation, and requires any fraction of the population in excess of a whole ratio to be a part of only one adjoining Senate district. Specifies that counties having less than one Senate ratio of representation, but at least one House of Representatives ratio of representation, must be part of only one Senate district. ^{xxvi} | Same as the current Constitution, but specifies that if it is not possible for the Commission to draw House districts that comply with all of the requirements of Article XI and that make it possible for the Commission to comply with those requirements, the Commission must draw Senate districts so as to commit the fewest possible violations of those requirements. Specifies that if the Commission complies with the above procedure in drawing Senate districts, the Commission must not be considered to have violated the applicable requirement in drawing those districts, for the purpose of a court's analysis. ^{xxvii} |
| Senators whose terms will not expire | Specifies that, when district boundaries are changed, a senator whose term will not expire within two years of the time the plan of apportionment is made must represent, for the remainder of the term for which the senator was elected, the Senate district that contains the largest portion of the population of the district from which the senator was elected, and requires the district to be given the number of the district from which the senator was elected. | Generally retains the current constitutional provision for numbering a Senate district when the term of the senator who represents the district does not immediately expire. Requires the district plan itself to designate which senator will represent a district if more than one senator would represent that district. ^{xxix} |

| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|---|---|---|
| | Specifies that, if more than one senator whose term will not so expire would represent the same district by following these provisions, the persons responsible for apportionment, by a majority vote, must designate which senator will represent the district and designate which district the other senator or senators will represent for the balance of their term or terms. ^{xxviii} | |
| Preservation of previous district boundaries | Requires district boundaries established by the preceding apportionment to be adopted to the extent reasonably consistent with the population requirements. ^{xxx} | No provision. |
| Political subdivision boundaries to be used | Notwithstanding the fact that the boundaries of political subdivisions within a district may be changed, requires the Commission to create district boundaries by using the boundaries of political subdivisions as they exist at the time of the federal decennial census on which the redistricting is based, or if the census is unavailable, on a basis the General Assembly specifies. ^{xxxi} | Same as the current Constitution. ^{xxxi} |

Legal challenges

Under the resolution, if any section of the Constitution relating to redistricting, any General Assembly district plan, or any district is determined to be invalid by an unappealed final order of a court of competent jurisdiction, then the Commission must be reconstituted and convene to adopt a district plan that conforms with the provisions of the Constitution that are then valid. Currently, the Constitution requires new districts to be drawn if provisions of the Constitution or a district plan are determined to be invalid by either the Ohio Supreme Court or the U.S. Supreme Court.

The proposal prohibits a court, in any circumstance, from ordering the implementation or enforcement of any plan that has not been approved by the Commission. And, the resolution prohibits a court from ordering the Commission to adopt a particular General Assembly district plan or to draw a particular district.



The resolution also prescribes the available remedies in the event that the Ohio Supreme Court determines that a General Assembly district plan adopted by the Commission does not comply with the constitutional district standards, other than the standards concerning political parties, party preferences, and compactness.

First, if the Court determines that a district plan contains one or more isolated violations of those standards, the court must order the Commission to amend the plan to correct the violations.

Further, the proposal specifies that if the court finds that it is necessary to amend not fewer than six House districts to correct violations of those requirements, to amend not fewer than two Senate districts to correct violations of those requirements, or both, the court must declare the plan invalid and order the Commission to adopt a new plan.

Third, if, in considering a district plan adopted by a simple majority of the Commission under the proposal's impasse procedure (see "**Method of selecting district plans**," above), the Court determines that both of the following are true, the Court must order the Commission to adopt a new district plan:^{xxxiii}

- The plan significantly violates those standards in a manner that materially affects the ability of the plan to contain districts whose voters favor political parties in an overall proportion that corresponds closely to the statewide political party preferences of the voters of Ohio, as described in the procedure for drawing districts (see "**District standards**," above).
- The statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party does not correspond closely to the statewide preferences of the voters of Ohio.

The resolution relocates but otherwise retains provisions specifying that the Ohio Supreme Court has exclusive, original jurisdiction in all cases arising under Article XI and that a new redistricting plan made as a result of a legal challenge must allow 30 days for persons to change residence in order to be eligible for election. Relocated but otherwise continuing law also specifies that the various provisions of Article XI are intended to be severable, and that the invalidity of one or more of the provisions does not affect the validity of the remaining provisions.^{xxxiv}

Finally, the resolution eliminates a requirement that the Governor give the Apportionment Board two weeks advance written notice of the date, time, and place of any meeting held pursuant to a court order invalidating a district plan.^{xxxv}



Miscellaneous

The resolution repeals the current constitutional provision that describes the district plans that were in effect until January 1, 1973.^{xxxvi}

Effective date

The resolution places the proposal on the ballot on November 3, 2015. If adopted by a majority of electors voting on it, the proposal takes effect January 1, 2021.

HISTORY

| ACTION | DATE |
|--|----------|
| Introduced | 11-13-14 |
| Reported, H. Policy & Legislative Oversight | 12-04-14 |
| Adopted House (80-4) | 12-04-14 |
| Reported, S. Rules | 12-11-14 |
| Adopted Senate (28-1) | 12-11-14 |
| House concurred in Senate amendments (82-8) | 12-17-14 |
| House concurred in Senate amendments upon reconsideration (81-7) | 12-17-14 |

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ⁱ Ohio Const. Art. XI, Sec. 1(A).

ⁱⁱ Ohio Const. Art. XI, Sec. 1(A).

ⁱⁱⁱ Ohio Const. Art. XI, Sec. 1.

^{iv} Ohio Const. Art. XI, Sec. 1.

^v Ohio Const. Art. XI, Sec. 8.

^{vi} Ohio Const. Art. XI, Sec. 1.

^{vii} Ohio Const. Art. XI, Sec. 3 and 9.

^{viii} Ohio Const. Art. XI, Sec. 4.

^{ix} Ohio Const. Art. XI, Sec. 5.

^x Ohio Const. Art. XI, Sec. 3(A) and (B).

^{xi} Ohio Const. Art. XI, Sec. 3(B).

^{xii} Ohio Const. Art. XI, Sec. 7.

^{xiii} Ohio Const. Art. XI, Sec. 3(B).

^{xiv} Ohio Const. Art. XI, Sec. 7.

^{xv} Ohio Const. Art. XI, Sec. 8.

^{xvi} Ohio Const. Art. XI, Sec. 10.

^{xvii} Ohio Const. Art. XI, Sec. 9.

^{xviii} Ohio Const. Art. XI, Sec. 10.

^{xix} Ohio Const. Art. XI, Sec. 3(C).

^{xx} Ohio Const. Art. XI, Sec. 3(D).



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- xxi Ohio Const. Art. XI, Sec. 3(E).
 - xxii Ohio Const. Art. XI, Sec. 6.
 - xxiii Ohio Const. Art. XI, Sec. 11.
 - xxiv Ohio Const. Art. XI, Sec. 4.
 - xxv Ohio Const. Art. XI, Sec. 3.
 - xxvi Ohio Const. Art. XI, Sec. 11.
 - xxvii Ohio Const. Art. XI, Sec. 4(B)(3).
 - xxviii Ohio Const. Art. XI, Sec. 12.
 - xxix Ohio Const. Art. XI, Sec. 5.
 - xxx Ohio Const. Art. XI, Sec. 7.
 - xxxi Ohio Const. Art. XI, Sec. 6.
 - xxxii Ohio Const. Art. XI, Sec. 7.
 - xxxiii Ohio Const. Art. XI, Sec. 9.
 - xxxiv Ohio Const. Art. XI, Secs. 9 and 10. (Relocated from Secs. 13 and 15.)
 - xxxv Ohio Const. Art. XI, Sec. 14.
 - xxxvi Repeal of existing Ohio Const. Art. XI, Sec. 14.



ROBERT R. CUPP
SPEAKER OF THE HOUSE
OHIO HOUSE OF REPRESENTATIVES
DISTRICT 04



77 S. HIGH STREET, 14TH FLOOR
COLUMBUS, OH 43125
REP04@OHIOHOUSE.GOV

To: Brad Young, Clerk
From: Robert R. Cupp, Speaker of the House
Date: January __, 2021
Re: Appointments/Removals: Special Boards and Commissions /Standing Committees

[BASED off the "Copy of Sept. Oct. Nov. Dec. – Appointments for 2020" excel chart.]

Pursuant to Section 113.56 of the Ohio Revised Code, the Speaker of the House hereby appoints the following member to the Able Account Program Advisory Board:

APPOINT: Representative Grendell

Pursuant to Section 101.35 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Joint Committee on Agency Rule Review:

APPOINT: Representative Boggs
Representative Callender
Representative Hillyer
Representative Skindell
Representative Stein

Pursuant to Section 103.51 of the Ohio Revised Code, the Speaker of the House hereby appoints the following individuals to the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research.

APPOINT: Representative Cupp
Representative Sykes
Christine Morrison (public member)

Pursuant to Section 3109.15 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Children's Trust Fund Board:

APPOINT: Representative Carruthers
 Representative Boyd

Pursuant to Section 5101.34 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Commission on Fatherhood:

APPOINT: Representative [NEW to replace J.T. Smith – may need to contact the commission to ensure eligibility is met]
 Representative McClain
 Representative Upchurch
 Representative West

Pursuant to Section 127.12 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Controlling Board:

APPOINT: Representative [NEW D to replace Jack Cera]
 Representative Oelslager [must be the chairperson or vice-chairperson of the finance-appropriations committee]
 Representative Wilkin

Pursuant to Section 103.71 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Correctional Institution Inspection Committee:

APPOINT: Representative Manning
 Representative Crawley
 Representative Crossman
 Representative [NEW R to replace Chair Green]

Pursuant to Section 101.38 of the Ohio Revised Code, the Speaker of the House hereby appoints the following individuals to the Cystic Fibrosis Legislative Task Force:

APPOINT: Representative Clites
Representative Ginter
Representative Lipps
Chad Hawley (public member) GET CONTACT INFO
Christopher Gerdes (public member)
Lauryn Tubesing (public member)

By operation of law pursuant to Section 3750.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) member to the Emergency Response Commission:

APPOINT: Representative [VITALE = current] needs to be chair of energy/environment cmte

By operation of law pursuant to Section 991.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) member to the Ohio Expositions Commission:

APPOINT: Representative [KOBHLER = current] needs to be chair of ag/natural resources cmte

Pursuant to Section 101.34 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Joint Legislative Ethics Committee:

APPOINT: Representative Smith
Representative Boggs
Representative Sykes
Representative Cutrona
Representative Cupp
Representative [NEW to replace Butler]

Pursuant to Section 122.72 of the Ohio Revised Code, the Speaker of the House hereby appoints the following member to the Minority Development Financing Advisory Board:

APPOINT: Representative Zeltwanger

Pursuant to Section 3701.78 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) members to the Commission on Minority Health:

APPOINT: Representative Crawley
 Representative [R REPLACEMENT for J.T. Smith]

Pursuant to Section 122.98 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Ohio Aerospace and Aviation Technology Committee:

APPOINT: Representative Holmes
 Representative Weinstein
 Representative [R REPLACEMENT FOR Perales – Note: Senate will Chair it in 2021]

Pursuant to Section 3379.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) members to the Ohio Arts Council:

APPOINT: Representative Carruthers
 Representative Galonski

By operation of law pursuant to Section 3333.01 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) member to the Ohio Board of Regents:

APPOINT: Representative [JONES = current. Needs to be the Education Chair.]

Pursuant to Section 123.20 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) members to the Ohio Facilities Construction Commission:

APPOINT: Representative Jones
 Representative Sobecki

Pursuant to Section 103.11 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Ohio Legislative Service Commission: [NEED TO DISCUSS -- get 4 R's + Speaker]

APPOINT: Representative Boggs
 Representative Sykes

Representative [Seitz/Lanese/Edwards Butler[out] = former = reappoint any?]

Representative [Antani [out], Scherer [out], Stephens [keep?], Lanese [keep] = as of

8.4.2020]

Representative Cupp

Pursuant to Section 5537.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) member to the Ohio Turnpike and Infrastructure Commission:

APPOINT: Representative Greenspan

Pursuant to Section 5910.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following member to the Ohio War Orphans and Severely Disabled Veterans' Children Scholarship Board:

APPOINT: Representative Richardson

Pursuant to Section 4906.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Ohio Power Siting Board:

Speaker gets one member and one alternate, Minority leader gets one member and one alternate

APPOINT: Representative A. Miller (alternative)

Representative Crossman

Representative Vitale

Representative Stein (alternative)

Pursuant to Section 164.02 of the Ohio Revised Code, the Speaker of the House hereby appoints the following individuals to the Ohio Public Works Commission:

APPOINT: *John Jones [appointed 11/29/18 – but he resigned. Statute says the “public financing” one has to meet special requirements].*

So we have [EMPTY] and Joy Padgett (5-21-20) and then Riley will be up. Can only be re-appointed one time. Need to ask Riley OR get another person.

Randy Riley [unsure when he was appointed, but excel says it's up 12/31/20]

Pursuant to Section 5139.44 of the Ohio Revised Code, the Speaker of the House hereby appoints the following member to the Reclaim Advisory Committee:

APPOINT: Representative Phil Plummer [must be a member of a committee dealing with criminal justice or finance]

Pursuant to Section 171.01 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Ohio Retirement Study Council:

APPOINT: Representative Carfagna

Representative Merrin

Representative Kelly

By operation of law pursuant to Section 2133.35 of the Ohio Revised Code, the Speaker of the House hereby appoints the following member to the Second Chance Trust Fund Advisory Committee:

APPOINT: Representative [Merrin = Needs to be the Chair of Health / "standing committee with primary responsibilities for health"]

Pursuant to Section 183.12 of the Ohio Revised Code, the Speaker of the House hereby appoints the following (non-voting) members to the Southern Ohio Agricultural and Community Development Foundation Board of Trustees:

APPOINT: Representative Jones

Representative Miranda

By operation of law pursuant to Section 3332.081 of the Ohio Revised Code, the Speaker of the House hereby appoints the following member to the Student Tuition Recovery Authority:

APPOINT: Representative [Jones = needs to be Education Chair]

Pursuant to Section 5703.95 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Tax Expenditure Review Committee:

APPOINT: Representative Lipps

Representative [OPEN for D – Rogers' replacement]

Representative Roemer [Chaired in 2019, so Chair in 2021 is a House member]

Pursuant to Section 5537.24 of the Ohio Revised Code, the Speaker of the House hereby appoints the following members to the Turnpike Legislative Review Committee:

APPOINT: Representative Greenspan

 Representative Sheehy

 Representative [R Replacement for Chair Green – senate will Chair in 2021 – one of the two R's has to be chair of committee dealing primarily with Highway Matters. Plus there are order requirements – Speaker appoints first, then minority leader does (so, remove Sheehy from this list?) and has to consider certain geographic aspects.]

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: October 2020

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of October, 2020

Prepared for the Ohio Legislative Services Commission (LSC) November 13, 2020

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of October 2020. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

There was no work conducted under the contract during the months of June through September 2020 due to a combination of closure of Ohio University offices because of Corona virus and the absence of data needed for continuing contract tasks. Monthly reports were thus not prepared in order to conserve project budget. Project work during the month of October 2020 included continuing work primarily under Task VI – Project Management and Reporting.

Task VI Activities

Activities under this task included brief meetings to discuss activities in preparation for receipt of the geographic data in early 2021 and the PL 94-171 Census data at a yet to be defined time. Tests were performed in GIS using existing datasets to practice linkage of various data types including geographic and voter party affiliation data. Additionally, an email was sent to the US Census Bureau Redistricting and Voting Rights Chief James Whitehorne on October 19 (following the closure of the 2020 Census) requesting an update on Census Bureau product delivery dates. Chief Whitehorne responded as follows:

“Now that we have completed the data collection period of the Census, we are working to re-establish our schedules for the production of the data. Once the Census has a public apportionment schedule, I will then be working rapidly to re-establish the redistricting schedule. I am hoping to be able to make some statements about the redistricting schedule in the next few weeks”.

On November 9, 2020, an email was received from the Census Bureau concerning the delivery time for geographic support products, stating in part:

“The 2020 Census P.L. 94-171 geographic support products will be mailed to official recipients (governors, state legislative leaders of both parties, chairs of sitting redistricting commissions, etc.) starting January 22, 2021. These deliveries will continue through February 28, 2021, by which time all states, the District of Columbia, and Puerto Rico will have their data in hand. The geographic support products will be delivered on DVD and will come as three separate disc types.

There may be more than one disc for each disc type depending on the size of the files. The disc types are:

- *Disc Type 1: (P.L. 94-171) TIGER/Line Shapefiles*
- *Disc Type 2: (P.L. 94-171) Map Suite (.pdf format)*
 - *County Block maps*
 - *VTD/SLD Reference maps*
 - *Census Tract Reference maps*
 - *School District Reference maps*
- *Disc Type 3: (P.L. 94-171) Block Assignment Files and associated Name Look-up Tables & (P.L. 94-171) Block Relationship Files (crosswalk between 2010 and 2020 census blocks)"*

There was no new information relating to the timing for release of PL 94-171 population data.

Projected Activities Going Forward

The issue of linkage of voter party affiliation with PL 94-171 block data was discussed in the May 2020 monthly report and with Frank Strigari during a teleconference on May 22, 2020 to identify the precise data that would be used to identify such affiliation from the Secretary of State's Voter Database. The voter database includes 20 years of voter participation records in both elections and primaries. The only indication of party affiliation is from the primary voting records. 2018 was the last full and uninhibited primary before the pandemic. Use of the 2020 primary may underrepresent Republican voters due to the far greater participation by the Democratic Party to select its presidential candidate.

The ability to link voter characteristics to Census Blocks is based on geocoding of the addresses used in the voter database. The most current addresses are assumed to be the addresses existing in the records for the 2020 general election. People move. There is likely to be error and uncertainty in linkage of the 2018 primary with 2020 voter addresses. Such errors increase with time. People move, change their address, and register in other precincts. It is recommended that discussions be held with the Redistricting Committees for each party to identify the most usable data for linkage of party affiliation with Census Block geography, and of the problems, errors and uncertainties associated with each option.

In addition, the GVS will prepare and submit to LSC for approval a contract modification to extend the completion dates for contract Tasks IV and V, based on a time period linked to receipt of the PL 94-171 population data from the Census Bureau.

Over the next few months, we will continue to practice using test datasets of the PL 94-171 data for 2018 provided by the Census Bureau and voter data from the 2019 and 2020 Secretary of State voter database to identify the best methods to parse and incorporate population data to blocks and voting districts.

From: Boehner, Sheila
Sent: Wednesday, January 13, 2021 2:30 PM
To: 'Bob Cupp'; Morrison, Christine
Subject: RE: Legislative Redistricting Task Force
Attachments: 12.10.2020 - Legislative Task Force on Redistricting Reappointment and Demographic Research.pdf

Speaker,

Following up on this with an update:

1. Heather Blessing told me that last time it was the Senate President, Speaker of the House, and their chiefs of staff.
2. With regard to the appointments, the second paragraph in the statute says this:

Appointments to the task force shall be made within fifteen days after the commencement of the first regular session of each general assembly in the manner prescribed in this division. A vacancy on the task force shall be filled for the unexpired term in the same manner as the original appointment. Members of the task force shall serve on the task force until the appointments are made in the first regular session of the following general assembly or, in the case of task force members who also are general assembly members when appointed, until they are no longer general assembly members.

Because of this, I think you and Leader Sykes are arguably still on it (see attached appointment letter from last GA). However, there was no "at the pleasure of the Speaker" clause. (If someone ever challenged it.) We made the change as regarding Householder and McGee because the Senate made a change from Obhof to Huffman the day (or two) prior to your (House) letter.

To be fully safe and clear, I'm happy to just do another one and it will be journalized should anyone ever question it. Thoughts? If so, I'll do it on Thursday and have it state that you appoint you, Sykes, and Christine. (Christine, do I need to confirm first with Sam, or do you know that Sykes wants to stay on?)

Thanks!

Best,
Sheila

Sheila Willamowski Boehner, Esq.
Deputy Chief of Staff/Executive Counsel to the Speaker
Ohio House of Representatives
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Columbus, Ohio 43215
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From: Bob Cupp <cuppb3@wcoil.com>
Sent: Saturday, January 9, 2021 3:08 PM
To: Morrison, Christine <Christine.Morrison@ohiohouse.gov>
Cc: Boehner, Sheila <Sheila.Boehner@ohiohouse.gov>
Subject: FW: Legislative Redistricting Task Force

It is my understanding that I need to make appointments to this Task Force within 15 days of the Jan. 4th convening of the G.A. We should discuss who to appoint and who were appointed 10 years ago. The statutory link is provided below.

<http://codes.ohio.gov/orc/103.51>

ROBERT R. CUPP
SPEAKER OF THE HOUSE
OHIO HOUSE OF REPRESENTATIVES
DISTRICT 04



77 S. HIGH STREET, 14TH FLOOR
COLUMBUS, OH 43125
REP04@OHIOHOUSE.GOV

To: Brad Young, Clerk
From: Robert R. Cupp, Speaker of the House
Date: December 10, 2020
Re: Appointments to Special Boards and Commissions / Standing Committees

Pursuant to Section 103.51 of the Ohio Revised Code, the Speaker of the House makes the following changes to the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research:

APPOINT: Speaker Cupp
 Christine Morrison (public member)

REMOVE: Representative Householder
 Jonathon McGee (public member)

From: Bob Cupp
Sent: Friday, December 11, 2020 12:17 PM
To: Boehner, Sheila
CC: Morrison, Christine; Hinman, Will
Subject: Speaker's Appointments

1. I may have a candidate or two for appointment to the PUCO nominating commission. Please provide me with the qualifications needed for the Speaker's appointment again.
2. I notice that the Senate President has appointed the co-chair of the Reapportionment and Redistricting Commission/Committee (or, whatever it's name is). What is the qualifications for the Speaker's appointment and what is the timeline.
3. Are there other appointments that I need to fill now or shortly upcoming? If so, please provide a list of the entities to which appointments will need to be made. And, if you have already provided me with that, please provide it again in electronic form.

Thank you.
Bob

1. I may have a candidate or two for appointment to the PUCO nominating commission. Please provide me with the qualifications needed for the Speaker's appointment again. [Answer: not much guidance/pretty open — see below in red.]

4901.021 Public utilities commission nominating council.

(A) There is hereby created a public utilities commission nominating council consisting of the following:

- (1) The chairperson of the consumers' counsel governing board;
- (2) The president of the accountancy board;
- (3) The chairperson of the state board of registration for professional engineers and surveyors;
- (4) The president of the Ohio state bar association;
- (5) The president of the Ohio municipal league;
- (6) The director of development or the director's department-employed designee;
- (7) A member of the public appointed by the speaker of the house of representatives, to serve at the pleasure of the speaker;
- (8) A member of the public appointed by the president of the senate, to serve at the pleasure of the president;
- (9) A representative of the regulated public utilities of the state appointed by the governor, to serve at the pleasure of the governor;
- (10) A representative of the business community appointed by the governor, to serve at the pleasure of the governor;
- (11) A representative of organized labor appointed by the governor, to serve at the pleasure of the governor;
- (12) A senior citizen sixty-five years of age or older appointed by the director of aging, to serve at the pleasure of the director.

(B) At its first meeting each calendar year, the council shall select from among its members a chairperson and secretary. The council may adopt bylaws governing its proceedings.

(C) The council shall keep a record of its proceedings. Special meetings may be called by the chairperson, and shall be called by the chairperson upon receipt of a written request for a meeting signed by two or more members of the council. Written notice of the time and place of each meeting shall be sent to each member of the council. With the approval of the association's or league's governing body, the president of the Ohio state bar association or the president of the Ohio municipal league, respectively, may designate an alternate to represent the president at meetings of the council. With the approval of the board, the president of the accountancy board or the chairperson of the state board of registration for professional engineers and surveyors may designate such an alternate. Six members, or their alternates, constitute a quorum.

(D) The council shall:

(1) Review and evaluate possible appointees for the office of commissioner of the public utilities commission;

(2) Consistent with division (D) of section 4901.02 of the Revised Code, not more than eighty-five nor less than sixty days prior to the expiration of the term of a public utilities commissioner or not more than thirty days after the death of, resignation of, or termination of service by, a public utilities commissioner, provide the governor with a list of four individuals who are, in the judgment of the council, the most fully qualified to accede to the office of commissioner. The council shall not include the name of an individual upon the list, if the appointment of that individual by the governor would result in more than three members of the commission belonging to or being affiliated with the same political party. The council shall include on the list only the names of attorneys admitted to the practice of law in any state or the District of Columbia if an attorney must be appointed to fulfill the requirement of division (D) of section 4901.02 of the Revised Code. To the extent possible, in its performance of this duty, the council shall continually attempt to ensure that the primary focus of the background of two commissioners is in energy and that the primary focus of the background of two commissioners is in transportation or communications technology.

(E) In reviewing and evaluating possible appointees for the office of public utilities commissioner, the council may accept comments from, cooperate with, and request information from any person. The council may make recommendations to the general assembly concerning changes in legislation to assist the council in the performance of its duties.

(F) Within thirty days of receipt of the council's recommendations, the governor shall fill a vacancy occurring in the office of commissioner by appointment of one of the persons recommended by the council. Nothing in this section shall prevent the governor in the governor's discretion from rejecting all of the nominees of the council and reconvening the council in order to select four additional nominees. However, when the governor has reconvened the council and the council has provided the governor with a second list of four names, the governor shall make the appointment from one of the names on the first list or the second list. Each appointment by the governor shall be subject to the advice and consent of the senate.

(G) Members of the council shall be compensated on a per diem basis pursuant to the procedures set forth in section 124.14 of the Revised Code plus reasonable travel expenses. All the expenses of the nominating council shall be paid from moneys appropriated to the public utilities commission for that purpose.

Effective Date: 09-29-1995 .

Related Legislative Provision: See 129th General Assembly File No.39, SB 171, §4 .

2. I notice that the Senate President has appointed the co-chair of the Reapportionment and Redistricting Commission/Committee (or, whatever it's name is). What is the qualifications for the Speaker's appointment and what is the timeline. **Answer:** There is currently nothing to do here. You just made the necessary changes (see below in red) this week. That being said, the Senate's letter made M. Huffman a co-chair. That will need to be discussed (unless you know something I don't know), since the "co-chairs" are from two different parties, and need to be agreed upon.
- a. Note: Christine did ask me to help prepare a document of the timeline of deadlines for after they meet. Heather helped write this and it is ready. I can provide that to you if you'd like it.

103.51 Legislative task force on redistricting, reapportionment, and demographic research.

(A) There is hereby created the legislative task force on redistricting, reapportionment, and demographic research, consisting of six members. The president of the senate shall appoint three members, not more than two of whom shall be members of the same political party. One member appointed by the president shall not be a member of the general assembly. The speaker of the house of representatives shall appoint three members, not more than two of whom shall be members of the same political party. One member appointed by the speaker shall not be a member of the general assembly. *[Rep. Sykes has been on it. You just removed Householder and McGee and added you and Christine, as of 12.10.2020. If you want to know why we waited to do this change, please ask.]*

Appointments to the task force shall be made within fifteen days after the commencement of the first regular session of each general assembly in the manner prescribed in this division. A vacancy on the task force shall be filled for the unexpired term in the same manner as the original appointment. Members of the task force shall serve on the task force until the appointments are made in the first regular session of the following general assembly or, in the case of task force members who also are general assembly members when appointed, until they are no longer general assembly members.

The president of the senate shall appoint a member of the task force, and the speaker of the house of representatives shall appoint a member of the task force, to serve as co-chairmen of the task force. The co-chairmen shall be members of different political parties. The co-chairmen may enter into any agreements on behalf of the task force and perform any acts that may be necessary or proper for the task force to carry out its powers and duties under this section.

(B) The members of the task force shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

(C) The task force shall do all of the following:

(1) Provide such assistance to the general assembly and its committees as requested in order to help the general assembly fulfill its duty to establish districts for the election of representatives to congress;

(2) Provide such assistance to the apportionment board as requested in order to help it fulfill its duty to provide for the apportionment of this state for members of the general assembly. As used in this section, "apportionment board" means the persons designated in Section 1 of Article XI, Ohio Constitution, as being responsible for that apportionment.

(3) Engage in such research studies and other activities as the task force considers necessary or appropriate in the preparation and formulation of a plan for the next apportionment of the state for members of the general assembly and a plan for the next establishment of districts for the election of representatives to congress and in the utilization of census and other demographic and statistical data for policy analysis, program development, and program evaluation purposes for the benefit of the general assembly.

(D) Notwithstanding any provision of law to the contrary, the task force may do all of the following:

(1) Hire such employees and engage such experts and technical advisors and fix their compensation, and obtain such services, as are necessary for the task force to exercise its duties under this section;

(2) Authorize the providing of such services and the furnishing of such data by the task force to any state agency or political subdivision of this state as the task force may specify, on such terms and conditions as the task force may specify, including the amount of the payment for providing the services and furnishing the data;

(3) Conduct meetings and hearings both within and outside this state and otherwise exercise all of the powers of a standing or select committee of the general assembly;

(4) Request and receive from any state agency or political subdivision of this state such assistance and data as will enable the task force to exercise its powers and duties under this section.

Effective Date: 07-26-1991.

Related Legislative Provision: See 129th General Assembly File No.39, SB 171, §4 .

3. Are there other appointments that I need to fill now or shortly upcoming? If so, please provide a list of the entities to which appointments will need to be made. And, if you have already provided me with that, please provide it again in electronic form.

ALL (additional) current open ones/relevant:

- 1) 4141.12 Unemployment compensation modernization and improvement council
 - a. Status: BC to call Rep. Merrin. (OR, could wait until new GA to find "customarily referred" chair...)
 - b. Fraiser already accepted. Sobecki to be on for D's. IP's want this done, I'm hearing. Would look good to move on this. Senate defers to us on how quickly we want to move. But, they appointed their people about 2 months ago.
- 2) 3333.40 - Midwestern Higher Education Compact
 - a. Status: We received a letter of support for Rep. Carfagna to re-appointed. They really like him. His office called and Carfagna has asked to be re-

appointed. It lapses January 2, 2021, so I'd like to do that soon if you're okay with it.

3) 3718.03(A)(3) ODH Sewage Technical Advisory Committee

- a. Status: Ms. Nesbit (the Clermont County Health Commissioner) is seeking re-appointment. The Association of Ohio Health Commissioners (statutorily relevant group) would like to see her re-appointed to this very technical board that makes recommendations to the ODH. ODH supports Ms. Nesbit.
- b. **I think we are good here and I don't think you to look into this one.** It's not a controversial re-appointment, so I planned to do it on Monday. I just had a call with the applicant. Are you okay with proceeding with this one?

4) 121.31 Commission on Hispanic-Latino Affairs

- a. Status: Two current commissioners are seeking re-appointment. (Commissioners Foulis and Feliciano.) The commission and Rep. Perales really like them. I spoke with both, and I think they are good to recommend to the governor. Are you okay with this?

5) Act Attached: Alzheimer's and Dementia Task Force

- a. Status: The Minority Leader wishes to appoint Rep. Howse. Per Rep. Ginter, **this is a big deal to Rep. Howse for personal reasons**, so it would probably be good to move on this.
 - i. I have gotten calls from the Dept. of Aging because this became effective about 9 months ago and they don't want to meet until the Speaker's Appointments are made. They wish to meet in early January. They will then have about 9 months to finish their report before they cease to exist. **I'm not sure who on our side of the aisle would be good.** I asked Ginter, but he hasn't had any ideas yet that I'm aware of. **I'm wondering if you'd like me to ask Plummer** if he'd like to given his recent bill? If so, if he does, can I proceed with the appointments? Other ideas?

6) Householder Matters: the only external board/commission he is still on is his TID (ORC 5540.02 (C) – Licking County). If you wanted to remove him, I suggest just waiting to do it in the new GA with all the other TID appointments/changes.

7) (not urgent) 4928.58 Public Benefits Advisory Board

- a. Terms just lapsed, but I think we can deal with this in the new GA if I add it to the survey noted in #8 if you're okay with that for now.
- b. It was/is Carfagna and Brown, but I'm not sure if they want to do it again.

8) **There are many that are up in January (like 100 people are involved).** I prepared a list of them (with hyperlinks) in survey form. That's also attached. I thought it might be helpful to ask the 134th GA members to fill it out. At the very least, the information will be helpful to know. I just emailed this to Christine a few hours ago, so she might not yet have an opinion on this idea. Thoughts on this strategy?

From: Wendy Zhan
Sent: Thursday, January 28, 2021 1:13 PM
To: Morrison, Christine; John Barron
CC: Disantis, Paul; Frank Strigari; Liz Connolly
Subject: FW: Release Schedule Updates for the Apportionment Counts and the Redistricting Data Summary File

Hi all. Please let me know how you would like to proceed with the below request. Thanks!

Wendy

From: Wiley, Robert <wileyr1@ohio.edu>
Sent: Thursday, January 28, 2021 1:00 PM
To: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Cc: Finney, Michael <finney@ohio.edu>
Subject: FW: Release Schedule Updates for the Apportionment Counts and the Redistricting Data Summary File

Ms. Zhan

Here is a pertinent communication just received from the US Census Bureau. We had been separately notified that the final geography files were available from the US Census website and we are downloading them. The actual Census data that we will link with the geography files for creation of the common unified database used for redistricting will now not be available until after July 31, 2021. It is time to consider a modification of the delivery date for the database proposed in our contract.

We had originally assumed a receipt date for the apportionment data as April 1, 2021, and a delivery date to LSC of the database 60 days later (May 31, 2021). If we hold to that 60 day interval and the 2020 apportionment data is received by August 1, 2021, the new delivery date would be September 29, 2021. This will impinge deeply into the redistricting map preparation schedule as it continues to exist (as far as I know). If there has been a legislative or administration solution, please let me know. Revision of the contract delivery schedule to accommodate the new realities might be resolved by changing the language in our contract schedule table to say something like, "Task IV – within no more than 60 days after receipt of 2020 Census Redistricting Data Summary File from the US Census Bureau". We might be able to do this sooner but I cannot commit to this for the university at this moment. Please confer with any concerned parties within the legislature or identified redistricting committee members. Please let me know how they may wish to proceed.

Robert L. Wiley

From: Wendy Zhan
Sent: Tuesday, October 13, 2020 12:01 PM
To: Morrison, Christine; Disantis, Paul
Subject: FW: Redistricting 2021 progress for September 2020

Hi Christine and Paul,

The latest update from OU is shown below. There were no activities in July and August either. It looks like they're going to ask for some sort of contract modification (the last sentence of the email).

Is there anyone else in your caucus you would like me to include in my future report forwarding messages?

FYI, including the carry-over, the total appropriation for FY21 is \$4,837,520 for the redistricting line item (035407) and \$4,073,639 for the litigation line item (\$4,073,639).

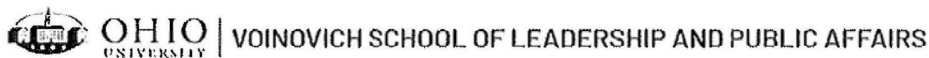
Wendy

From: Wiley, Robert <wileyr1@ohio.edu>
Sent: Tuesday, October 13, 2020 9:51 AM
To: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Subject: Redistricting 2021 progress for September 2020

Dear Ms. Zhan

There was no activity on this project for the month of September 2020. We expect to start ramping up for final project efforts during November 2020 once the election is over and the returns are posted by the Secretary of State. We will also prepare a short modification to the contract to resolve final product delivery times associated with the delays proposed by the US Census Bureau due to the virus-related delays in data processing.

Robert L. Wiley



Robert L. Wiley
Redistricting Project Manager
Building 22 The Ridges 1 Ohio University
Room 223
Athens OH 45701-2979
T: (740) 593-2407
M: (740)-590-6900
wileyr1@ohio.edu

Sent from Mail for Windows 10

From: Wendy Zhan
Sent: Monday, November 9, 2020 10:18 AM
To: Morrison, Christine; Ray DiRossi
Subject: Redistricting and litigation line items

Hi Christine and Ray,

OBM will probably going to ask us to give them the FY 2022-FY 2023 budget numbers soon. What numbers would you like me to submit for the Redistricting and Litigation line items? Each item's current year's funding level is shown below. As with in the past, the balances from FY 2021 may be carried over in the next budget.

Thanks,
Wendy

| Fiscal year | Fund | ALI | ALI Name | HB166 | Carryover | Total |
|----------------|------|--------|-----------------------------------|-------------|-------------|-------------|
| FY 2021 | GRF | 035407 | LEGSLATIVE TASKFORCE REDISTRCT | \$1,000,000 | \$3,837,520 | \$4,837,520 |
| FY 2021 | GRF | 035501 | Litigation | \$2,000,000 | \$2,073,639 | \$4,073,639 |

From: DiRossi, Ray
Sent: Monday, November 9, 2020 2:28 PM
To: Wendy Zhan; Morrison, Christine
Subject: RE: Redistricting and litigation line items

for FY 22 only -- we would like to see a new appropriation in redistricting of \$1,000,000
For FY 22 AND FY 23 we would like to see a new appropriation of \$1,000,000 each year

we = senate
not trying to speak for the house

From: Wendy.Zhan@lsc.ohio.gov <Wendy.Zhan@lsc.ohio.gov>
Sent: Monday, November 9, 2020 10:18 AM
To: Christine.Morrison@ohiohouse.gov; DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>
Subject: Redistricting and litigation line items

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| FY 2021 | GRF | 035501 | Litigation | \$2,000,000 | \$2,073,639 | \$4,073,639 |

From: Wendy Zhan
Sent: Monday, November 9, 2020 2:42 PM
To: Ray DiRossi
CC: Morrison, Christine
Subject: RE: Redistricting and litigation line items

Ray, just to be sure I understand you correctly. The below reflects the Senate's preference, correct?

| Fund | ALI | ALI Name | FY 2022 | FY 2023 |
|------|--------|--------------------------------|-------------|-------------|
| GRF | 035407 | LEGSLATIVE TASKFORCE REDISTRCT | \$1,000,000 | \$0 |
| GRF | 035501 | Litigation | \$1,000,000 | \$1,000,000 |

From: DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>
Sent: Monday, November 9, 2020 2:28 PM
To: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>; Morrison, Christine <Christine.Morrison@ohiohouse.gov>
Subject: RE: Redistricting and litigation line items

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| FY 2021 | GRF | 035501 | Litigation | \$2,000,000 | \$2,073,639 | \$4,073,639 |

From: DiRossi, Ray
Sent: Monday, November 9, 2020 3:03 PM
To: Wendy Zhan
CC: Morrison, Christine
Subject: RE: Redistricting and litigation line items

yes IF the
\$4.837.520 and \$4.073.639 are still available from previous fiscal years

From: Wendy.Zhan@lsc.ohio.gov <Wendy.Zhan@lsc.ohio.gov>
Sent: Monday, November 9, 2020 2:42 PM
To: DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>
Cc: Christine.Morrison@ohiohouse.gov
Subject: RE: Redistricting and litigation line items

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|------|--------|--------------------------------|-------------|-------------|
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| GRF | 035501 | Litigation | \$1,000,000 | \$1,000,000 |

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Sent: Monday, November 9, 2020 2:28 PM
To: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>; Morrison, Christine <Christine.Morrison@ohiohouse.gov>
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Blessing, Heather

From: Blessing, Heather
Sent: Tuesday, October 27, 2020 1:25 PM
To: Emily Wendel
Subject: counting question

Emily,

Dear Emily:

I'm trying to put together a simplified redistricting timeline and I'm finding that I can't count at age 43...

If the statutory requirements for a 10 year congressional or state map aren't met in 2021, do the deadline for adopting the replacement map start accruing in 2025 or 2026?

What would be the petition filing deadline for candidates under those replacement maps?

What is the first petition filing deadline for candidates running after the 2021 maps are adopted?

Thank you!

Sincerely,
Heather Blessing

Heather N. Blessing, Esq.
Deputy Chief Legal Counsel, Office of the Speaker
Ohio House of Representatives
77 S. High Street Columbus,
14th Floor, Ohio 43215
Office: 614.466.9194
Mobile: 614.352.5819
Heather.Blessing@ohiohouse.gov

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Blessing, Heather

From: Emily Wendel
Sent: Tuesday, October 27, 2020 3:43 PM
To: Blessing, Heather
Subject: FW: counting question

Hi Heather,

If a map is adopted under the impasse procedure by November 2021, it remains in effect "until two general elections for the United States house of representatives have occurred under the plan." So, that map would remain in effect through November 2024, after the 2022 and 2024 general elections. I think that means the deadlines to adopt new plans would be in September-November 2025, so that members could be elected under the new plan in 2026.

In 2026, the filing deadline for the primary election will be February 4 – 90 days before the May 5 primary.

In 2022 (the first election held under the new maps), the filing deadline for the primary election will be February 2 – 90 days before the May 3 primary.

I hope this helps!

Best,
Emily

Emily E. Wendel | Attorney
Ohio Legislative Service Commission
Office of Research and Drafting
emily.wendel@lsc.ohio.gov
(614) 387-1124 (forwards to cell)

From: Blessing, Heather <Heather.Blessing@ohiohouse.gov>
Sent: Tuesday, October 27, 2020 1:25 PM
To: Emily Wendel <Emily.Wendel@lsc.ohio.gov>
Subject: counting question

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From: [Boehner, Sheila](#)
To: [Cupp, Bob](#)
Bcc: [Boehner, Sheila](#)
Subject: FW: Census updates
Date: Tuesday, January 12, 2021 3:26:00 PM
Attachments: [image001.png](#)
[image002.gif](#)
[image003.gif](#)
[image004.gif](#)
[image005.gif](#)
[image006.gif](#)
[2020 Census Deadline Extensions Act, 117th.pdf](#)
[One pager, 2020 Census Deadline Extensions Act, 117th.pdf](#)

FYI from Heather just to keep you looped in.

From: Blessing, Heather
Sent: Tuesday, January 12, 2021 2:56 PM
To: Morrison, Christine ; Boehner, Sheila ; Disantis, Paul
Subject: FW: Census updates

I just wanted to touch base with you on the census deadlines.

- The bill that would extend to **July 31, 2021** the deadline for delivery of census data to the states has been reintroduced in the U.S. House.
- The census bureau has already missed the **Dec. 31, 2020** deadline for delivery of apportionment data (*how many seats each state gets*) to the president. It is expected internally by the end of February.
- The census bureau has stated that they expect redistricting data (*census block level information*) by late summer, early fall.

Heather

Heather N. Blessing, Esq.
Deputy Chief Legal Counsel, Office of the Speaker
Ohio House of Representatives
77 S. High Street Columbus,
14th Floor, Ohio 43215
Office: 614.466.9194
Mobile: 614.352.5819
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From: Christi Zamarripa <christi.zamarripa@ncsl.org>
Sent: Tuesday, January 12, 2021 2:47 PM
To: Blessing, Heather <Heather.Blessing@ohiohouse.gov>
Subject: [redistrict-l] Census updates

[If you would like to send information to this distribution list, please send your message to Christi.Zamarripa@NCSL.org, Ben.Williams@NCSL.org and Wendy.Underhill@NCSL.org who can forward it to the list.]

Hello everyone,

I hope this email finds you well in the new year. I'm reaching out with a couple of items on the census front.

As you know, there is still quite a bit of uncertainty in the census world. We know the December 31, 2020 deadline for the delivery of apportionment to the president was missed because "anomalies" were found in the [census data](#). Over the last few weeks the expected delivery date has not been officially set, but unofficially we've heard it could be released sometime in [February](#). However, according to statements made yesterday by the Department of Justice, the release date will likely be longer. During a court hearing, Deputy Assistant Attorney General John Coghlan [told a federal judge](#) that the earliest date the apportionment numbers can be ready is March 6.

The statement by the DOJ's Coghlan stems from the Bureau reporting that it has discovered some processing anomalies. The details on the anomalies have not been released and the Bureau is working to resolve these issues as quickly as possible.

While the Bureau has not officially announced any data delays, we can expect apportionment delays to lead to delays in the release of redistricting data. Unofficially, some people are being told that the PL 94-171 data will likely be delivered in late summer, early fall.

In addition, Senator Brian Schatz (D-HI) plans to reintroduce the 2020 Census Deadline Extensions Act. The Act proposes to extend the two statutory deadlines – apportionment and redistricting deliveries by four months:

- The deadline for the delivery of apportionment data to the U.S. House of Representatives from December 31, 2020 to April 30, 2021; and
- The deadline for the delivery of redistricting data to the states from April 1, 2021 to July 31, 2021.

For more information, I have attached the congressional bill and its one-page summary.

Don't forget, on January 27, NCSL will be holding another [2020 Census update](#) meeting, where the discussion will focus on the latest census updates. The speaker will be Kathleen Styles, Chief, Decennial Communications and Stakeholder Relationships, Census Bureau. If you would like to attend this meeting, please [click here](#) to register.

NCSL will continue to track action on census data—but it is tracking a moving target. If you have any questions, let me know.

Thanks,

Christi

Christi Zamarripa

National Conference of State Legislatures

Policy Associate – Elections & Redistricting Program

303-856-1419 (o) | 720-296-4352 (c)



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From: [Boehner, Sheila](#)
To: ["Bob Cunn"](#)
Bcc: [Boehner, Sheila](#)
Subject: Information
Date: Friday, January 8, 2021 2:18:00 PM
Attachments: [2020-01-29 LSC Members Brief.pdf](#)
[LSC Analysis.pdf](#)

I think this covers all you want for now. Please let me know if you'd like additional material.
Thanks!

Best,
Sheila

Sheila Willamowski Boehner, Esq.

Deputy Chief of Staff/Executive Counsel to the Speaker

Ohio House of Representatives

77 S. High Street - 14th Floor

Columbus, Ohio 43215

Office: 614.466.9068

Mobile: 419.773.9667

Sheila.Boehner@ohiohouse.gov

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Members Brief

An informational brief prepared by the LSC staff for members and staff of the Ohio General Assembly

Author: Emily E. Wendel, Attorney
Reviewer: Amber Hardesty, Division Chief

Volume 133 Issue 15
April 29, 2020

Redistricting in Ohio

Every ten years, Ohio must adopt new district maps for the purpose of electing members of the U.S. House of Representatives, the Ohio Senate, and the Ohio House of Representatives. This brief provides an overview of redistricting in Ohio, compares the separate constitutional processes for General Assembly and congressional redistricting, explains some essential district-drawing concepts, and summarizes several landmark U.S. Supreme Court rulings concerning redistricting.

Contents

| | |
|---|---|
| Redistricting basics..... | 1 |
| Redistricting processes at a glance | 2 |
| District-drawing concepts | 4 |
| Selected U.S. Supreme Court cases | 7 |

Redistricting basics

Ohio elects its members of the U.S. House of Representatives, its state senators, and its state representatives from districts with roughly equal populations, giving each person's vote the same amount of influence. Every ten years, Ohio must redraw its congressional and General Assembly districts based on the latest population data from the U.S. Census in order to maintain population equality between districts and, in some cases, to change the number of congressional districts to match the new number of representatives to which Ohio is entitled.



Congressional Districts
2011-2021

The Census Bureau releases new population data for redistricting purposes by April 1 of each year ending in 1 (such as 2021), and the Ohio Constitution provides deadlines in the fall of that year to adopt new district maps based on the data. The new maps must be in place in time to nominate congressional and General Assembly candidates in the primary election held the next year. When that year is a

presidential election year, candidates must file their papers based on the new district map as early as mid-December of the year ending in 1.¹

Redistricting processes at a glance

The state uses two separate processes for General Assembly and congressional redistricting. The voters approved a constitutional amendment implementing a new General Assembly redistricting process in November 2015, and a separate constitutional amendment prescribing a new congressional redistricting process in May 2018. The following table compares several major aspects of the processes. For detailed explanations of the General Assembly and congressional redistricting procedures, please see LSC's final analyses of [H.J.R. 12 of the 130th General Assembly](#) and [S.J.R. 5 of the 132nd General Assembly](#), respectively.

| General Assembly Districts | Congressional Districts |
|--|---|
| Who draws the districts | |
| Ohio Redistricting Commission | General Assembly |
| Required bipartisan vote | |
| Four of seven members of the Commission, including at least two members who represent each of the two largest political parties represented in the General Assembly | ¾ of the members of each chamber of the General Assembly, including at least ½ of the members of each of the two largest political parties represented in the chamber |
| Deadline to adopt a plan | |
| September 1 of a year ending in 1 | September 30 of a year ending in 1 |
| Impasse procedure | |
| <ul style="list-style-type: none"> ▪ The deadline is extended to September 15. ▪ If the Commission adopts the plan only by a simple majority vote, the plan must be replaced after four years. | <ul style="list-style-type: none"> ▪ The Ohio Redistricting Commission must adopt a plan by a bipartisan vote by October 31. ▪ If the Commission fails to do so, the General Assembly must adopt a plan by November 30. ▪ If the General Assembly adopts the plan only by a simple majority vote, it must follow |

¹ 13 U.S.C. 141(c); Ohio Constitution, Articles XI and XIX (effective January 1, 2021); and R.C. 3513.05. Ohio's current district maps are available from the Ohio Secretary of State [here](#). The Bureau has asked Congress to extend the redistricting data delivery deadline to July 31, 2021, because of the COVID-19 pandemic. U.S. Census Bureau, [U.S. Department of Commerce Secretary Wilbur Ross and U.S. Census Bureau Director Steven Dillingham Statement on 2020 Census Operational Adjustments Due to COVID-19](#) (April 13, 2020).

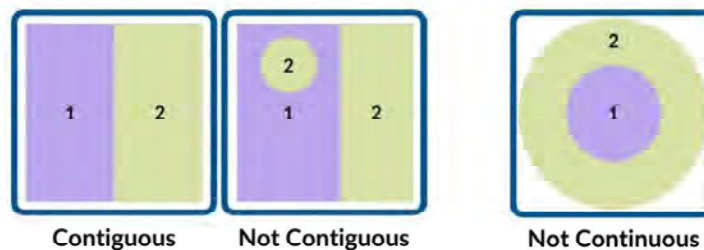
| General Assembly Districts | Congressional Districts |
|---|--|
| | additional district standards, described below, and the plan must be replaced after four years. |
| Population equality between districts | |
| <ul style="list-style-type: none"> ▪ District populations must be substantially equal. ▪ No district may contain a population of less than 95% or more than 105% of the ideal district population. | Not specified (see “ Selected U.S. Supreme Court cases, ” below) |
| District standards considered | |
| <p>Mandatory standards:</p> <ul style="list-style-type: none"> ▪ Contiguity ▪ Boundary must be a single nonintersecting continuous line ▪ Keep counties, municipal corporations, and townships whole, based on a specified procedure ▪ Each Senate district must consist of three contiguous House districts <p>Standards the Commission must attempt to follow:</p> <ul style="list-style-type: none"> ▪ No plan shall be drawn primarily to favor or disfavor a political party. ▪ The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party must correspond closely to the statewide preferences of the voters of Ohio. ▪ Districts must be compact. | <p>General standards:</p> <ul style="list-style-type: none"> ▪ Contiguity ▪ Boundary must be a single nonintersecting continuous line ▪ Compactness ▪ Keep counties, municipal corporations, and townships whole, based on a specified procedure <p>Standards the General Assembly must follow if it does not pass the plan by the required bipartisan vote:</p> <ul style="list-style-type: none"> ▪ The plan must not unduly favor or disfavor a political party or its incumbents. ▪ The plan must not unduly split governmental units, giving preference to keeping whole, in the order named, counties, then townships and municipal corporations. ▪ The General Assembly must attempt, but is not required, to draw districts that are compact. |
| Legal challenges | |
| <ul style="list-style-type: none"> ▪ States that the Ohio Supreme Court has exclusive, original jurisdiction in any challenge. ▪ Requires the Ohio Redistricting Commission to amend the plan or adopt a new plan, as | <ul style="list-style-type: none"> ▪ States that the Ohio Supreme Court has exclusive, original jurisdiction in any challenge. ▪ Requires that, if a plan, district, or group of districts is ruled unconstitutional, the General |

| General Assembly Districts | Congressional Districts |
|--|--|
| <p>applicable, if a plan, district, or group of districts is ruled unconstitutional.</p> <ul style="list-style-type: none"> Prohibits a court from ordering the implementation of a plan not approved by the Commission. Prohibits a court from ordering the Commission to adopt a particular plan or to draw a particular district. Prescribes the available remedies in the event that the Court determines that a General Assembly district plan adopted by the Commission does not comply with the constitutional district standards. | <p>Assembly must adopt a new plan within 30 days after the appeal deadline expires or after the order is issued, if it is not appealable.</p> <ul style="list-style-type: none"> Requires the Ohio Redistricting Commission to adopt a plan not later than 30 days after the General Assembly's deadline, if the General Assembly misses the deadline. Requires the new plan to remedy any legal defects, but to include no other changes. |

District-drawing concepts

Contiguity and continuous boundary lines

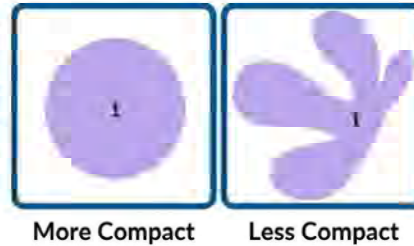
Every congressional and General Assembly district in Ohio must be contiguous, meaning that it is a single, unbroken shape, with no “islands” of territory that do not touch the rest of the district. Each district’s boundary also must be a single nonintersecting continuous line. This standard prevents, for example, the creation of “donut” districts, with one district entirely surrounding another.²



² Ohio Const., art. XI, sec. 3(B)(3) and art. XIX, sec. 2(B)(3) (effective January 1, 2021).

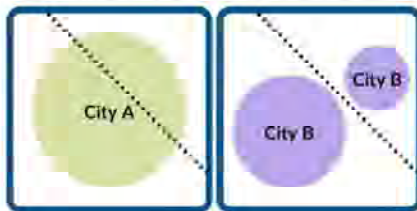
Compactness

A district is considered compact if it has a minimal distance between all parts of its territory. Multiple methods exist to measure a district's compactness, such as calculating the total length of its perimeter (a shorter perimeter meaning a more compact district), or calculating the average distance between locations on the outer edges of the district and the center of the district (a shorter average distance meaning a more compact district).



Under the Ohio Constitution, the Ohio Redistricting Commission must attempt to draw compact General Assembly districts, but it is not explicitly required to do so. On the other hand, congressional districts must be compact, except that under the modified district standards that apply if the General Assembly fails to pass a district plan by the required bipartisan vote, the legislature must attempt to draw compact districts, but is not required to.³

Keeping political subdivisions whole

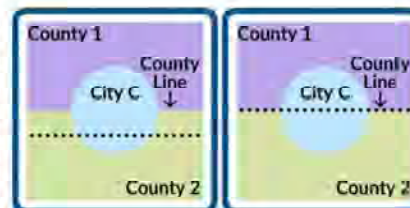


City A - Split

City B - Not Split

Ohio's congressional and General Assembly redistricting processes both place a priority on keeping counties, cities, villages, and townships together within one district. Splitting a political subdivision is necessary when, for example, its population exceeds the ideal district population. But, the Ohio Constitution includes procedures to minimize any unnecessary splitting.

Under both redistricting processes, a political subdivision is considered to be split if any contiguous portion of its territory is not contained entirely within one district. If a political subdivision has an island of territory that does not touch the rest of the subdivision, putting the island in a different district is not considered splitting the political subdivision (see above). Further, if a city, village, or township has territory in more than one county, drawing the district line along the county line is not considered splitting the city, village, or township.⁴



City C - Split

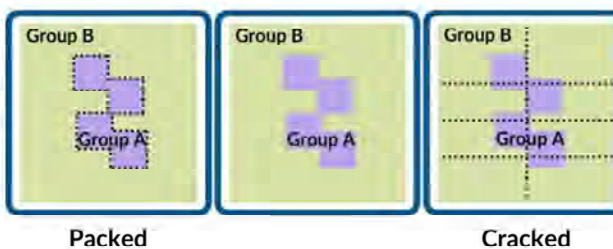
City C - Not Split

³ Ohio Const., art. XI, sec. 6 and art. XIX, secs. 1(F)(3)(c) and 2(B)(2) (effective January 1, 2021).

⁴ Ohio Const., art. XI, sec. 3(D) and art. XIX, sec. 2(C) (effective January 1, 2021).

Packing and cracking

Two district-drawing practices, commonly called packing and cracking, can give one group less influence than another. At one extreme, when a group is “packed” into a single district, it makes up a supermajority within the district, but is less able to influence the outcome of elections outside that district. Conversely, when a group is “cracked” among many districts, it makes up only a minority of the vote in each district, and is less able to influence the outcome of elections in any district. In some redistricting cases, packing and cracking have given rise to claims of unlawful gerrymandering (see “**Selected U.S. Supreme Court cases,**” below).



Political considerations

The Ohio Constitution includes two separate standards for the inclusion of political considerations in the drawing of district maps. For a General Assembly district plan, the Ohio Redistricting Commission must attempt to adopt a plan (1) that is not drawn primarily to favor or disfavor a political party, and (2) in which the statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to the statewide preferences of the voters of Ohio.

For a congressional district map, the Ohio Constitution specifies that if, under the impasse procedure, the General Assembly passes a redistricting plan by a simple majority vote instead of by the required bipartisan vote, the plan must not unduly favor or disfavor a political party or its incumbents.⁵

Majority-minority districts

The Equal Protection Clause of the 14th Amendment and the federal Voting Rights Act of 1965 (VRA) prohibit any district plan from denying or abridging citizens’ right to vote on account of race, color, or status as a member of a language minority group. The U.S. Supreme Court has developed a test to determine whether a district map dilutes minority voting strength in violation of the VRA by cracking a minority population among multiple districts, as described above. Essentially, the test examines whether (1) the minority group is “sufficiently numerous and compact to form a majority in a single-member district,” (2) the minority group is “politically cohesive,” meaning its members tend to vote similarly, and (3) “the majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority’s preferred candidate.”⁶

In order to remedy a case of minority vote dilution, a court may require the adoption of a majority-minority district, in which a sufficient population of a minority group exists to allow the group to elect its candidate of choice. Currently, no court has expressly required Ohio to

⁵ Ohio Const., art. XI, sec. 6 and art. XIX, sec. 1(C)(3)(a) and (F)(3)(a) (effective January 1, 2021).

⁶ 52 United States Code 10301; *Thornburg v. Gingles*, 478 U.S. 30, 50 (1986); and *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252, 264 (1977).

create majority-minority congressional or General Assembly districts. A state may draw majority-minority districts voluntarily in order to remedy past discrimination. However, in some circumstances, the courts have overturned plans that included voluntarily created majority-minority districts because creating those districts amounted to unconstitutional racial gerrymandering.⁷

Other common concepts

The Ohio Redistricting Commission and the General Assembly might consider other district-drawing concepts in creating district maps, so long as the constitutional requirements are met. For example, some states use criteria such as preserving communities of interest in a single district or maintaining previous district lines to the extent feasible. The National Conference of State Legislatures offers several useful references on these topics, including a 50-state survey of redistricting criteria and *The Redistricting Glossary*.⁸

Selected U.S. Supreme Court cases

The following cases represent a sample of the landmark U.S. Supreme Court rulings on congressional and state legislative redistricting. This list is intended to provide a basic foundation for understanding some of the legal discussions surrounding redistricting. However, the list is not exhaustive, and it does not include later rulings that have added nuance to these decisions.

Population equality

- *Wesberry v. Sanders*, 376 U.S. 1 (1964) – Held that the population of congressional districts in the same state must be as nearly equal as practicable.
- *Reynolds v. Sims*, 377 U.S. 533 (1964) – Specified that the Equal Protection Clause of the 14th Amendment requires states to draw legislative districts that are substantially equal in population.
- *Karcher v. Daggett*, 462 U.S. 725 (1983) – Held that congressional districts must be mathematically equal in population, except as necessary to achieve a legitimate state objective.

Racial and language minorities

- *Thornburg v. Gingles*, 478 U.S. 30 (1986) – Held that the VRA requires that a majority-minority district be drawn to remedy minority vote dilution if (1) the racial or language minority group is “sufficiently numerous and compact to form a majority in a single-member district,” (2) the minority group is “politically cohesive,” meaning its members tend to vote similarly, and (3) the “majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority’s preferred candidate.”

⁷ *Voinovich v. Quilter*, 507 U.S. 146 (1993); *Bush v. Vera*, 517 U.S. 952 (1996); *Shaw v. Hunt*, 517 U.S. 899 (1996); and *Alabama Legislative Black Caucus v. Alabama*, 135 S.Ct. 1257 (2015).

⁸ National Conference of State Legislatures, *NCSL’s Redistricting Webpages*.

- *Shaw v. Reno*, 509 U.S. 630 (1993) – Held that districts violate the Equal Protection Clause if they cannot be explained on grounds other than race.
- *Miller v. Johnson*, 515 U.S. 900 (1995) – Specified that a district is unconstitutionally racially gerrymandered if race is the “predominant” factor in drawing its lines.
- *Bush v. Vera*, 517 U.S. 952 (1996) – Found that if race was the predominant factor in drawing a district, the district cannot be justified by the VRA unless there is a strong basis in evidence that drawing the district was reasonably necessary to avoid denying or abridging equal voting rights.

Partisan gerrymandering

- *Rucho v. Common Cause*, 139 S.Ct. 2484 (2019) – Found that partisan gerrymandering represents a political question on which the federal courts cannot rule because there is no credible way to define and measure fairness in the political context.



UPDATED VERSION*

Ohio Legislative Service Commission

Final Analysis

Emily E. Wendel

Am. Sub. H.J.R. 12

130th General Assembly

(As Adopted by the General Assembly)

Reps. Huffman and Sykes, Amstutz, Anielski, Ashford, Baker, Brown, Burkley, Clyde, Duffey, Grossman, Hackett, C. Hagan, Hayes, Kunze, Letson, McClain, McGregor, Patmon, Scherer, Schuring, Stebelton, Wachtmann, Batchelder

Sens. Faber, Coley, Bacon, Balderson, Beagle, Burke, Eklund, Gardner, Gentile, Hite, LaRose, Lehner, Peterson, Sawyer, Schiavoni, Turner, Widener

Adopted: December 17, 2014; approved by the voters on November 3, 2015; effective January 1, 2021

RESOLUTION SUMMARY

Ohio Redistricting Commission

- Replaces the Apportionment Board with the Ohio Redistricting Commission, and makes the Commission responsible for redistricting the state for the General Assembly.
- Specifies that the Commission consists of the Governor, the Auditor of State, the Secretary of State, and four persons appointed by majority and minority leaders in the General Assembly.
- Requires the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the General Assembly, acting jointly by political party, to appoint a co-chairperson of the Commission.
- Requires the Governor to convene the Commission only in years ending in the numeral one, unless the Commission is convened by a court to draw judicially invalidated districts or the Commission must draw new districts following the expiration of a plan adopted under the proposal's impasse procedure.
- Prescribes procedural requirements for meetings of the Commission.

* This update notes the approval by voters and the effective date.

- Requires the General Assembly to make the appropriations it determines are necessary in order for the Commission to perform its duties.

Method of selecting a district plan

- Requires the Commission to adopt a district plan by a specified bipartisan vote of four members.
- Specifies that, if the Commission fails to adopt a final district plan not later than September 1, the Commission must introduce a district plan by a simple majority vote and must hold a public hearing on the plan.
- Requires the Commission, not later than September 15, to adopt a final district plan, either by the bipartisan vote described above or by a simple majority vote.
- Specifies that if the Commission adopts a plan by that bipartisan vote, the plan remains effective until the next year ending in the numeral one, unless a court convenes the Commission to redraw judicially invalidated districts.
- Provides generally that if the Commission adopts a plan by a simple majority vote, the plan remains effective until two general elections for the House of Representatives have occurred under the plan.
- Specifies that if, before a year ending in the numeral one, the Commission adopts another plan by a simple majority vote to replace a plan adopted under the impasse procedure, the newly adopted plan remains effective until a year ending in the numeral one, unless the Commission is reconstituted and convened by a court to draw judicially invalidated districts.
- Requires a plan adopted by a simple majority vote to include a statement explaining what the Commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to those preferences.
- Allows a member of the Commission who does not vote in favor of the plan to submit a declaration of the member's opinion concerning that statement.
- Requires, after a plan adopted by a simple majority vote ceases to be effective after two general elections for the House of Representatives, that the Commission convene not earlier than July 1 of the following year to adopt a new General



Assembly district plan using the same population and political subdivision boundary data as were used to draw the previous plan.

District standards

- Establishes new constitutional standards for the drawing of General Assembly districts.

Legal challenges

- Specifies that, if any section of the Constitution relating to redistricting, any General Assembly district plan, or any district is determined to be invalid by an unappealed final order of a court of competent jurisdiction, then the Commission must be reconstituted and convene to adopt a district plan that conforms with the provisions of the Constitution that are then valid.
- Prohibits a court, in any circumstance, from ordering the implementation or enforcement of any plan that has not been approved by the Commission.
- Prohibits a court from ordering the Commission to adopt a particular General Assembly district plan or to draw a particular district.
- Prescribes the available remedies in the event that the Ohio Supreme Court determines that a General Assembly district plan adopted by the Commission does not comply with the constitutional district standards.

Miscellaneous

- Repeals the current constitutional provision describing the district plans in effect until January 1, 1973.

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CONTENT AND OPERATION

Ohio Redistricting Commission

The joint resolution proposes an amendment to the Ohio Constitution to create the Ohio Redistricting Commission to replace the Apportionment Board as the body responsible for drawing General Assembly districts.

Composition

Under the resolution, the Ohio Redistricting Commission consists of the following seven members:ⁱ

- The Governor;
- The Auditor of State;
- The Secretary of State;
- One person appointed by the Speaker of the House of Representatives;
- One person appointed by the President of the Senate;
- One person appointed by the Minority Leader of the House;
- One person appointed by the Minority Leader of the Senate.

The legislative leaders in the Senate and the House of each of the two largest political parties represented in the General Assembly, acting jointly by political party, must appoint one member of the Commission to serve as a co-chairperson.

Currently, the Apportionment Board is responsible for drawing General Assembly districts. The Apportionment Board consists of the Governor, the Auditor of State, the Secretary of State, one person chosen by the Speaker of the House and the leader in the Senate of the political party of which the Speaker is a member, and one person chosen by the legislative leaders in the two houses of the political party of which the Speaker is not a member.ⁱⁱ

Organizational procedures

The resolution requires the Governor to convene the Ohio Redistricting Commission only in a year ending in the numeral one, unless the Commission is convened by a court to draw judicially invalidated districts or the Commission must draw new districts following the expiration of a plan adopted under the proposal's



impasse procedure (see "**Method of selecting a district plan**," below). Under the resolution, district boundaries must not be changed at any other time.

The Constitution currently requires the Governor to convene the Apportionment Board between August 1 and October 1 of a year ending in the numeral one, and to give the Board two weeks advance notice of the date, time, and place of the meeting.

At the Commission's first meeting, the proposal requires the Commission to set a schedule for the adoption of procedural rules for the operation of the Commission.

Under the resolution, a simple majority of the Commission generally is required for any organizational action by the Commission. A majority vote of the Commission, including at least one member of the Commission who is a member of each of the two largest political parties represented in the General Assembly, is required to adopt rules of the Commission, to hire staff for the Commission, or to expend funds. However, if the Commission is unable to agree by that vote on the manner in which funds should be expended, each co-chairperson of the Commission has the authority to expend ½ of the funds that have been appropriated to the Commission. Finally, a specified bipartisan vote generally is required to adopt a district plan (see "**Method of selecting a district plan**," below).

The Commission must release a proposed district plan to the public. The proposed plan must be drafted according to the constitutional requirements. After introducing a General Assembly district plan but before adopting a final plan, the Commission must conduct a minimum of three public hearings across the state to present the proposed plan and to seek public input regarding the proposed plan. All meetings of the Ohio Redistricting Commission must be open to the public. Meetings must be broadcast by electronic means of transmission using a medium readily accessible to the general public.

Four weeks after the adoption of a General Assembly district plan, the Commission is automatically dissolved.

Finally, under the resolution, the General Assembly must make the appropriations it determines are necessary in order for the Commission to perform its duties.ⁱⁱⁱ

Method of selecting a district plan

In order to adopt a final district plan, the resolution requires the affirmative vote of four members of the Commission, including at least two members of the Commission who represent each of the two largest political parties represented in the General Assembly. A member of the Commission is considered to represent a political party if



the member was appointed to the Commission by a member of that party or if, in the case of the Governor, the Auditor, or the Secretary of State, the person is a member of that party.

The Commission must adopt a final General Assembly district plan not later than September 1 of a year ending in the numeral one. The plan becomes effective upon filing with the Secretary of State, which the Commission must do promptly.^{iv}

If the Commission fails to adopt a final district plan by that deadline, the Commission must introduce a district plan by a simple majority vote of the Commission. Then, the Commission must hold a public hearing concerning the introduced plan. Members of the Commission should attend the hearing; however, only a quorum of the members of the Commission is required to conduct the hearing. At the hearing, the public may offer testimony, and the Commission may adopt amendments to the introduced plan.

After that hearing is held, and not later than September 15 of that year, the Commission must adopt a final district plan, either by the bipartisan vote described above or by a simple majority vote. If the Commission adopts a plan by that bipartisan vote, the plan remains effective until the next year ending in the numeral one, unless a court convenes the Commission to redraw judicially invalidated districts.

If the Commission adopts a plan by a simple majority vote, the plan remains effective until two general elections for the House of Representatives have occurred under the plan. However, if, before a year ending in the numeral one, the Commission adopts another plan by a simple majority vote to replace a plan adopted under the impasse procedure, the newly adopted plan remains effective until a year ending in the numeral one, unless the Commission is reconstituted and convened by a court to draw judicially invalidated districts.

A plan adopted by a simple majority vote must include a statement explaining what the Commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to those preferences, as described in the procedure for drawing districts (see "**District standards**," below). At the time the plan is adopted, a member of the Commission who does not vote in favor of the plan may submit a declaration of the member's opinion concerning that statement.

When a plan adopted by a simple majority vote ceases to be effective before a year ending in the numeral one, not earlier than July 1 of the year following the year in which the plan ceased to be effective, the Commission must be reconstituted, convene,



and adopt a new General Assembly district plan. The Commission must draw the new plan using the same population and political subdivision boundary data as were used to draw the previous plan.^v

Existing law requires a majority vote of the Apportionment Board to adopt a district plan, and requires the Governor to cause a district plan to be published no later than October 5 of the year in which it is made.^{vi}

District standards

The table below compares the Ohio Constitution's current requirements for drawing General Assembly districts with the requirements proposed by the resolution.

| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|---|---|--|
| District population requirements | <p>Permits the General Assembly to designate a method for determining the population of the state for purposes of calculating the ratios of representation in the General Assembly, if the federal decennial census is unavailable.</p> <p>Requires the population of each House of Representatives district to be substantially equal to the ratio of representation in the House of Representatives, and generally prohibits a House of Representatives district from containing a population of less than 95% nor more than 105% of the ratio of representation.</p> <p>Specifies that a reasonable effort must be made to draw a county that has between 90% and 95% or 105% and 110% of the ratio of representation in the House of Representatives as a single district.^{vii}</p> <p>Requires the population of each Senate district to be substantially equal to the ratio of representation in the Senate, and prohibits any Senate district from containing a population of less than 95% nor more than 105% of the ratio of representation.^{viii}</p> | <p>Same as the current Constitution, but eliminates the option to draw a county that has a population of between 90% and 95% or 105% and 110% of the ratio of representation in the House of Representatives as a single district.^x</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|---|---|--|
| | Specifies that each House of Representatives district is entitled to a single representative in each General Assembly and that each Senate district is entitled to a single senator in each General Assembly. ^{ix} | |
| Legal requirements for districts | No provision. | Requires any plan adopted by the Commission to comply with all applicable provisions of the constitutions of Ohio and the United States and of federal law. ^{xi} |
| General requirements for House districts | Requires every House of Representatives district to be compact and composed of contiguous territory, and the boundary of each district to be a single nonintersecting continuous line. ^{xii} | Requires every House of Representatives district to be composed of contiguous territory, and the boundary of each district to be a single nonintersecting continuous line. ^{xiii} |
| Procedure for drawing House districts | <p>Specifies that, to the extent consistent with population requirements, the boundary lines of districts must be so drawn so as to delineate an area containing one or more whole counties.</p> <p>Specifies that, where population requirements cannot feasibly be attained by forming a district from a whole county or counties, the district must be formed by combining the areas of governmental units giving preference, in the order named, to counties, townships, municipalities, and city wards.</p> <p>Specifies that, where governmental units must be divided to meet population requirements, only one such unit may be divided between two districts, giving preference in the selection of a unit for division to a township, a city ward, a city, and a village in the order named.^{xiv}</p> <p>Requires a county having at least one House of Representatives ratio of</p> | <p>Requires House of Representatives districts to be created and numbered in the following order of priority, to the extent that such order is consistent with the foregoing standards:^{xix}</p> <p>(1) Proceeding in succession from the largest to the smallest, each county containing population greater than 105% of the ratio of representation in the House must be divided into as many House districts as it has whole ratios of representation. Any fraction of the population in excess of a whole ratio must be a part of only one adjoining House district.</p> <p>(2) Each county containing population of not less than 95% nor more than 105% of the ratio of representation in the House must be designated a House district.</p> <p>(3) The remaining territory of the state must be divided into House districts by combining the areas of</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|-------|--|--|
| | <p>representation to have as many House of Representatives districts wholly within the boundaries of the county as it has whole ratios of representation, and requires any fraction of the population in excess of a whole ratio to be a part of only one adjoining House of Representatives district.^{xv}</p> <p>Requires each county containing population substantially equal to one ratio of representation in the House of Representatives, but in no event less than 95% of the ratio nor more than 105% of the ratio to be designated a representative district.^{xvi}</p> <p>Requires a reasonable effort to be made to create a House of Representatives district consisting of a whole county, when the county has a population of between 90% and 110% of the ratio of representation.^{xvii}</p> <p>Proceeding in succession from the largest to the smallest, requires each remaining county containing more than one whole ratio of representation to be divided into House of Representatives districts, with the remaining territory within such county containing a fraction of one whole ratio of representation included in one representative district by combining it with adjoining territory outside the county.^{xviii}</p> | <p>counties, municipal corporations, and townships. Where feasible, no county may be split more than once.</p> <p>Provides that in general, a county, municipal corporation, or township is considered to be split if any contiguous portion of its territory is not contained entirely within one district.</p> <p>Specifies that if a municipal corporation or township has territory in more than one county, the contiguous portion of that municipal corporation or township that lies in each county must be considered to be a separate municipal corporation or township for the purposes of drawing House districts.</p> <p>Provides that if a municipal corporation or township that is located in a county that contains a municipal corporation or township that has a population of more than one ratio of representation is split because it is not possible for the Commission to comply with all of the requirements for drawing House districts, the municipal corporation or township must be considered to be a separate municipal corporation or township for the purposes of drawing House districts.</p> <p>Requires House districts to be drawn so as to split the smallest possible number of municipal corporations and townships whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>Specifies that where the above requirements cannot feasibly be attained by forming a House district</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|-------|-------------------------------|--|
| | | <p>from whole municipal corporations and townships, not more than one municipal corporation or township may be split per House district.^{xx}</p> <p>Requires the Commission, if it is not possible for the Commission to comply with all of the requirements for drawing House districts in drawing a particular district, to take the first action listed below that makes it possible for the Commission to draw that district:</p> <p>(1) The Commission must create the district by splitting two municipal corporations or townships whose contiguous portions do not contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(2) The Commission must create the district by splitting a municipal corporation or township whose contiguous portions contain a population of more than 50%, but less than 100%, of one ratio of representation.</p> <p>(3) The Commission must create the district by splitting, once, a single county that contains a population of not less than 95%, but not more than 105%, of the ratio of representation.</p> <p>(4) The Commission must create the district by including in two districts portions of the territory that remains after a county that contains a population of more than 105% of the ratio of representation has been divided into as many House districts as it has whole ratios of representation.</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|-------|-------------------------------|--|
| | | <p>Specifies that if the Commission takes an action listed immediately above, the Commission must include in the district plan a statement explaining which action the Commission took and the reason the Commission took that action.</p> <p>Specifies that if the Commission takes an action listed immediately above in drawing a district and includes the required statement in the district plan, the Commission must not be considered to have violated the applicable requirement for that district, for the purpose of a court's analysis.^{xxi}</p> <p>Requires the Commission to attempt to draw a General Assembly district plan that meets all of the following standards:</p> <ul style="list-style-type: none"> • No district plan shall be drawn primarily to favor or disfavor a political party. • The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party must correspond closely to the statewide preferences of the voters of Ohio. • General Assembly districts must be compact. <p>Specifies that nothing in those provisions permits the Commission to violate the other General Assembly district standards described in the resolution.^{xxii}</p> |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|--|---|---|
| General requirements for Senate districts | Requires Senate districts to be composed of three contiguous House of Representatives districts. ^{xxiii} | Requires Senate districts to be composed of three contiguous House of Representatives districts. ^{xxiv} Requires every Senate district to be composed of contiguous territory, and the boundary of each district to be a single nonintersecting continuous line. ^{xxv} |
| Procedure for drawing Senate districts | Requires a county having at least one whole Senate ratio of representation to have as many Senate districts wholly within the boundaries of the county as it has whole Senate ratios of representation, and requires any fraction of the population in excess of a whole ratio to be a part of only one adjoining Senate district. Specifies that counties having less than one Senate ratio of representation, but at least one House of Representatives ratio of representation, must be part of only one Senate district. ^{xxvi} | Same as the current Constitution, but specifies that if it is not possible for the Commission to draw House districts that comply with all of the requirements of Article XI and that make it possible for the Commission to comply with those requirements, the Commission must draw Senate districts so as to commit the fewest possible violations of those requirements. Specifies that if the Commission complies with the above procedure in drawing Senate districts, the Commission must not be considered to have violated the applicable requirement in drawing those districts, for the purpose of a court's analysis. ^{xxvii} |
| Senators whose terms will not expire | Specifies that, when district boundaries are changed, a senator whose term will not expire within two years of the time the plan of apportionment is made must represent, for the remainder of the term for which the senator was elected, the Senate district that contains the largest portion of the population of the district from which the senator was elected, and requires the district to be given the number of the district from which the senator was elected. | Generally retains the current constitutional provision for numbering a Senate district when the term of the senator who represents the district does not immediately expire. Requires the district plan itself to designate which senator will represent a district if more than one senator would represent that district. ^{xxix} |



| Topic | Article XI, Ohio Constitution | Am. Sub. H.J.R. 12 |
|---|---|---|
| | Specifies that, if more than one senator whose term will not so expire would represent the same district by following these provisions, the persons responsible for apportionment, by a majority vote, must designate which senator will represent the district and designate which district the other senator or senators will represent for the balance of their term or terms. ^{xxviii} | |
| Preservation of previous district boundaries | Requires district boundaries established by the preceding apportionment to be adopted to the extent reasonably consistent with the population requirements. ^{xxx} | No provision. |
| Political subdivision boundaries to be used | Notwithstanding the fact that the boundaries of political subdivisions within a district may be changed, requires the Commission to create district boundaries by using the boundaries of political subdivisions as they exist at the time of the federal decennial census on which the redistricting is based, or if the census is unavailable, on a basis the General Assembly specifies. ^{xxxi} | Same as the current Constitution. ^{xxii} |

Legal challenges

Under the resolution, if any section of the Constitution relating to redistricting, any General Assembly district plan, or any district is determined to be invalid by an unappealed final order of a court of competent jurisdiction, then the Commission must be reconstituted and convene to adopt a district plan that conforms with the provisions of the Constitution that are then valid. Currently, the Constitution requires new districts to be drawn if provisions of the Constitution or a district plan are determined to be invalid by either the Ohio Supreme Court or the U.S. Supreme Court.

The proposal prohibits a court, in any circumstance, from ordering the implementation or enforcement of any plan that has not been approved by the Commission. And, the resolution prohibits a court from ordering the Commission to adopt a particular General Assembly district plan or to draw a particular district.



The resolution also prescribes the available remedies in the event that the Ohio Supreme Court determines that a General Assembly district plan adopted by the Commission does not comply with the constitutional district standards, other than the standards concerning political parties, party preferences, and compactness.

First, if the Court determines that a district plan contains one or more isolated violations of those standards, the court must order the Commission to amend the plan to correct the violations.

Further, the proposal specifies that if the court finds that it is necessary to amend not fewer than six House districts to correct violations of those requirements, to amend not fewer than two Senate districts to correct violations of those requirements, or both, the court must declare the plan invalid and order the Commission to adopt a new plan.

Third, if, in considering a district plan adopted by a simple majority of the Commission under the proposal's impasse procedure (see "**Method of selecting district plans**," above), the Court determines that both of the following are true, the Court must order the Commission to adopt a new district plan:^{xxxiii}

- The plan significantly violates those standards in a manner that materially affects the ability of the plan to contain districts whose voters favor political parties in an overall proportion that corresponds closely to the statewide political party preferences of the voters of Ohio, as described in the procedure for drawing districts (see "**District standards**," above).
- The statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party does not correspond closely to the statewide preferences of the voters of Ohio.

The resolution relocates but otherwise retains provisions specifying that the Ohio Supreme Court has exclusive, original jurisdiction in all cases arising under Article XI and that a new redistricting plan made as a result of a legal challenge must allow 30 days for persons to change residence in order to be eligible for election. Relocated but otherwise continuing law also specifies that the various provisions of Article XI are intended to be severable, and that the invalidity of one or more of the provisions does not affect the validity of the remaining provisions.^{xxxiv}

Finally, the resolution eliminates a requirement that the Governor give the Apportionment Board two weeks advance written notice of the date, time, and place of any meeting held pursuant to a court order invalidating a district plan.^{xxxv}



Miscellaneous

The resolution repeals the current constitutional provision that describes the district plans that were in effect until January 1, 1973.^{xxxvi}

Effective date

The resolution places the proposal on the ballot on November 3, 2015. If adopted by a majority of electors voting on it, the proposal takes effect January 1, 2021.

HISTORY

| ACTION | DATE |
|--|----------|
| Introduced | 11-13-14 |
| Reported, H. Policy & Legislative Oversight | 12-04-14 |
| Adopted House (80-4) | 12-04-14 |
| Reported, S. Rules | 12-11-14 |
| Adopted Senate (28-1) | 12-11-14 |
| House concurred in Senate amendments (82-8) | 12-17-14 |
| House concurred in Senate amendments upon reconsideration (81-7) | 12-17-14 |

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ⁱ Ohio Const. Art. XI, Sec. 1(A).

ⁱⁱ Ohio Const. Art. XI, Sec. 1(A).

ⁱⁱⁱ Ohio Const. Art. XI, Sec. 1.

^{iv} Ohio Const. Art. XI, Sec. 1.

^v Ohio Const. Art. XI, Sec. 8.

^{vi} Ohio Const. Art. XI, Sec. 1.

^{vii} Ohio Const. Art. XI, Sec. 3 and 9.

^{viii} Ohio Const. Art. XI, Sec. 4.

^{ix} Ohio Const. Art. XI, Sec. 5.

^x Ohio Const. Art. XI, Sec. 3(A) and (B).

^{xi} Ohio Const. Art. XI, Sec. 3(B).

^{xii} Ohio Const. Art. XI, Sec. 7.

^{xiii} Ohio Const. Art. XI, Sec. 3(B).

^{xiv} Ohio Const. Art. XI, Sec. 7.

^{xv} Ohio Const. Art. XI, Sec. 8.

^{xvi} Ohio Const. Art. XI, Sec. 10.

^{xvii} Ohio Const. Art. XI, Sec. 9.

^{xviii} Ohio Const. Art. XI, Sec. 10.

^{xix} Ohio Const. Art. XI, Sec. 3(C).

^{xx} Ohio Const. Art. XI, Sec. 3(D).



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- xxi Ohio Const. Art. XI, Sec. 3(E).
 - xxii Ohio Const. Art. XI, Sec. 6.
 - xxiii Ohio Const. Art. XI, Sec. 11.
 - xxiv Ohio Const. Art. XI, Sec. 4.
 - xxv Ohio Const. Art. XI, Sec. 3.
 - xxvi Ohio Const. Art. XI, Sec. 11.
 - xxvii Ohio Const. Art. XI, Sec. 4(B)(3).
 - xxviii Ohio Const. Art. XI, Sec. 12.
 - xxix Ohio Const. Art. XI, Sec. 5.
 - xxx Ohio Const. Art. XI, Sec. 7.
 - xxxi Ohio Const. Art. XI, Sec. 6.
 - xxxii Ohio Const. Art. XI, Sec. 7.
 - xxxiii Ohio Const. Art. XI, Sec. 9.
 - xxxiv Ohio Const. Art. XI, Secs. 9 and 10. (Relocated from Secs. 13 and 15.)
 - xxxv Ohio Const. Art. XI, Sec. 14.
 - xxxvi Repeal of existing Ohio Const. Art. XI, Sec. 14.



From: [Boehner, Sheila](#)
To: ["Bob Cupp"](#)
Cc: [Morrison, Christine](#); [Hinman, Will](#)
Bcc: [Boehner, Sheila](#)
Subject: RE: Speaker's Appointments
Date: Friday, December 11, 2020 3:05:00 PM
Attachments: [Member Survey - Special Boards and Commissions - 134th GA.docx](#)
[sb24_05_EN.pdf](#)
[Questions and Answers - 12.11.2020.docx](#)

Mr. Speaker,
Please see attached ("Questions and Answers – 12.11.2020), and let me know if you still have any questions. Thanks!

Best,
Sheila

From: Bob Cupp
Sent: Friday, December 11, 2020 12:17 PM
To: Boehner, Sheila
Cc: Morrison, Christine ; Hinman, Will
Subject: Speaker's Appointments

1. I may have a candidate or two for appointment to the PUCO nominating commission. Please provide me with the qualifications needed for the Speaker's appointment again.
2. I notice that the Senate President has appointed the co-chair of the Reapportionment and Redistricting Commission/Committee (or, whatever it's name is). What is the qualifications for the Speaker's appointment and what is the timeline.
3. Are there other appointments that I need to fill now or shortly upcoming? If so, please provide a list of the entities to which appointments will need to be made. And, if you have already provided me with that, please provide it again in electronic form.

Thank you.
Bob

1. I may have a candidate or two for appointment to the PUCO nominating commission. Please provide me with the qualifications needed for the Speaker's appointment again. [Answer: not much guidance/pretty open – see below in red.]

4901.021 Public utilities commission nominating council.

(A) There is hereby created a public utilities commission nominating council consisting of the following:

- (1) The chairperson of the consumers' counsel governing board;
- (2) The president of the accountancy board;
- (3) The chairperson of the state board of registration for professional engineers and surveyors;
- (4) The president of the Ohio state bar association;
- (5) The president of the Ohio municipal league;
- (6) The director of development or the director's department-employed designee;
- (7) A member of the public appointed by the speaker of the house of representatives, to serve at the pleasure of the speaker;
- (8) A member of the public appointed by the president of the senate, to serve at the pleasure of the president;
- (9) A representative of the regulated public utilities of the state appointed by the governor, to serve at the pleasure of the governor;
- (10) A representative of the business community appointed by the governor, to serve at the pleasure of the governor;
- (11) A representative of organized labor appointed by the governor, to serve at the pleasure of the governor;
- (12) A senior citizen sixty-five years of age or older appointed by the director of aging, to serve at the pleasure of the director.

(B) At its first meeting each calendar year, the council shall select from among its members a chairperson and secretary. The council may adopt bylaws governing its proceedings.

(C) The council shall keep a record of its proceedings. Special meetings may be called by the chairperson, and shall be called by the chairperson upon receipt of a written request for a meeting signed by two or more members of the council. Written notice of the time and place of each meeting shall be sent to each member of the council. With the approval of the association's or league's governing body, the president of the Ohio state bar association or the president of the Ohio municipal league, respectively, may designate an alternate to represent the president at meetings of the council. With the approval of the board, the president of the accountancy board or the chairperson of the state board of registration for professional engineers and surveyors may designate such an alternate. Six members, or their alternates, constitute a quorum.

(D) The council shall:

(1) Review and evaluate possible appointees for the office of commissioner of the public utilities commission;

(2) Consistent with division (D) of section 4901.02 of the Revised Code, not more than eighty-five nor less than sixty days prior to the expiration of the term of a public utilities commissioner or not more than thirty days after the death of, resignation of, or termination of service by, a public utilities commissioner, provide the governor with a list of four individuals who are, in the judgment of the council, the most fully qualified to accede to the office of commissioner. The council shall not include the name of an individual upon the list, if the appointment of that individual by the governor would result in more than three members of the commission belonging to or being affiliated with the same political party. The council shall include on the list only the names of attorneys admitted to the practice of law in any state or the District of Columbia if an attorney must be appointed to fulfill the requirement of division (D) of section 4901.02 of the Revised Code. To the extent possible, in its performance of this duty, the council shall continually attempt to ensure that the primary focus of the background of two commissioners is in energy and that the primary focus of the background of two commissioners is in transportation or communications technology.

(E) In reviewing and evaluating possible appointees for the office of public utilities commissioner, the council may accept comments from, cooperate with, and request information from any person. The council may make recommendations to the general assembly concerning changes in legislation to assist the council in the performance of its duties.

(F) Within thirty days of receipt of the council's recommendations, the governor shall fill a vacancy occurring in the office of commissioner by appointment of one of the persons recommended by the council. Nothing in this section shall prevent the governor in the governor's discretion from rejecting all of the nominees of the council and reconvening the council in order to select four additional nominees. However, when the governor has reconvened the council and the council has provided the governor with a second list of four names, the governor shall make the appointment from one of the names on the first list or the second list. Each appointment by the governor shall be subject to the advice and consent of the senate.

(G) Members of the council shall be compensated on a per diem basis pursuant to the procedures set forth in section 124.14 of the Revised Code plus reasonable travel expenses. All the expenses of the nominating council shall be paid from moneys appropriated to the public utilities commission for that purpose.

Effective Date: 09-29-1995 .

Related Legislative Provision: See 129th General Assembly File No.39, SB 171, §4 .

2. I notice that the Senate President has appointed the co-chair of the Reapportionment and Redistricting Commission/Committee (or, whatever it's name is). What is the qualifications for the Speaker's appointment and what is the timeline. **Answer:** There is currently nothing to do here. You just made the necessary changes (see below in red) this week. That being said, the Senate's letter made M. Huffman a co-chair. That will need to be discussed (unless you know something I don't know), since the "co-chairs" are from two different parties, and need to be agreed upon.
- a. Note: Christine did ask me to help prepare a document of the timeline of deadlines for after they meet. Heather helped write this and it is ready. I can provide that to you if you'd like it.

103.51 Legislative task force on redistricting, reapportionment, and demographic research.

(A) There is hereby created the legislative task force on redistricting, reapportionment, and demographic research, consisting of six members. The president of the senate shall appoint three members, not more than two of whom shall be members of the same political party. One member appointed by the president shall not be a member of the general assembly. *The speaker of the house of representatives shall appoint three members, not more than two of whom shall be members of the same political party. One member appointed by the speaker shall not be a member of the general assembly. [Rep. Sykes has been on it. You just removed Householder and McGee and added you and Christine, as of 12.10.2020. If you want to know why we waited to do this change, please ask.]*

Appointments to the task force shall be made within fifteen days after the commencement of the first regular session of each general assembly in the manner prescribed in this division. A vacancy on the task force shall be filled for the unexpired term in the same manner as the original appointment. Members of the task force shall serve on the task force until the appointments are made in the first regular session of the following general assembly or, in the case of task force members who also are general assembly members when appointed, until they are no longer general assembly members.

The president of the senate shall appoint a member of the task force, and the speaker of the house of representatives shall appoint a member of the task force, to serve as co-chairmen of the task force. The co-chairmen shall be members of different political parties. The co-chairmen may enter into any agreements on behalf of the task force and perform any acts that may be necessary or proper for the task force to carry out its powers and duties under this section.

(B) The members of the task force shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

(C) The task force shall do all of the following:

- (1) Provide such assistance to the general assembly and its committees as requested in order to help the general assembly fulfill its duty to establish districts for the election of representatives to congress;
- (2) Provide such assistance to the apportionment board as requested in order to help it fulfill its duty to provide for the apportionment of this state for members of the general assembly. As used in this section, "apportionment board" means the persons designated in Section 1 of Article XI, Ohio Constitution, as being responsible for that apportionment.

(3) Engage in such research studies and other activities as the task force considers necessary or appropriate in the preparation and formulation of a plan for the next apportionment of the state for members of the general assembly and a plan for the next establishment of districts for the election of representatives to congress and in the utilization of census and other demographic and statistical data for policy analysis, program development, and program evaluation purposes for the benefit of the general assembly.

(D) Notwithstanding any provision of law to the contrary, the task force may do all of the following:

(1) Hire such employees and engage such experts and technical advisors and fix their compensation, and obtain such services, as are necessary for the task force to exercise its duties under this section;

(2) Authorize the providing of such services and the furnishing of such data by the task force to any state agency or political subdivision of this state as the task force may specify, on such terms and conditions as the task force may specify, including the amount of the payment for providing the services and furnishing the data;

(3) Conduct meetings and hearings both within and outside this state and otherwise exercise all of the powers of a standing or select committee of the general assembly;

(4) Request and receive from any state agency or political subdivision of this state such assistance and data as will enable the task force to exercise its powers and duties under this section.

Effective Date: 07-26-1991.

Related Legislative Provision: See 129th General Assembly File No.39, SB 171, §4 .

3. Are there other appointments that I need to fill now or shortly upcoming? If so, please provide a list of the entities to which appointments will need to be made. And, if you have already provided me with that, please provide it again in electronic form.

ALL (additional) current open ones/relevant:

- 1) 4141.12 Unemployment compensation modernization and improvement council
 - a. Status: BC to call Rep. Merrin. (OR, could wait until new GA to find "customarily referred" chair...)
 - b. Fraiser already accepted. Sobecki to be on for D's. IP's want this done, I'm hearing. Would look good to move on this. Senate defers to us on how quickly we want to move. But, they appointed their people about 2 months ago.
- 2) 3333.40 - Midwestern Higher Education Compact
 - a. Status: We received a letter of support for Rep. Carfagna to re-appointed. They really like him. His office called and Carfagna has asked to be re-

appointed. It lapses January 2, 2021, so I'd like to do that soon if you're okay with it.

3) 3718.03(A)(3) ODH Sewage Technical Advisory Committee

- a. Status: Ms. Nesbit (the Clermont County Health Commissioner) is seeking re-appointment. The Association of Ohio Health Commissioners (statutorily relevant group) would like to see her re-appointed to this very technical board that makes recommendations to the ODH. ODH supports Ms. Nesbit.
- b. **I think we are good here and I don't think you to look into this one.** It's not a controversial re-appointment, so I planned to do it on Monday. I just had a call with the applicant. Are you okay with proceeding with this one?

4) 121.31 Commission on Hispanic-Latino Affairs

- a. Status: Two current commissioners are seeking re-appointment. (Commissioners Foulis and Feliciano.) The commission and Rep. Perales really like them. I spoke with both, and I think they are good to recommend to the governor. Are you okay with this?

5) Act Attached: Alzheimer's and Dementia Task Force

- a. Status: The Minority Leader wishes to appoint Rep. Howse. Per Rep. Ginter, **this is a big deal to Rep. Howse for personal reasons**, so it would probably be good to move on this.
 - i. I have gotten calls from the Dept. of Aging because this became effective about 9 months ago and they don't want to meet until the Speaker's Appointments are made. They wish to meet in early January. They will then have about 9 months to finish their report before they cease to exist. **I'm not sure who on our side of the aisle would be good.** I asked Ginter, but he hasn't had any ideas yet that I'm aware of. **I'm wondering if you'd like me to ask Plummer** if he'd like to given his recent bill? If so, if he does, can I proceed with the appointments? Other ideas?

6) Householder Matters: the only external board/commission he is still on is his TID (ORC 5540.02 (C) – Licking County). If you wanted to remove him, I suggest just waiting to do it in the new GA with all the other TID appointments/changes.

7) (not urgent) 4928.58 Public Benefits Advisory Board

- a. Terms just lapsed, but I think we can deal with this in the new GA if I add it to the survey noted in #8 if you're okay with that for now.
- b. It was/is Carfagna and Brown, but I'm not sure if they want to do it again.

8) **There are many that are up in January (like 100 people are involved).** I prepared a list of them (with hyperlinks) in survey form. That's also attached. I thought it might be helpful to ask the 134th GA members to fill it out. At the very least, the information will be helpful to know. I just emailed this to Christine a few hours ago, so she might not yet have an opinion on this idea. Thoughts on this strategy?

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: May 2021

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of May 2021
Prepared for the Ohio Legislative Services Commission (LSC) June 3, 2021

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of May 2021. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

Task VI Activities

During the month of May 2021, the GVS continued to prepare the evaluate and check the Census GIS geography for linkage to raw Census Bureau PL94-171 data. It is our plan to complete the final combined uniform redistricting database within two weeks after receipt of the raw PL 94-171 data, which is now scheduled for August 16, 2021.

Discussions with the legal counsels for the State Senate and the Minority Caucus led to finalization of the decision to use the statewide partisan election results for the previous ten years the basis for satisfying the Constitutional requirement to link voting results to precinct geography. Linkage of these datasets will modification of using the Secretary of State's (SoS) election results spreadsheet files from the SOS website. There are two elements to this modification that allows the precinct-level voting results to link with GIS shapefile geography. First, we assured that county and precinct numerical codes were fully consistent with the same codes for these geographies in the geography shapefiles. Second, we revised long field names in the election results datasets to fit the 10-character limit for fields in GIS shapefiles. A data dictionary was prepared that will accompany delivery of the revised files to clearly explain the field modifications.

Projected Activities Going Forward

Over the next month, the GVS will continue to check the accuracy of the geography files and prepare a summary of differences between the geographic files sent to the Census bureau in March 202 and those returned as final in January 2021, and the magnitude of effect, if any. We are also preparing quality assurance routines to determine that the population data is consistent between various geographic and political units across the PL94-171 dataset, once it is obtained.

We have been invited and will participate in a technical redistricting panel discussion at the Boards of Elections Summer Conference on June 8, 2021.

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: June 2021

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of June 2021
Prepared for the Ohio Legislative Services Commission (LSC) July 17, 2021

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of June 2021. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

Task VI Activities

During the month of June 2021, the GVS continued to prepare the evaluate and check the Census GIS geography for linkage to raw Census Bureau PL94-171 data. In addition to this ongoing task, GVS conducted the following activities:

- We prepared a PPT presentation for the Secretary of State's Summer Conference panel discussion after discussion with staff from the Secretary of State's office.
- Participated in a panel discussion titled "Technical Redistricting" at the Secretary of State's Summer Conference on June 8th at 2:45 at the Hyatt Regency in downtown Columbus. The conference was attended by over 500 individuals from Ohio's 88 county boards of elections. Our portion of the presentation described what has been done to-date on the Redistricting Project and where we currently are in the project.
- Responded to a request from the Census Bureau to provide the contact information for the Ohio Redistricting Commission's chairperson contact information. Frank Strigari told us that the Commission's chairperson has not been selected yet. We can send information once the chairperson has been selected.
- Talked with Paulding County Board of Elections regarding the county getting renewed access to the Redistricting web site. We sent the director new passwords, instructions, and link to the Redistricting web site so they could access the web site as they did previously.
- Discussed a Public Records Request regarding the Redistricting project received by OU Legal Affairs.
- Responded to the Public Records Request by sending emails to OU Legal Affairs as directed.
- Discussed with LSC Director about setting up the test of the file transfer process of data between OU and LSC.
- Emailed back and forth with Kurt McDowell, the Director of the Legislative Information Systems at the LSC regarding having him provide a link to a OneDrive folder at the LSC to use to test the file transfer.
- Tested file transfer to the LSC OneDrive folder. Test of file transfer was successful.

Projected Activities Going Forward

Over the next month, the GVS will continue to check the accuracy of the geography files and prepare a summary of differences between the geographic files sent to the Census bureau in March 2020 and those returned as final in January 2021, and the magnitude of effect, if any. We will continue preparing quality assurance routines to determine that the population data is consistent between various geographic and political units across the PL94-171 dataset, once it is obtained.

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: April 2021

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of April 2021
Prepared for the Ohio Legislative Services Commission (LSC) May 27, 2021

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of April 2021. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

Task VI Activities

During the month of April 2021, the GVS continued to follow the communications from the US Census Bureau and press releases regarding the dates of availability of the PL 94-171 Census data and Ohio's legal appeals to force earlier data delivery dates. Discussions have continued regarding the Census Bureau's announced delay in releasing the PL 94-171 data set and how these delays will impact final delivery of the unified database. We believe that we can complete the final combined uniform redistricting database within two weeks after receipt of the PL 94-171, if the data received is in the same format as exists in the example legacy data for Providence, Rhode Island provided by the Census Bureau.

We also discussed what types of election results data should/could be added to the unified database. A brief update on the progress of the project was provided to Secretary of State LaRose when he visited Ohio University's campus on April 19. We met as a team several times to discuss the effects of the date changes on the completion of the combined uniform redistricting database. We continued to perform quality control tests to compare the 2021 US Census geography to the precinct geography shapefiles provided to the US Census Bureau in March 2020. We continue to find minor differences along municipal and county boundaries due to unsupported place boundary changes by counties and municipalities that the US Census Bureau could not resolve due to the unavailability of supporting documentation from municipalities making recent annexation boundary changes. Using the geocoded voter database for assessment, the impact of these differences continues to be insignificant in the tested counties. We anticipate continuing testing data accuracy for each county and summarizing the findings as a quality assessment tool over the next few months.

Toward the end of this month, conversations were held with the chief legal counsel for the Ohio Senate and the legal counsel for the Minority Caucus concerning the type and extent of the voting history data to be linked to the Census geography GIS data. Conversations continued into the first week of May concluded that the constitutional requirement of voter data linking to redistricting databases would be satisfied by using only the voting data from statewide and national races for the preceding 10 years. As result, GVS began to prepare linkable spreadsheets of voting results for five elections. It is important to

note that only the 2020 election results can link on a one for one basis to the 2020 geography files and to the PL94-171 data. Changes in voter district geography over the past election cycles will not exactly match with 2020 Census geography.

Projected Activities Going Forward

Over the next month, the GVS will continue to create linkable spreadsheets with Census geography. One aspect of this is to create field names for the various issues and candidates that accommodate the 10-character limit of GIS shapefile field names. We will also continue to check for geographic differences between the data submitted by us to the Census Bureau in March 2020 and that received in January 2021.

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: October 2020

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of October, 2020
Prepared for the Ohio Legislative Services Commission (LSC) November 13, 2020

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of October 2020. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

There was no work conducted under the contract during the months of June through September 2020 due to a combination of closure of Ohio University offices because of Corona virus and the absence of data needed for continuing contract tasks. Monthly reports were thus not prepared in order to conserve project budget. Project work during the month of October 2020 included continuing work primarily under Task VI – Project Management and Reporting.

Task VI Activities

Activities under this task included brief meetings to discuss activities in preparation for receipt of the geographic data in early 2021 and the PL 94-171 Census data at a yet to be defined time. Tests were performed in GIS using existing datasets to practice linkage of various data types including geographic and voter party affiliation data. Additionally, an email was sent to the US Census Bureau Redistricting and Voting Rights Chief James Whitehorne on October 19 (following the closure of the 2020 Census) requesting an update on Census Bureau product delivery dates. Chief Whitehorne responded as follows:

"Now that we have completed the data collection period of the Census, we are working to re-establish our schedules for the production of the data. Once the Census has a public apportionment schedule, I will then be working rapidly to re-establish the redistricting schedule. I am hoping to be able to make some statements about the redistricting schedule in the next few weeks".

On November 9, 2020, an email was received from the Census Bureau concerning the delivery time for geographic support products, stating in part:

"The 2020 Census P.L. 94-171 geographic support products will be mailed to official recipients (governors, state legislative leaders of both parties, chairs of sitting redistricting commissions, etc.) starting January 22, 2021. These deliveries will continue through February 28, 2021, by which time all states, the District of Columbia, and Puerto Rico will have their data in hand. The geographic support products will be delivered on DVD and will come as three separate disc types.

There may be more than one disc for each disc type depending on the size of the files. The disc types are:

- *Disc Type 1: (P.L. 94-171) TIGER/Line Shapefiles*
- *Disc Type 2: (P.L. 94-171) Map Suite (.pdf format)*
 - *County Block maps*
 - *VTD/SLD Reference maps*
 - *Census Tract Reference maps*
 - *School District Reference maps*
- *Disc Type 3: (P.L. 94-171) Block Assignment Files and associated Name Look-up Tables & (P.L. 94-171) Block Relationship Files (crosswalk between 2010 and 2020 census blocks)”*

There was no new information relating to the timing for release of PL 94-171 population data.

Projected Activities Going Forward

The issue of linkage of voter party affiliation with PL 94-171 block data was discussed in the May 2020 monthly report and with Frank Strigari during a teleconference on May 22, 2020 to identify the precise data that would be used to identify such affiliation from the Secretary of State's Voter Database. The voter database includes 20 years of voter participation records in both elections and primaries. The only indication of party affiliation is from the primary voting records. 2018 was the last full and uninhibited primary before the pandemic. Use of the 2020 primary may underrepresent Republican voters due to the far greater participation by the Democratic Party to select its presidential candidate.

The ability to link voter characteristics to Census Blocks is based on geocoding of the addresses used in the voter database. The most current addresses are assumed to be the addresses existing in the records for the 2020 general election. People move. There is likely to be error and uncertainty in linkage of the 2018 primary with 2020 voter addresses. Such errors increase with time. People move, change their address, and register in other precincts. It is recommended that discussions be held with the Redistricting Committees for each party to identify the most usable data for linkage of party affiliation with Census Block geography, and of the problems, errors and uncertainties associated with each option.

In addition, the GVS will prepare and submit to LSC for approval a contract modification to extend the completion dates for contract Tasks IV and V, based on a time period linked to receipt of the PL 94-171 population data from the Census Bureau.

Over the next few months, we will continue to practice using test datasets of the PL 94-171 data for 2018 provided by the Census Bureau and voter data from the 2019 and 2020 Secretary of State voter database to identify the best methods to parse and incorporate population data to blocks and voting districts.

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: January 2021

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of January 2021

Prepared for the Ohio Legislative Services Commission (LSC) February 10, 2021

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of January 2021. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

Task VI Activities

Activities under this task included brief meetings to discuss activities in preparation of completion of the final common unified redistricting database (CUDR). The US Census geographic data was downloaded from the US Census website and stored for future use. The State of Ohio Secretary of State (SoS) 2020 voter database and the precinct-level results of the 2020 general election were downloaded and stored. Email communications with the US Census Bureau concerning the availability of the PL 94-171 Census data did not yield any definitive outcome. Until further notice, July 31, 2021 remains to be the date for receipt of the enumeration data.

Projected Activities Going Forward

During February and coming months, GVS will link the new geographic data from the Census Bureau with the 2020 voter database. The voter database will be geocoded and the new points posted on the Redistricting 2021 website, created for this project. The issue of linkage of party affiliation with PL 94-171 block and precinct geography, discussed since May of 2020, is still unresolved. We believe that linking the 2018 primary data as an indicator of party affiliation is problematic and could lead to many inaccuracies. We suggest that the best data that could be used to characterize party affiliation at a precinct level is the 2020 election returns data from the SoS, using percentages of voters by party but this data may not be able to be disaggregated to the Census block level.

We continue to recommend that discussions be held with the Redistricting Committees for each party to identify the most usable data for linkage of party affiliation with the Census geography, and of the problems, errors and uncertainties associated with each option. We suggest that we prepare a presentation of the issues and hold a Zoom (or similar) meeting to provide a factual basis for consideration of the solution.

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: February 2021

Prepared by Robert L. Wiley, Redistricting Project Manager
George Voinovich School of Leadership and Public Affairs (GVS)
Month of February 2021
Prepared for the Ohio Legislative Services Commission (LSC) March 4, 2021

Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of February 2021. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

Task VI Activities

Activities under this task included continued meetings to discuss work being done in preparation of completion of the final common unified redistricting database (CURD). An email from the US Census Bureau notified us that the PL 94-171 data was not ready for release to any state but would be released to all states on September 30, 2021. This email from the Census Bureau and enclosed links to press releases was forwarded to the LSC on February 12, 2021 for distribution to interested parties. Following that distribution, a phone call was received from the Legal Counsel of the Minority Caucus, Sarah Cherry, concerning the estimation of the time needed for the completion of the CURD once the PL 94-171 data was received. She was informed that we could likely turn the final product around for delivery within a period significantly shorter than our original contract performance period, depending on the resolution of ongoing questions concerning the issue of linking political affiliation information to the Census blocks and voting precincts. Discussions on this issue had been in progress since May of 2020 with Chief Legal Counsel for the Ohio Senate, Frank Strigari. An email to pursue resolution to outstanding questions regarding the application of political leaning attributions was sent to Mr. Strigari on February 16, 2021 and shared with the LSC and the Minority Caucus. Mr. Strigari talked with Michael Finney on February 25, 2021 to better understand the impact that the delay in the release of the PL 94-171 would have on the completion of the CURD and the issues around linking of the political affiliation data.

Projected Activities Going Forward

During the coming months, GVS will review the new geographic data from the Census Bureau comparing it with the data that was sent to the Census Bureau March 31, 2020. We will also download the 2020 voter database from the Secretary of State. The voter database will be geocoded and the new points posted on the Redistricting 2021 website, created for this project. The issue of linkage of party affiliation with PL 94-171 block and precinct geography will hopefully be resolved in the coming weeks. We suggest that we hold a Zoom (or similar) meeting with the interested parties to discuss the issues related to determining the party affiliation from the voter database and election results data.

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Report: March 2021

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Project Purpose and Background

This report summarizes activities conducted under the Redistricting 2021 contract between Ohio University and the Ohio Legislative Services Commission (LSC) for the month of March 2021. The scope of work for this project is based on the proposal prepared by Ohio University and submitted to LSC in early 2016. Work on the project has continued according to the defined tasks and subtasks as described in the scope of work within the proposal.

Task VI Activities

During the month of March 2021 GVS followed the communications from the US Census Bureau regarding the dates of availability of the PL 94-171 Census data. Discussions were held with officials from the State regarding the Census Bureau's announced delay in releasing the PL 94-171 data set and how these delays will impact final delivery of the unified database. We also discussed what types of election results data should/could be added to the unified database. A brief update on the progress of the project was provided to Secretary of State LaRose when he visited Ohio University's campus on March 19. We met as a team several times to discuss the effects of the date changes on the completion of the combined uniform redistricting database. We reviewed the sample preliminary PL 94-171 dataset for Providence, Rhode Island. This preliminary PL 94-171 dataset is scheduled to be released mid-August 2021 by the Census Bureau. Our team determined that we can work with the preliminary dataset and link it to the Census geography files provided the actual released preliminary PL 94-171 dataset maintains the same format and database fields as the sample dataset for Providence, RI. We also ran some quality control tests to compare the 2021 US Census geography to the precinct geography shapefiles provided to the US Census Bureau in March 2020. Initial tests found that some differences remained along municipal and county boundaries due to unsupported place boundary changes by counties and municipalities that the US Census Bureau could not resolve. Using the geocoded voter data base for assessment, the impact of these differences was found to be insignificant in the tested counties. We anticipate conducting this test for each county and summarizing the findings as a quality assessment tool over the next few months.

Projected Activities Going Forward

Over the next few weeks GVS will create a shapefile that combines county level 2021 US Census Geography files into a single state-wide file and links it by precinct to the 2020 election voting results for all appropriate races and issues, as available from the Secretary of State Election Results database. We will also begin to run the geography comparison quality assessment tests for each county using the methodology developed during March.