



**Ohio Senate**  
Statehouse  
Columbus, Ohio 43215  
(614) 466-4538  
SD06@senate.state.oh.us

**Committees:**  
Government Oversight, Chair  
Education  
Energy and Public Utilities

**Jon Husted**  
State Senator  
6th District

**Sponsor Testimony**  
**Senate Joint Resolution 5**  
**Senate State and Local Government and Veterans' Affairs Committee**  
**April 21, 2009**

Chairman Hughes, members of the State and Local Government and Veterans' Affairs Committee, I am pleased to bring before you today, for your consideration, Senate Joint Resolution 5.

I am presenting to you a proposal that would end the partisan gerrymandering of legislative and congressional districts that allows the politicians to pick the voters rather than allowing the voters to pick their public officials.

Since my election to the legislature in 2000, I have yet to find one person that can defend Ohio's current system of redistricting. Our current method of redistricting is a winner take all system that ranks Ohio as one of the most partisan states in the country. This system has led to partisan control of government and serves as an incentive to work in a partisan manner.

I believe the three areas most critical to improving the system are: the composition of the board, the criteria for drawing the districts and the decision making process.

Under my proposal, a redistricting commission will be formed. The new commission will consist of seven members. Each legislative leader of both the House and Senate will appoint one member. Those four members shall appoint, by a unanimous vote, the remaining three members. If the four legislative leader appointed members cannot agree on the three additional members, then each member shall submit one name to the governor. The governor shall then, in public view, randomly select the additional three members of the commission from the four proposed members.

Commission members shall not hold state or federal elective public office and may not be a candidate for state or federal elective office during the ten year period in which the plan is in effect. The chief justice of the Ohio Supreme Court shall administer an oath of office to each commission member prior to fulfilling their duties to faithfully perform all duties of the office with fairness to all Ohioans.

The resolution adds requirements for drawing congressional districts that are currently not in current law. The population of each congressional district shall be as equal to the ratio of representation in congress as practicable. The population of each House and Senate district shall contain a population of no less than 95 percent or more than 105 percent of the ratio as determined by the federal decennial census.

Every congressional and General Assembly district shall be compact and composed of contiguous territory and the boundary of each district shall be a single, nonintersecting continuous line. When a district cannot be formed by whole counties, preference shall be given to townships, municipalities and municipal wards.

Additionally, the redistricting commission shall make its best efforts to maximize the number of competitive districts. A competitive district is defined as a district where the average partisan index is not more than five percent apart. The index is determined by using the three most competitive general elections by percentage for nonjudicial statewide state or federal office; as defined by the candidates receiving the highest and second highest number of voters for political parties in the three previous even-numbered years.

To provide openness and transparency, a provision is included to allow any resident of Ohio to submit a congressional plan or a general assembly plan. This is similar to a provision included in HJR 25 from the 122<sup>nd</sup> General Assembly, sponsored by former Representative Joan Lawrence.

To further require bipartisan input, the resolution implements an enhanced five vote supermajority for the adoption of any redistricting plan. In addition, at least one of the required five votes must come from each of the three groups represented on the commission.

If the commission is unable to adopt a plan by September 15<sup>th</sup> of the year prior to the plan being enacted, then the commission will resort to ranking plans that have been submitted. Commissioners shall assign numerical values to those plans until a single winning plan is selected. Immediately after the adoption of a plan, the commission shall prepare a report that explains the basis on which the commission made its decision to achieve the districting criteria specified.

Other notable provisions include the prohibition of redrawing congressional lines mid census, to prevent a situation similar to what occurred in Texas in 2003. The Ohio Constitution already prohibits mid-census changes to General Assembly districts but not congressional districts. Language is also included to make it clear that all meetings, as well as redistricting data, are open to the public.

Ohio has used a hyper-partisan process of drawing districts for far too long. The time is now for Ohio to adopt this proposal to end the partisan gerrymandering that serves political parties over the public. For those who disagree with the substance of this proposal, I ask that they offer their own constructive alternative. I am willing to sit down with any member of this committee to discuss their ideas to improve this proposal. However, I believe inaction on this issue is irresponsible.

Chairman Hughes and members of the committee, thank you for your time today. I would be happy to answer any questions.