

PROPOSITION 4 – ARGUMENT IN FAVOR

VOTE “YES” ON PROPOSITION 4

Voters should choose their representatives, not vice versa.

Yet under current law, Utah politicians can choose their voters. Legislators draw their own legislative districts with minimal transparency, oversight, or checks on inherent conflicts of interest. As a result, politicians wield unbridled power to design districts to ensure their own re-election. This is called “gerrymandering.”

Gerrymandering is not new. But in recent years it has gotten out of control. Sophisticated computer modeling allows incumbents to craft districts with a precision the framers of the Utah Constitution could not have foreseen. Incumbents of both parties do this, with the result that Utah is divided into districts that empower politicians, not voters.

For example, Holladay City is splintered into four State House districts, two State Senate districts and two Congressional districts. Who benefits from this? Holladay voters don’t, but politicians do. Incumbents in safe districts are less responsive to voters and more responsive to special interests. In short, gerrymandering makes representative democracy less representative.

To be fair, we can’t expect legislators to fix the system. It benefits them. We the People must fix it.

Proposition 4 returns power to the voters and puts people first in our political system. It does this by enacting the Utah Independent Redistricting Commission and Standards Act. The Act addresses the problem of gerrymandering in two ways.

First, it creates a seven-member Independent Redistricting Commission. The Governor and Legislative leaders appoint the Commissioners, at least two of whom must be politically unaffiliated. To promote impartiality, lobbyists, current and recently retired elected officials, political party leaders, and government appointees may not serve as Commissioners. With citizen input, the Commission draws proposed district boundaries for Utah’s congressional, legislative, and State school board districts. It then submits these electoral maps to the Legislature as required by the Utah Constitution. The Legislature can enact or reject the Commission’s proposed maps. If it rejects them, it must explain why to the citizens.

Second, the Act requires that, in drawing districts, the Commission and the Legislature abide by common-sense redistricting standards to the greatest extent practicable. These standards include:

- Adhering to the U.S. and Utah Constitutions and other applicable law
- Preserving equal populations among districts
- Keeping municipalities and counties together
- Creating districts that are compact and contiguous
- Respecting traditional neighborhoods and communities of interest
- Following geographic features and natural barriers

Most importantly, the Act forbids drawing districts to unduly favor or disfavor any incumbent, candidate, or political party. And it allows Utah voters to challenge a map enacted by the Legislature that violates these standards.

By placing common-sense limits on politicians' power to design their districts, Proposition 4 will ensure that our representative government serves people, not politicians. It will make the redistricting process more transparent, increase voter participation, and make the politicians we elect more responsive and accountable to the people who elect them.

In short, it will ensure that Utah voters have a government of the People, by the People, and for the People.

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PROPOSITION 4 – REBUTTAL TO ARGUMENT IN FAVOR

Proposition 4 sponsors' best argument seems to be that giving an unelected commission authority in the redistricting process will result in a more accountable government. If that is true, it must be done by a constitutional amendment and not by an initiative petition.

In 2011 the legislative redistricting committee held over thirty public, open, and transparent meetings throughout the state. They received and considered hundreds of public comments and even provided a dedicated website for citizens to draw, submit, and comment on maps.

Backed by Ralph Becker and other liberal Salt Lake City Democrats and funded by out of state interest groups, Proposition 4 is a cleverly disguised partisan power grab.

- It unconstitutionally gives redistricting authority to unelected bureaucrats and judges.
- It deliberately imposes vague and conflicting redistricting requirements to throw the doors wide open for lawsuits.
- 4 out of 5 of its sponsors are liberal Democrats from Salt Lake City (if you include the one who became Republican right before sponsoring).
- 70% of the nearly \$1 Million behind the initiative are from OUT OF STATE special interest groups.
- Over half of the in-state donations came from inside of Salt Lake City proper.

The framers of the Utah Constitution ensured that redistricting would be anchored in the voice of the people by exclusively entrusting this authority to the legislature.

A vote for Proposition 4 is a vote to unconstitutionally silence the voice of the majority of people in Utah and allow unelected bureaucrats and judges redistricting authority

Senator Ralph Okerlund
Utah State Senate

PROPOSITION 4 – ARGUMENT AGAINST

Proposition 4 is a cleverly disguised partisan plan to stifle the voice of the people of Utah as represented by the Legislature and unconstitutionally create an overwhelmingly Democrat congressional district around Salt Lake City.

Violates the Constitution

Inspired by the framers of our United States Constitution, the founders of Utah divided governmental power into three separate branches of government – the Executive, the Legislative, and the Judicial. The founders thought it was important to grant the legislature the *exclusive* authority over the redistricting process.

Proposition 4 blatantly violates the Utah Constitution by creating a redistricting commission and granting that commission and the Utah Supreme Court a role in the redistricting process. If we, as citizens of Utah, wish to grant this legislative authority to other branches of government, we must do it through a constitutional amendment not an initiative petition.

The Perfect Legal Storm

Over the past few redistricting cycles there have been hundreds of redistricting lawsuits in at least 40 states. In that time, not a single successful case has been brought against Utah due to our transparent, fair, and strictly constitutional redistricting process.

Proposition 4 deliberately imposes vague and conflicting redistricting requirements, it leaves multiple key terms undefined, and it grants any person or business with a Utah address the right to legally challenge redistricting plans. These provisions reveal the obvious underlying goal of this initiative is to create a perfect legal storm for lengthy lawsuits that result in the courts unconstitutionally redrawing district boundaries.

Better Boundaries for Whom?

District boundaries are redrawn by the legislature every ten years following the census to ensure that every district is represented by the same number of people. Because Utah's population is growing – the growth in each district must be averaged out. This means slower growing districts must have boundaries that expand, while the surrounding faster growing districts must have boundaries that shrink.

This is precisely what is happening in and around Salt Lake City. Due to their significantly slower population growth rates, district boundaries around Salt Lake City must expand to gain population while the surrounding

districts shrink to average out. Despite being their last strong-hold in the state, it is inevitable that these current growth patterns will continue to water-down Democrat representation. Faced with this fact, proponents of Proposition 4 are desperately trying to maintain and even increase their representation by creating an overwhelmingly Democrat district insulated from the rest of the state.

Appropriately named by its Salt Lake City Democrat supporters, the “Better Boundaries Initiative,” begs the question: better boundaries for whom? Themselves.

Conclusion

Make no mistake about it, the backers of this initiative are *not* seeking to create a transparent, fair, and constitutionally sound redistricting process – we already have that. They are seeking to unconstitutionally pack what is now a competitive congressional district with Democrat voters to create a single, safe, and solidly Democrat congressional district for themselves.

Do not be fooled. Vote against Proposition 4.

Senator Ralph Okerlund
Utah State Senate
248 S 500 W
Monroe, UT 84754

PROPOSITION 4 – REBUTTAL TO ARGUMENT AGAINST

Utah voters should not be surprised that the statement against Proposition 4 comes from a politician. Politicians are the only folks that benefit from gerrymandering. The current system presents a clear conflict of interest.

The opposition statement is also misleading; let’s focus on the facts.

First, Proposition 4 is a bi-partisan effort, led by members of both major parties. Over 190,000 Utahns from all across the State signed the petition, and polling shows that a majority of Utahns support it.

Second, Utahns overwhelmingly support Proposition 4 because it creates a transparent process. It favors no party or outcome. It merely creates sensible rules so that *no one* can rig the system.

Third, the State Constitution does not say our Legislature has “exclusive” authority to draw electoral maps. Proposition 4 is carefully designed to operate within the framework established by the Utah and U.S. Constitutions.

Fourth, the speculation that this Proposition will encourage litigation is misleading. Proposition 4 enacts common-sense redistricting standards. A map that respects those standards is unlikely to provoke baseless litigation, especially since the initiative also contains provisions to discourage frivolous lawsuits.

The fight against gerrymandering is about patriotism, not party. Ronald Reagan called gerrymandering an “un-American practice” contrary to “American values of fair play and decency.”

That's why 18 other states have adopted some form of an independent redistricting commission. We need to end gerrymandering here in Utah once and for all. Don't be distracted by misleading statements and scare tactics.

Vote for Proposition 4.

Blake Moore
Republican Co-Chair
Better Boundaries/Proposition 4