

RECEIVED

MAR 04 2016

S. WARD
2:48 P.M.

Colorado Secretary of State

2015-2016 #107 - Amended

Be it Enacted by the People of the State of Colorado:

SECTION 1. In the constitution of the state of Colorado, **add** section 43.5 to article V as follows:

Congressional and Legislative Appointments

SECTION 43.5. POLITICAL GERRYMANDERING PROHIBITED.

THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT FAIR REPRESENTATION REQUIRES THAT THE PRACTICE OF POLITICAL GERRYMANDERING, WHEREBY CONGRESSIONAL, AND SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS OF THE GENERAL ASSEMBLY ARE PURPOSEFULLY DRAWN TO FAVOR ONE POLITICAL PARTY OR INCUMBENT POLITICIAN OVER ANOTHER OR TO ACCOMPLISH POLITICAL GOALS, MUST END. THE PUBLIC'S INTERESTS IN PROHIBITING POLITICAL GERRYMANDERING AND IN MAPPING FAIR AND COMPETITIVE CONGRESSIONAL, AND SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS OF THE GENERAL ASSEMBLY IS BEST ACCOMPLISHED BY AN INDEPENDENT COMMISSION OF BALANCED APPOINTMENTS THAT IS FREE FROM POLITICAL INFLUENCE AND THAT THIS SAME INDEPENDENT COMMISSION RELY ON NONPARTISAN LEGISLATIVE STAFF TO DIVIDE THE STATE INTO THESE DISTRICTS WITHOUT REGARD TO POLITICAL PRESSURES OR POLITICAL CONSIDERATIONS.

SECTION 2. In the constitution of the state of Colorado, **amend** section 44 of article V as follows:

Section 44. Representatives in congress. The ~~general assembly~~ NONPARTISAN STAFF ASSIGNED TO THE COLORADO REDISTRICTING COMMISSION shall divide the state into as many

congressional districts as there are representatives in congress apportioned to this state by the congress of the United States for the election of one representative to congress from each district. When a new apportionment shall be IS made by congress, the ~~general assembly~~ NONPARTISAN STAFF ASSIGNED TO THE COLORADO REDISTRICTING COMMISSION shall divide the state into congressional districts accordingly.

SECTION 3. In the constitution of the state of Colorado, amend section 47 of article V as follows:

Section 47. ~~Composition of districts~~ CRITERIA – STATE SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS.

(1) Each district shall be as compact in area as possible and the aggregate linear distance of all district boundaries shall be as short as possible. ~~Each district shall consist of contiguous whole general election precincts.~~ Districts of the same house shall BE CONTIGUOUS AND SHALL not overlap.

(2) Except when necessary to meet the equal population requirements of section 46, no part of one county shall be added to all or part of another county in forming districts. Within counties whose territory is contained in more than one district of the same house, the number of cities and towns whose territory is contained in more than one district of the same house shall be as small as possible. When county, city, or town boundaries are changed, adjustments, if any, in legislative districts shall be as prescribed by law.

(3) Consistent with the provisions of this section and section 46 of this article, communities of interest, including ethnic, cultural, economic, trade area, geographic, and demographic factors, shall be preserved within a single district wherever possible.

(4) AFTER ~~FOLLOWING THE CONSIDERATION OF~~ SUBSECTIONS 1, 2, AND 3 OF THIS SECTION, ~~AND SECTION 46 OF THIS ARTICLE, AND APPLICABLE LAW,~~ NONPARTISAN STAFF SHALL MAXIMIZE THE NUMBER OF FAIR AND COMPETITIVE SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS.

SECTION 4. In the constitution of the state of Colorado, **add** section 47.5 of article V as follows:

Section 47.5 CRITERIA – CONGRESSIONAL DISTRICTS.

(1) IN ESTABLISHING CONGRESSIONAL DISTRICTS THE ~~COMMISSION AND~~ NONPARTISAN STAFF:

(a) SHALL UTILIZE THE FOLLOWING FACTORS:

(I) EQUAL POPULATION AS PROVIDED BY LAW;

(II) COMPLIANCE WITH ~~SECTION 2 OF THE FEDERAL “VOTING RIGHTS ACT OF 1965”, IN PARTICULAR 42 U.S.C. SEC. 1973, AND APPLICABLE LAW~~ AS AMENDED; AND

(b) MAY, WITHOUT WEIGHT TO ANY FACTOR, UTILIZE FACTORS INCLUDING, BUT NOT LIMITED TO:

(I) THE PRESERVATION OF POLITICAL SUBDIVISIONS SUCH AS COUNTIES, CITIES AND TOWNS. WHEN COUNTY, CITY, OR TOWN BOUNDARIES ARE CHANGED, ADJUSTMENTS, IF ANY, IN DISTRICTS SHALL BE AS PRESCRIBED BY LAW;

(II) THE PRESERVATION OF COMMUNITIES OF INTEREST, INCLUDING ETHNIC, CULTURAL, ECONOMIC, TRADE AREA, GEOGRAPHIC, AND DEMOGRAPHIC FACTORS;

(III) THE COMPACTNESS OF EACH CONGRESSIONAL DISTRICT;
AND

(IV) THE MINIMIZATION OF DISRUPTION OF PRIOR DISTRICT

LINES.

(c) SHALL, AFTER ADHERING TO THE PROVISIONS OF THIS SUBSECTION (a) AND CONSIDERING THE PROVISIONS OF THIS SUBSECTION (b), MAXIMIZE THE NUMBER OF FAIR AND COMPETITIVE CONGRESSIONAL DISTRICTS.

SECTION 5. In the constitution of the state of Colorado, **amend** section 48 of article V as follows:

Section 48. Colorado redistricting commission. (1) (a) After each federal census of the United States, the COLORADO REDISTRICTING COMMISSION SHALL CONVENE IN ACCORDANCE WITH THIS SECTION. THE DIRECTORS OF THE GENERAL ASSEMBLY'S NONPARTISAN RESEARCH AND LEGAL SERVICES STAFF SHALL ASSIGN MEMBERS FROM HIS OR HER OFFICE TO SERVE AS NONPARTISAN STAFF ASSIGNED TO THE COMMISSION. THESE STAFF MEMBERS ARE REFERRED TO IN THIS ARTICLE AS NONPARTISAN STAFF. NONPARTISAN STAFF SHALL PROPOSE TO THE COMMISSION CONGRESSIONAL DISTRICTS, AND senatorial districts and representative districts ~~shall be established, revised, or altered, and the members of the senate and the house of representatives apportioned among them, by a Colorado reapportionment~~ OF THE GENERAL ASSEMBLY. THE commission ~~consisting~~ SHALL CONSIST OF ~~eleven~~ TWELVE members ~~to be~~ appointed and having the qualifications as prescribed in this section. ~~Of such members, four shall be appointed by the legislative department, three by the executive department, and four by the judicial department of the state.~~

(b) ~~The four legislative members shall be the speaker of the house of representatives, the minority leader of the house of~~

representatives, and the ~~majority~~ PRESIDENT OF THE SENATE, and THE minority leaders LEADER of the senate ~~or the designee of any such officer to serve in his or her stead, which acceptance of service or designation shall be made~~ SHALL EACH APPOINT TWO MEMBERS FROM HIS OR HER OWN PARTY SO THAT NO MORE THAN FOUR MEMBERS MAY BE REGISTERED WITH THE SAME PARTY FOR A TOTAL OF EIGHT MEMBERS, no later than ~~April 15~~ MARCH 25 of the year following that in which the federal census is taken. ~~The three executive members shall be appointed by the governor between April 15 and April 25 of such year, and the four judicial members shall be appointed by the chief justice of the Colorado supreme court between April 25 and May 5 of such year.~~

(c) THE DIRECTOR OF THE GENERAL ASSEMBLY'S NONPARTISAN RESEARCH STAFF SHALL RECEIVE APPLICATIONS FOR THE FINAL FOUR POSITIONS ON THE COMMISSION AND REVIEW THE APPLICATIONS TO ENSURE THAT THE APPLICANTS MEETS THE CRITERIA OF THIS SUBSECTION (c). THE MEMBERS APPOINTED UNDER THIS SUBSECTION (c) MAY NOT BE, OR HAVE BEEN, AFFILIATED, FOR A PERIOD OF ONE CALENDAR YEAR PRIOR TO THEIR APPOINTMENT, WITH THE SAME POLITICAL PARTY OF ANY MEMBER ALREADY APPOINTED TO THE COMMISSION. THESE FOUR APPOINTMENTS SHALL BE MADE AS FOLLOWS NO LATER THAN APRIL 25 OF THAT SAME YEAR:

(I) (A) THE HIGHEST RANKING ELECTED OFFICIAL WHO IS A MEMBER OF ONE OF THE STATE'S TWO LARGEST PARTIES SHALL APPOINT TWO MEMBERS WHO ARE REGISTERED WITH MINOR PARTIES OR WHO ARE UNAFFILIATED.

(B) THE NEXT HIGHEST RANKING ~~MAJOR PARTY~~ ELECTED OFFICIAL WHO IS A MEMBER OF ONE OF THE STATE'S TWO ~~MAJOR~~

LARGEST PARTIES OTHER THAN THE PARTY OF THE OFFICIAL REFERENCED IN SUBSECTION (I)(A) SHALL APPOINT TWO MEMBERS WHO ARE REGISTERED WITH MINOR PARTIES OR UNAFFILIATED.

(C) THE APPOINTING AUTHORITIES IN THIS SUBSECTION (I) SHALL FOLLOW THE ORDER OF OFFICIALS PURSUANT TO SUBSECTION 7 OF SECTION 13 OF ARTICLE IV OF THIS CONSTITUTION.

~~(e)~~ (d) Commission members shall MUST be qualified electors of the state of Colorado. COMMISSION MEMBERS MAY NOT BE A REGISTERED LOBBYIST, INCUMBENT MEMBER OF THE GENERAL ASSEMBLY OR CONGRESS, OR A CURRENT CANDIDATE FOR SUCH OFFICE. ~~No more than four commission members shall be members of the general assembly. No more than six commission members shall be affiliated with the same political party.~~ No more than four commission members shall MAY be residents of the same congressional district, and each congressional district shall MUST have at least one resident as a commission member SO LONG AS COLORADO HAS BEEN APPORTIONED NO MORE THAN TWELVE CONGRESSIONAL DISTRICTS. At least one commission member shall MUST reside west of the continental divide.

~~(d)~~ (e) Any vacancy created by the death or resignation of a member, or otherwise, shall be filled by the respective appointing authority. Members of the commission shall hold office until ~~their reapportionment and~~ A redistricting plan is implemented OR OTHERWISE REMOVED AS PROVIDED HEREIN. No later than May 15 of the year of their appointment, the governor shall convene the commission and appoint a temporary ~~chairman~~ CHAIRPERSON who shall preside until the commission elects its own officers.

~~(e) Within one hundred thirteen days after the commission has~~

~~been convened or the necessary census data are available, whichever is later, the commission shall publish a preliminary plan for reapportionment of the members of the general assembly and shall hold public hearings thereon in several places throughout the state within forty five days after the date of such publication. No later than one hundred twenty three days prior to the date established in statute for precinct caucuses in the second year following the year in which the census was taken or, if the election laws do not provide for precinct caucuses, no later than one hundred twenty three days prior to the date established in statute for the event commencing the candidate selection process in such year, the commission shall finalize its plan and submit the same to the Colorado supreme court for review and determination as to compliance with sections 46 and 47 of this article. Such review and determination shall take precedence over other matters before the court. The supreme court shall adopt rules for such proceedings and for the production and presentation of supportive evidence for such plan. Any legal arguments or evidence concerning such plan shall be submitted to the supreme court pursuant to the schedule established by the court; except that the final submission must be made no later than ninety days prior to the date established in statute for precinct caucuses in the second year following the year in which the census was taken or, if the election laws do not provide for precinct caucuses, no later than ninety days prior to the date established in statute for the event commencing the candidate selection process in such year. The supreme court shall either approve the plan or return the plan and the court's reasons for disapproval to the commission. If the plan is returned, the commission shall revise and modify it to conform to the court's requirements and~~

~~resubmit the plan to the court within the time period specified by the court. The supreme court shall approve a plan for the redrawing of the districts of the members of the general assembly by a date that will allow sufficient time for such plan to be filed with the secretary of state no later than fifty five days prior to the date established in statute for precinct caucuses in the second year following the year in which the census was taken or, if the election laws do not provide for precinct caucuses, no later than fifty five days prior to the date established in statute for the event commencing the candidate selection process in such year. The court shall order that such plan be filed with the secretary of state no later than such date. The commission shall keep a public record of all the proceedings of the commission and shall be responsible for the publication and distribution of copies of each plan.~~

Formatted: Not Small caps

(f) ANY MOTION ADOPTED BY THE COMMISSION, INCLUDING THE ELECTION OF ITS OFFICERS AND APPROVAL OF ANY PLAN, REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST EIGHT COMMISSION MEMBERS, EXCEPT FOR MOTIONS TO AMEND THE INITIAL MAPPLANS WHICH REQUIRE THE AFFIRMATIVE VOTE OF AT LEAST SEVEN COMMISSION MEMBERS.

(g) EXCEPT AS TO MATTERS OTHERWISE PROVIDED FOR HEREIN, THE COMMISSION SHALL ADOPT RULES TO GOVERN ITS ADMINISTRATION AND OPERATION INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

(1) MAINTENANCE OF A RECORD OF THE COMMISSION'S ACTIVITIES AND PROCEEDINGS, INCLUDING A RECORD OF WRITTEN AND ORAL TESTIMONY RECEIVED, AND OF THE CHANGES TO ANY MAPPLAN DRAFTED BY NONPARTISAN STAFF AND THE RATIONALE FOR SUCH CHANGES;

(2) THE PROCESS FOR REMOVAL OF MEMBERS FOR CAUSE;

(3) THE PROCESS FOR RECOMMENDING CHANGES TO NONPARTISAN STAFF RELATED TO THE ~~MAP~~PLANS THAT NONPARTISAN STAFF HAS SUBMITTED TO THE COMMISSION; AND

(4) ADOPTION OF A STATEWIDE MEETING AND HEARING SCHEDULE.

~~(e)-(2) (a) (I) Within one hundred thirteen~~WITHIN THIRTY days after the commission has been convened or the necessary census data are available, whichever is later, the commission DAYS AFTER THE COMMISSION HAS BEEN CONVENED OR THE NECESSARY CENSUS DATA ARE AVAILABLE, WHICHEVER IS LATER, NONPARTISAN STAFF shall ~~publish a preliminary~~SHALL PUBLISH A PRELIMINARY REDISTRICTING plan for PLAN FOR reapportionment of the members of CONGRESSIONAL DISTRICTS AND, NO LATER THAN FOURTEEN DAYS AFTER THAT, FOR SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS OF ~~the general assembly~~ THE GENERAL ASSEMBLY. and NONPARTISAN STAFF SHALL KEEP ALL PLANS PREPARED IN ACCORDANCE WITH THIS SECTION CONFIDENTIAL UNTIL THEY HAVE BEEN PRESENTED TO THE COMMISSION AT A PROPERLY NOTICED MEETING OR HEARING OF THE COMMISSION.

(II) IF, FOR ANY REASON, NONPARTISAN STAFF IS UNABLE TO PRESENT PRELIMINARY PLANS TO THE COMMISSION, THE NONPARTISAN STAFF SHALL PUBLISH THE PRELIMINARY PLANS AND ACCEPT PUBLIC COMMENTS ON THE PLANS PRIOR TO SUBMITTING THE PRELIMINARY PLANS DIRECTLY TO THE SUPREME COURT ON THE LAST BUSINESS DAY PRIOR TO OCTOBER 7 OF THAT SAME YEAR. THE COURT'S CONSIDERATION SHALL BE AS TO WHETHER THE PLANS ADHERE TO THE

CRITERIA OUTLINED IN THIS SECTION AND SECTIONS 46, 47, AND 47.5 OF THIS ARTICLE.

(b) (I) THE COMMISSION SHALL BE SUBJECT TO COLORADO STATUTORY PROVISIONS CONCERNING OPEN MEETINGS, OPEN RECORDS AND DISCLOSURE BY PUBLIC OFFICIALS, GENERALLY REFERRED TO AS COLORADO SUNSHINE LAWS, AS AMENDED FROM TIME TO TIME BY THE GENERAL ASSEMBLY. FOR THE PURPOSE OF THIS COMMISSION, PROPER NOTICE FOR A MEETING OR HEARING OF THE COMMISSION, INCLUDING TIME, PLACE AND AGENDA, SHALL BE POSTED AT LEAST THREE DAYS PRIOR TO SUCH MEETING ON A WEB SITE DEDICATED BY NONPARTISAN STAFF FOR THE PURPOSE OF REDISTRICTING;

(II) A COMMISSIONER WHO ENGAGES IN COMMUNICATIONS, IF SUCH COMMUNICATIONS ARE MADE OUTSIDE OF A COMMISSION'S PROPERLY NOTICED PUBLIC HEARING AND THE COMMUNICATIONS RELATE TO THE MAPPING OF POLITICAL DISTRICTS, SHALL DISCLOSE, AT EACH MEETING, A LIST OF INDIVIDUALS WITH WHOM THEY HAVE HAD SUCH COMMUNICATIONS;

(III) COMMISSIONERS MAY COMMUNICATE WITH ONE ANOTHER ABOUT THE MAPPING OF POLITICAL DISTRICTS PROVIDED THAT COMMUNICATION BETWEEN MORE THAN THREE COMMISSIONERS AT ONE TIME MUST BE PROPERLY NOTICED PURSUANT TO THIS SUBSECTION (I). ~~ASIDE FROM~~ EXCEPT FOR TECHNICAL AND OPERATIONAL MATTERS AND PREPARING FOR THE COMMISSION'S CONSIDERATION AMENDMENTS DRAFTED BY COMMISSIONERS, COMMISSIONERS MAY NOT COMMUNICATE WITH NONPARTISAN STAFF ON THE MAPPING OF POLITICAL DISTRICTS UNLESS THE COMMUNICATION IS DURING A PROPERLY NOTICED MEETING OR

HEARING OF THE COMMISSION;

(IV) NONPARTISAN STAFF MEMBERS ARE NOT PERMITTED TO HAVE EX PARTE COMMUNICATIONS ABOUT THE CONTENT OR DEVELOPMENT OF ANY PLAN SHALL USE THEIR PROFESSIONAL DISCRETION AS THEY COMMUNICATE WITH OTHER LEGISLATIVE STAFF RELATED TO THE MAPPING OF POLITICAL DISTRICTS. COMMUNICATIONS TO AND FROM NONPARTISAN STAFF RELATED TO ADMINISTRATIVE AND OPERATIONAL MATTERS OF MAPPING POLITICAL DISTRICTS AND GENERAL DISCUSSIONS ABOUT THE REDISTRICTING PROCESS ARE NOT PROHIBITED. WORK PRODUCT AND COMMUNICATIONS BETWEEN NONPARTISAN STAFF SHALL BE MADE AVAILABLE SUBJECT TO DISCLOSURE UNDER COLORADO OPEN RECORDS LAWS WHEN THE MAP PLAN TO WHICH THE WORK PRODUCT OR COMMUNICATION RELATES IS PRESENTED TO THE COMMISSION DURING A PROPERLY NOTICED MEETING OR HEARING OF THE COMMISSION;

(V) ANY COMMISSIONER BEING FOUND TO HAVE PARTICIPATED IN COMMUNICATIONS PROHIBITED UNDER THIS SECTION SHALL BE REMOVED FROM THE COMMISSION AND REPLACED WITHIN SEVEN DAYS BY A NEW COMMISSIONER APPOINTED BY THE SAME AUTHORITY HAVING APPOINTED THE COMMISSIONER REMOVED FROM THE COMMISSION;

(VI) NONPARTISAN STAFF SHALL REPORT TO THE COMMISSION ANY ATTEMPTS TO CONDUCT ANY COMMUNICATION PROHIBITED UNDER THIS SECTION AND SHALL REPORT TO THE COMMISSION ANY ATTEMPTS TO EXERT INFLUENCE OVER THE DRAFTING OF PLANS.

(c) NONPARTISAN STAFF SHALL NOT DRAW ANY ~~DISTRICT PLAN~~ FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, INCUMBENT LEGISLATOR, MEMBER OF CONGRESS, OR OTHER PERSON. FOR THE

PURPOSE OF ESTABLISHING FAIR AND COMPETITIVE DISTRICTS, NONPARTISAN STAFF MAY USE AND CONSIDER ELECTION PERFORMANCE DATA.

(3) (a) THE COMMISSION SHALL HOLD PUBLIC HEARINGS ~~shall hold public hearings thereon~~ ON THE PRELIMINARY PLANS IN SEVERAL PLACES THROUGHOUT THE STATE ~~in several places throughout the state~~, INCLUDING AT LEAST THREE HEARINGS IN EACH OF COLORADO'S CONGRESSIONAL DISTRICTS AND AT LEAST TWO HEARINGS WEST OF THE CONTINENTAL DIVIDE, ~~within forty-five days after the date of such~~ WITHIN FORTY-FIVE DAYS AFTER THE DATE OF THE PUBLICATION ~~publication~~ OF THE CONGRESSIONAL PLAN. THE COMMISSION SHALL NOT AMEND OR VOTE UPON ANY PRELIMINARY PLAN BUT MAY INSTRUCT NONPARTISAN STAFF ON HOW THE PRELIMINARY PLANS CAN BE ADJUSTED DURING DEVELOPMENT OF INITIAL PLANS. NO LATER THAN TWENTY DAYS AFTER THE CONCLUSION OF THE LAST PUBLIC HEARING, THE NONPARTISAN STAFF SHALL SUBMIT INITIAL PLANS TO THE COMMISSION FOR ITS CONSIDERATION. THE COMMISSION SHALL VOTE ON THE PLANS NOT LESS THAN SEVEN DAYS AFTER THEIR SUBMISSION. IF THE COMMISSION VOTES ON AN INITIAL PLAN AND DOES NOT APPROVE THE PLAN, THE COMMISSION SHALL PROMPTLY PUBLISH AND PROVIDE THE NONPARTISAN STAFF WRITTEN REASONS WHY THE PLAN WAS NOT APPROVED.

(b) IF THE COMMISSION REJECTS A PLAN PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), THE NONPARTISAN STAFF SHALL PREPARE A SECOND PLAN, ADJUSTING THE ~~MAP~~ PLAN ACCORDING TO THE REASONS CITED BY THE COMMISSION FOR DISAPPROVAL OF THE INITIAL PLAN. IF A SECOND PLAN IS REQUIRED UNDER THIS PARAGRAPH

(b), THE PLAN SHALL BE SUBMITTED TO THE COMMISSION WITHIN TEN DAYS OF THE COMMISSION'S VOTE ON THE PREVIOUS PLAN. THE COMMISSION SHALL VOTE ON THE PLAN NOT LESS THAN SEVEN DAYS AFTER THE PLAN'S SUBMISSION. IF THE COMMISSION VOTES ON A PLAN PURSUANT TO THIS PARAGRAPH (b) AND DOES NOT APPROVE THE PLAN, THE COMMISSION SHALL PROMPTLY PUBLISH AND PROVIDE THE NONPARTISAN STAFF WRITTEN REASONS WHY THE PLAN WAS NOT APPROVED.

(c) IF THE COMMISSION REJECTS A PLAN PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3), THE NONPARTISAN STAFF SHALL PREPARE A THIRD PLAN, ADJUSTING THE ~~MAP PLAN~~ ACCORDING TO THE REASONS CITED BY THE COMMISSION FOR THE DISAPPROVAL OF THE SECOND PLAN. IF A THIRD PLAN IS REQUIRED UNDER THIS PARAGRAPH (c), THE PLAN SHALL BE SUBMITTED TO THE COMMISSION WITHIN TEN DAYS OF THE COMMISSION'S VOTE ON THE PREVIOUS PLAN. THE COMMISSION SHALL VOTE ON THE PLAN NOT LESS THAN SEVEN DAYS AFTER THE PLAN'S SUBMISSION.

(d) IF THE COMMISSION DOES NOT APPROVE A PLAN FOR SENATORIAL DISTRICTS OR REPRESENTATIVE DISTRICTS PURSUANT TO THIS PARAGRAPH (c), THE COMMISSION SHALL SUBMIT THE UNAMENDED SECOND PLAN TO THE SUPREME COURT AS SPECIFIED IN PARAGRAPH (g) OF THIS SUBSECTION (3). IF A PLAN FOR SENATORIAL DISTRICTS OR REPRESENTATIVE DISTRICTS IS NOT DRAFTED PURSUANT TO THIS SUBSECTION (b) OR (c), THEN THE COMMISSION SHALL SUBMIT THE UNAMENDED INITIAL PLAN TO THE SUPREME COURT AS SPECIFIED IN PARAGRAPH (g) OF THIS SUBSECTION (3).

(e) ~~No later than~~ NO LATER THAN OCTOBER 6 OF THAT SAME

~~YEAR the commission shall finalize its plan, and~~ THE COMMISSION SHALL FINALIZE EACH PLAN. THE COMMISSION MAY ADJUST THE DEADLINES OF THIS SUBSECTION (3) (a) THROUGH (c) IF CONDITIONS OUTSIDE OF THE COMMISSION'S CONTROL REQUIRE SUCH AN ADJUSTMENT TO ENSURE FINALIZING EACH PLAN AS REQUIRED IN THIS SUBSECTION (e).

(f) THE COMMISSION MAY GRANT NONPARTISAN STAFF THE ABILITY TO MAKE TECHNICAL, DE MINIMUS ADJUSTMENTS TO ANY APPROVED PLAN PRIOR TO ITS SUBMISSION TO THE COLORADO SUPREME COURT.

(g) (I) ~~THE COMMISSION SHALL PROMPTLY~~ SUBMIT THE submit the same PLANS TO THE COLORADO SUPREME COURT FOR REVIEW AND DETERMINATION AS TO COMPLIANCE WITH SECTIONS to the Colorado supreme court for review and determination as to compliance with sections 46, and 47, 47.5 AND 48 OF THIS ARTICLE. SUCH REVIEW AND DETERMINATION of this article. Such review and determination shall take TAKES PRECEDENCE OVER THE OTHER MATTERS BEFORE THE COURT precedence over other matters before the court.

(II) ~~The supreme court shall adopt rules for such proceedings and for the production and presentation of supportive evidence, THE SUPREME COURT SHALL ADOPT RULES FOR SUCH PROCEEDINGS AND FOR THE PRODUCTION AND PRESENTATION OF SUPPORTIVE EVIDENCE, INCLUDING THE RECORD MAINTAINED BY THE COMMISSION, FOR for such plan. Any THE PLANS. LEGAL ARGUMENTS OR EVIDENCE CONCERNING Legal arguments or evidence concerning such plan shall THE PLANS MUST BE SUBMITTED TO THE SUPREME COURT PURSUANT TO THE SCHEDULE ESTABLISHED BY THE COURT; EXCEPT THAT THE FINAL~~

~~SUBMISSION MUST BE MADE NO LATER~~ ~~be submitted to the supreme court pursuant to the schedule established by the court; except that the final submission must be made no later~~ THAN OCTOBER 20 OF THAT SAME YEAR.

(h) (I) ~~The supreme court shall either approve the plan.~~ THE SUPREME COURT SHALL EITHER APPROVE THE PLANS OR RETURN ~~or return the plan~~ ONE OR MORE PLANS AND THE COURT'S REASONS FOR DISAPPROVAL TO THE COMMISSION. IF A PLAN IS RETURNED ~~and the court's reasons for disapproval to the commission. If the A plan is returned,~~ THE COMMISSION NONPARTISAN STAFF SHALL PREPARE A MAPPLAN TO CONFORM TO THE COURT'S REQUIREMENTS ~~to conform to the court's requirements.~~ THE COMMISSION MAY REQUEST THAT NONPARTISAN STAFF MAKE ADJUSTMENTS TO THE CONFORMING MAPPLAN. AN APPROVED, CONFORMING MAPPLAN SHALL BE SUBMITTED TO THE COURT WITHIN THE TIME PERIOD SPECIFIED BY THE COURT ~~submitted to the court within the time period specified by the court.~~ ADOPTION OF A PLAN PURSUANT TO THIS SUBPARAGRAPH (I) REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST EIGHT COMMISSIONERS,

(II) IF THE COMMISSION HAS NOT ADOPTED A PLAN FOR SENATORIAL AND REPRESENTATIVE DISTRICTS WITHIN THE TIME PERIOD SPECIFIED BY THE COURT FOR THE COMMISSION TO ACT, THE NONPARTISAN STAFF SHALL SUBMIT THE UNAMENDED CONFORMING MAPPLAN TO THE COURT WITHIN THE TIME PERIOD SPECIFIED BY THE COURT FOR THE COMMISSION TO ACT.

(III) ~~The supreme court shall approve a plan for the redrawing of the districts of the members of the general assembly~~ THE SUPREME COURT SHALL APPROVE EACH REDISTRICTING PLAN BY A DATE THAT

~~WILL ALLOW SUFFICIENT TIME FOR~~ by a date that will allow sufficient
~~time for such plan~~ THE PLANS TO BE FILED WITH THE SECRETARY OF
~~STATE NO LATER THAN~~ to be filed with the secretary of state no later
~~than~~ DECEMBER 15 OF THAT SAME YEAR. THE COURT SHALL ORDER
~~THAT~~ The court shall order that such EACH PLAN BE FILED WITH THE
SECRETARY OF STATE NO LATER THAN SUCH DATE. THE COMMISSION
SHALL KEEP A PUBLIC RECORD OF ALL THE PROCEEDINGS OF THE
COMMISSION AND SHALL BE RESPONSIBLE FOR THE PUBLICATION AND
DISTRIBUTION OF COPIES OF EACH PLAN ~~plan be filed with the secretary~~
~~of state no later than such date. The commission shall keep a public~~
~~record of all the proceedings of the commission and shall be responsible~~
~~for the publication and distribution of copies of each plan.~~

(4) The general assembly shall appropriate sufficient funds for the compensation and payment of the expenses of the commission members and any staff employed by it. The commission shall have access to statistical information compiled by the state or its political subdivisions and necessary for its REDISTRICTING duties.