

Private
STAFF SUMMARY OF MEETING

OTHER COMMITTEE COMMITTEE ON INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION

Date 04/07/2021
Time 02:04:19 PM to 03:56:59 PM
Place SCR 354
This Meeting was called to order by Carly Hare
This Report was prepared by Elizabeth Burger

Attendance	
Jolie Brawner	X
Martha Coleman	X
Moussa Diawara	X
Paula Espinoza	X
Jason Kelly	E
William Leone	E
JulieMarie Shepherd	X
Macklin Danny Moore	X
Lori Schell	X
Simon Tafoya	X
Elizabeth Wilkes	X
Carly Hare	X

X = Present, E = Excused, A = Absent, * = Present after roll call

Hearing Items	Action Taken
Presentation on Local and State Election Timelines with Q & A	Committee Discussion Only
Discussion of Working on Rules and Procedures	Committee Discussion Only
Subcommittee & Scope	
Other Business	Committee Discussion Only

02:07:06 PM
Chair Hare made announcements related to the committee's agenda. Meeting materials can be accessed either on the commission's website (<https://redistricting.colorado.gov/> (<https://redistricting.colorado.gov/>)) or through the commission's Box account (<https://coleg.box.com/s/942cb1t7bmdwqdyymbh0q46r0ermn1mm2> (<https://coleg.box.com/s/942cb1t7bmdwqdyymbh0q46r0ermn1mm2>)).

Presentation on Local and State Election Timelines with Q & A - Committee Discussion Only

- 02:11:11 PM Christopher Beall, Deputy Secretary of State, Colorado Secretary of State's Office, began his presentation regarding the delay in census data and the impact on the 2022 election calendar. He explained that the 2022 primary and general elections must be based on new districts. County level precincts must be entirely contained within single congressional and legislative districts and require approval by Boards of County Commissioners. In addition, SCORE, the state voter registration database, must also be updated to reflect each voter's precinct.
- 02:13:34 PM Mr. Beall reviewed the current 2022 election calendar and said that the process is already very tight even if the Supreme Court does not approve maps until December 29, 2021.
- 02:18:59 PM He reviewed his recommendations for the commission, including that the commission pursue legislative revision of "necessary census data," consider adjustment of notice and hearing timelines under article V of the constitution, and explore judicial review and approval, either through legislative interrogatory or original action.
- 02:21:52 PM Carly Koppes, Weld County Clerk and Recorder, spoke regarding the election timelines for counties. She discussed how the redistricting process impacted counties in the 2011-12 election cycle. She discussed the process of establishing new election precincts and county-level districts. She noted that even if the redistricting process concludes by December 29, 2021, the election timeframes will need to be changed.
- 02:25:32 PM She further discussed eligibility rules for some candidates for office, including that they have lived in a district for a specific period of time.



- 02:27:42 PM The presenters responded to questions from the committee regarding how litigation impacted the 2012 elections. Commissioner Tafoya asked if the county clerks could begin their work prior to completion of the commissions' work in 2012. Mr. Beale further commented on the potential for concurrent work and noted that a substantial amount of work needs to be done after the maps are finally approved.
- 02:33:42 PM The presenters responded to questions from the commissioners regarding the election calendar and changes to primary elections as a result of changes in federal law. The presenters clarified that federal legal requirements would prevent the shifting of primary deadlines into August.
- 02:38:23 PM Mr. Beall responded to questions from members of the commission about the census delays and the impact on the process, and also responded to questions about whether there were any actions that the commission or the state could undertake to encourage the Census Bureau to release the data sooner.
- 02:44:42 PM Mr. Beall responded to questions from the commission regarding his recommendation to explore legislative changes to the definition of "necessary census data." Commissioner Schell asked for clarification about whether the commission could directly petition the Supreme Court, and Mr. Jerry Barry, Colorado Independent Congressional Redistricting Commission Staff, described the methods of getting an issue before the Supreme Court for consideration.
- 02:53:24 PM Commissioner Shepherd Macklin asked if the Congressional and Legislative Commissions should pursue a legal remedy together, and Mr. Barry responded, and explained that the two commissions could meet together. Chair Hare asked Deputy Secretary Beall to keep the commission updated about how other states are handling the issue and for the Secretary of State to provide a letter of direction to the commission.
- 02:59:37 PM Clerk Koppes discussed how Weld County uses American Community Survey (ACS) data, and explained that precincts are based on voter registration, rather than population, data. She elaborated on the use of ACS and demographic data.
- 03:03:47 PM Mr. Barry further elaborated on how the census count was affected by the global Covid-19 pandemic.
- 03:05:14 PM Commission discussion continued regarding election timelines. Commissioners discussed the need to get information from other states about how they are handling the delay, and the possibility of moving primary election dates. The commission discussed coordinating efforts with the Independent Legislative Redistricting Commission.
- 03:14:21 PM Commissioner Tafoya highlighted the decisions the commission must make in the near future, including what constitutes "necessary census data" and the legal ramifications if the deadlines are not complied with. He noted the importance of securing outside counsel.

Discussion of Working on Rules and Procedures Subcommittee & Scope - Committee

Discussion Only

- 03:26:10 PM Chair Hare discussed the subcommittees and revisions to the duties of the subcommittees. She explained that future agendas for Monday commission meetings would have time for 10 minute updates from each subcommittee and that the full commission will consider whether to create additional subcommittees Monday, April 12.
- 03:31:54 PM The commission discussed the roles of the chair and vice-chair and the procedures of the commission for selecting a permanent chair and vice-chair. The commission agreed that the Rules and Procedures subcommittee should recommend a process for election of a permanent chair and vice-chair.

Other Business - Committee Discussion Only

- 03:38:57 PM Chair Hare asked the commissioners and staff to share information about their names.

- 03:56:59 PM The committee adjourned.

