

Independent Redistricting Commission

	FY 2015 ACTUAL	FY 2016 ESTIMATE	FY 2017 APPROVED
OPERATING BUDGET			
Lump Sum Appropriation	913,900	1,115,300	1,115,300
AGENCY TOTAL	913,900	1,115,300^{1/}	1,115,300^{2/}
FUND SOURCES			
General Fund	913,900	1,115,300	1,115,300
SUBTOTAL - Appropriated Funds	913,900	1,115,300	1,115,300
TOTAL - ALL SOURCES	913,900	1,115,300	1,115,300

AGENCY DESCRIPTION — Proposition 106, approved by voters in November 2000, established the Independent Redistricting Commission (IRC). The commission consists of 5 members, 4 of which are selected by the House and Senate majority and minority leadership. These 4 members then select the final member, who can not be affiliated with either of the 2 major political parties. The commission is charged with redrawing the boundaries for Arizona’s legislative and congressional districts based on the 10-year census.

Operating Budget

The budget includes \$1,115,300 from the General Fund in FY 2017 for the operating budget. This amount is unchanged from FY 2016.

Other Issues

Current Redistricting Cycle Funding

For the first year of the current 2010 redistricting cycle, the Legislature appropriated \$500,000 from the General Fund in FY 2011 for start-up expenses. In FY 2012, the Legislature appropriated \$3,000,000 from the General Fund. Given the commission’s legal expenses, these appropriations were insufficient. Laws 2012, Chapter 108 provided the commission with a FY 2012 supplemental General Fund appropriation of \$700,000.

The original FY 2013 General Fund appropriation of \$1,457,300 (including statewide adjustments) was also insufficient to provide for the commission’s legal expenses. Laws 2013, Chapter 2 appropriated \$500,000 from the General Fund and Laws 2013, Chapter 158 appropriated \$635,226 from the General Fund in FY 2013.

Laws 2013, 1st Special Session, Chapter 1 appropriated \$1,115,100 from the General Fund and Laws 2014, Chapter 3 appropriated \$1,462,701 from the General

Table 1

CY 2010 Redistricting Cycle Appropriations

Fiscal Year	Appropriation
FY 2011 (Laws 2010, 7 th SS, Ch. 1)	\$ 500,000
FY 2012 (Laws 2011, Ch. 24)	3,000,000
FY 2012 (Laws 2012, Ch. 108)	700,000
FY 2013 (Laws 2012, Ch. 294)	1,457,300
FY 2013 (Laws 2013, Ch. 2)	500,000
FY 2013 (Laws 2013, Ch. 158)	635,226
FY 2014 (Laws 2013, 1 st SS, Ch. 1)	1,115,100
FY 2014 (Laws 2014, Ch. 3)	1,462,701
FY 2015 (Laws 2014, Ch. 18)	1,115,300
FY 2016 (Laws 2015, Ch. 8)	1,115,300
FY 2017 (Laws 2016, Ch. 117)	<u>1,115,300</u>
Total	\$12,716,227

Fund in FY 2014 for continued operations and legal expenses.

Laws 2014, Chapter 3 extended the availability of these funds through FY 2015 and Laws 2015, Chapter 8 further extended availability through FY 2016. Chapter 8 also appropriated \$1,115,300 in FY 2016.

After reverting unused funds from prior appropriations at the end of FY 2015, IRC has \$1,161,200 of prior appropriation authority available for use. These funds, along with the FY 2016 appropriation of \$1,115,300, result in total FY 2016 resources of \$2,276,500. Use of the FY 2016 resources was not continued into FY 2017 and any

^{1/} In addition, IRC may expend up to \$1,161,200 of remaining funds from the appropriation made by Laws 2014, Chapter 3. Laws 2015, Chapter 8, Section 120 specifies these monies do not lapse until June 30, 2016.

^{2/} General Appropriation Act funds are appropriated as a Lump Sum by Agency.

unused portion will revert to the General Fund on July 1, 2016.

These appropriations, along with the FY 2017 appropriation, bring total funding for the current redistricting cycle to \$12,716,227 (see Table 1).

Litigation Status

The budget includes funding for one outstanding case (*Leach v. Independent Redistricting Commission*). A second case was resolved in FY 2016 (*Harris v. Independent Redistricting Commission*). Those 2 cases are as follows:

1. *Leach v. Independent Redistricting Commission* – Various individuals are suing IRC in state court alleging IRC did not follow the process laid out in the Arizona Constitution for drawing the Congressional districts. Several motions have been filed in Superior Court and the individual commissioners were dismissed as defendants. A trial date may be set in 2016 after pending motions have been resolved. A decision for the plaintiff would require a map redraw.
2. *Harris v. Independent Redistricting Commission* – Various individuals sued the IRC in federal district court stating that the population counts of the state's legislative districts are the result of unconstitutional partisan bias. A 3 judge U.S. Court of Appeals panel found in favor of the commission in April 2014. The plaintiffs appealed the case to the U.S. Supreme Court in June 2014. The U.S. Supreme Court heard the case on December 8, 2015 and affirmed the U.S. Court of Appeals ruling, stating that the IRC's methods did not violate the one-person, one-vote principle when drawing the district maps.