


Redistricting 101

Created for the Senate Committee on Redistricting 2021



This presentation is an attempt to explain how redistricting for the South Dakota Legislature was legally and successfully completed in 2011.



South Dakota Constitution

South Dakota Constitution - Article III Section 5. Legislative reapportionment.

“The Legislature shall apportion its membership by dividing the state into as many single-member, legislative districts as there are state senators. House districts shall be established wholly within senatorial districts and shall be either single-member or dual-member districts as the Legislature shall determine. Legislative districts shall consist of compact, contiguous territory and shall have population as nearly equal as is practicable, based on the last preceding federal consensus.”

Senate Bill 80 - 2021

SB 80

“The Legislature, in making the 2021 redistricting, determines, as a matter of policy, that the following principles are of primary significance:

- (1) Adherence to standards of population deviance as established by judicial precedent and to standards of population deviance as prescribed by S.D. Const., Art. III, § 5;
- (2) Protection of **communities of interest** by means of **compact** and **contiguous** districts;
- (3) Respect for geographical and political boundaries, specifically, counties, reservations, and municipalities; and
- (4) Protection of minority voting rights consistent with the United States Constitution, the South Dakota Constitution, and federal statutes, as interpreted by the United States Supreme Court and other courts with jurisdiction.”

Step 1: Do Math.

Acquire from the official census the total population of the state and divide by 35. Then that will give us the perfect number for each legislative district.

Example:

$$\frac{875,000}{35} = 25,000$$

Step 2: Locate Internal Political Boundaries

Locate those boundaries that are within the *10%* deviation allowed by the courts from the perfect number of each district. (5% above or below the perfect number)

In **2011**, the perfect number was **23,262**. $814,180 \div 35 = 23,262$.

Therefore, in 2011, the *lowest* population for any legislative district was **22,099** while the *largest* potential was **24,425**.

In 2011, Lawrence and Yankton counties fell within this numerical range. (Yankton - 22,438 and Lawrence - 24,097) They were designated as separate districts, simplifying the redistricting process.

Step 3: Boundaries of Native American Populated Districts

Determine the boundaries of the three districts that have substantial Native American populations (**#26, 27, 28**). In 2011, these districts had to be approved by the federal justice department because of the Voting Rights Act of 1965. Recently, court decisions have eliminated that requirement.

However, field hearings should be held in Indian country and great deference should be given to the desire of tribes as to the political boundaries for these three districts. Any other course of action will likely lead to an unnecessary lawsuit, such as occurred in 2005-2006.

Step 4: Establishment of Outer Boundaries for Sioux Falls and Rapid City

Determine the subset or conurbation districts for the Sioux Falls and the Rapid City areas. These must be constructed so that dividing the population of the conurbation district by the perfect number for each district results in a whole number or one that is close to whole number.

Example: If the perfect number for each legislative district was *25,000* and you desired to have *four* districts you would need very close to *100,000* people within the conurbation or subset district.

Establishment of Outer Boundaries for SF and RC (continued..)

The subset districts or conurbation districts, likely in SF and RC, are then set aside and interior lines will eventually be drawn to construct the individual districts using precinct lines as boundaries. The construction of these individual districts will be the last step in the process. No other legislative districts from outside these exterior boundaries can penetrate within the conurbation district.

Example: If the current SF conurbation district was renewed in 2021, then a district could not be constructed that ran from Mitchell to the MN border.

In 2011, there were **9** individual legislative districts in the *Sioux Falls* area and **4** individual legislative districts in the *Rapid City* area.

In 2011, the Sioux Falls area was all of Minnehaha County and the Northern part of Lincoln County.

Step 5: Other Boundaries Not Determined

Determine the boundaries for the areas of the State not determined by points:

2, 3, and 4.

In 2011, that was ***17 districts***.

(1-5, 7, 8, 16, 17, 19-24, 29, 30)

Step 6: Creation of SF and RC Individual Districts

Determine the boundaries of individual districts in SF and RC. This is the likely the most controversial committee decision. In 2011, this was **13 districts**: 9 in SF and 4 in RC.

(In 2021, it is likely that the *SF* area will have *10* districts and the *RC* area will remain at *4*.)

All interested parties should know that the population of each district changes every ***ten*** years. Some must add population because they did not experience enough growth, while others will have to shed population because they have grown at a rate higher than the state average.

Ideas for 2021

Lastly, one possible idea for 2021, would be to *revise* the numbering system of each district so that a logical and reasonable progression can be traced by citizens as they look at the map.

For example, designating districts in the SF area as **#6** and **#25** is not conducive to a logical progression.



Thank you for your attention!
Questions?

