

Mandatory Criteria for State Legislative Districts

- Legislative districts must be as equal in population as is practicable. The commission shall remain within plus or minus 1% deviation, to be exceeded within federally allowable standards only for purposes of complying with the Voting Rights Act, maintaining political subdivisions, or other constitutionally mandatory criteria. The maximum average deviation of all House districts shall be no more than plus or minus 1% deviation. The commission may adjust this deviation if undercount analysis from the U.S. Census Bureau demonstrates that systematic undercounting occurred among identified geographic or demographic groups.
- Protection of minority voting rights are guaranteed in Article II, Section 4 of the Montana Constitution and through compliance with the Voting Rights Act. No district, plan, or proposal for a plan is acceptable if it affords members of a racial or language minority group “less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.” (42 U.S.C. 1973). Race cannot be the predominant factor to which traditional redistricting criteria are subordinated. (*Shaw v. Reno*, 509 U.S. 630 1993).
- Each district shall consist of compact territory. (Article 5, Section 14 of the Montana Constitution). The Commission shall consider the district’s functional compactness in terms of travel and transportation, communication, and geography.
- Each district shall be contiguous, meaning that a district must be in one piece. (Article 5, Section 14 of the Montana Constitution). Areas that meet only at points of adjoining corners shall not be considered contiguous. Areas separated by natural geographical or artificial barriers that prevent transportation by vehicle on a maintained road shall be avoided when not in conflict with the commission's adopted criteria and goals.

Goals for State Legislative Districts

- No plan may be drawn to unduly favor a political party.
- The commission shall attempt to minimize dividing cities, towns, counties and federal reservations when possible.
- Keeping communities of interest intact. The Commission may consider keeping communities of interest intact. Communities of interest can be based on Indian reservations; urban interests, suburban interests, rural interests, including elementary and high school districts; tribal interests; neighborhoods; trade areas; geographic location; demographics; communication and transportation networks; social, cultural, historic, and economic interests and connections; or occupations and lifestyles.
- The commission may consider competitiveness of districts when drawing plans.
- The commission shall consider assigning holdover senators to the Senate District which contains the greatest number of residents of the district from which they were previously elected when possible.