

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 DISTRICTS ARE PURPOSEFULLY DRAWN TO FAVOR ONE POLITICAL PARTY OR INCUMBENT POLITICIAN OVER ANOTHER, OR TO ACCOMPLISH POLITICAL GOALS, MUST END. THE PUBLIC'S INTEREST IN PROHIBITING POLITICAL GERRYMANDERING AND IN CREATING FAIR AND COMPETITIVE PLANS FOR CONGRESSIONAL DISTRICTS IS BEST ACCOMPLISHED BY A NEW AND INDEPENDENT COMMISSION OF BALANCED APPOINTMENTS THAT IS FREE FROM POLITICAL INFLUENCE AND RELIES 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. INDEPENDENT COLORADO CONGRESSIONAL REDISTRICTING COMMISSION. Representatives in congress. ~~The general assembly 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 made by congress, the general assembly shall divide the state into congressional districts accordingly.~~

(1) AFTER EACH FEDERAL CENSUS OF THE UNITED STATES, THE INDEPENDENT COLORADO CONGRESSIONAL REDISTRICTING COMMISSION SHALL MEET, IN OPEN MEETINGS AND SUBJECT TO OPEN MEETINGS AND PUBLIC DISCLOSURE LAWS, TO ADOPT COMPETITIVE PLANS FOR CONGRESSIONAL DISTRICTS. THE COMMISSION MUST HOLD MEETINGS THROUGHOUT THE STATE AND CONDUCT ALL OF ITS ACTIVITIES IN PLACES WHERE MEMBERS OF THE PUBLIC ARE INVITED TO ATTEND. THE COMMISSION OR ITS STAFF SHALL NOT DRAW OR ADOPT ANY PLAN FOR THE PURPOSE OF FAVORING A POLITICAL PARTY, INCUMBENT LEGISLATOR, MEMBER OF CONGRESS OR OTHER PERSON.

(2) THE COMMISSION SHALL CONSIST OF TWELVE MEMBERS WHO WILL HAVE THE FOLLOWING QUALIFICATIONS:

(a) FOUR MEMBERS WHO ARE UNAFFILIATED NOT HAVING BEEN REGISTERED WITH ANY POLITICAL PARTY FOR A PERIOD OF TWO CALENDAR YEARS PRIOR TO THE MEMBER'S APPOINTMENT, OR ARE REGISTERED WITH A MINOR POLITICAL PARTY.

(b) FOUR MEMBERS REGISTERED WITH ONE OF THE STATE'S TWO LARGEST POLITICAL PARTIES.

(c) FOUR MEMBERS REGISTERED WITH ANY POLITICAL PARTY, SO LONG AS NO POLITICAL PARTY HAS A MAJORITY OF MEMBERS ON THE COMMISSION.

(3) NO MEMBER OF THE COMMISSION MAY BE A REGISTERED LOBBYIST, INCUMBENT MEMBER OF THE GENERAL ASSEMBLY OR CONGRESS, OR A CURRENT CANDIDATE FOR ONE OF THESE OFFICES. ALL COMMISSION MEMBERS MUST BE QUALIFIED ELECTORS OF THE STATE OF COLORADO.

(4) AT LEAST ONE MEMBER OF THE COMMISSION SHALL BE APPOINTED FROM EACH CONGRESSIONAL DISTRICT, SO LONG AS COLORADO IS NOT APPORTIONED MORE THAN TWELVE CONGRESSIONAL DISTRICTS. NO MORE THAN FOUR MEMBERS MAY COME FROM ANY SINGLE CONGRESSIONAL DISTRICT. AT LEAST ONE OTHER MEMBER SHALL RESIDE WEST OF THE CONTINENTAL DIVIDE AND AT LEAST ONE MEMBER SHALL RESIDE SOUTH OF EL PASO COUNTY'S SOUTHERN BOUNDARY.

(5) 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.

(6) EXCEPT AS TO MATTERS OTHERWISE PROVIDED FOR IN THIS SECTION AND SECTIONS 48, THE COMMISSION SHALL ADOPT RULES TO GOVERN ITS ADMINISTRATION AND OPERATION INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

(a) MAINTENANCE OF A RECORD OF THE COMMISSION'S ACTIVITIES AND PROCEEDINGS, INCLUDING A RECORD OF WRITTEN AND ORAL TESTIMONY RECEIVED, AND OF THE COMMISSION'S DIRECTION TO NONPARTISAN STAFF ON PROPOSED CHANGES TO ANY MAP AND THE COMMISSION'S RATIONALE FOR SUCH CHANGES;

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

(c) THE PROCESS FOR RECOMMENDING CHANGES TO PLANS SUBMITTED TO THE COMMISSION BY NONPARTISAN STAFF;

(d) PROVIDING FOR ANY VACANCY CREATED BY THE DEATH, RESIGNATION OR REMOVAL OF A MEMBER, OR OTHERWISE, WHICH MUST BE FILLED BY THE RESPECTIVE APPOINTING AUTHORITY. MEMBERS OF THE COMMISSION SHALL HOLD OFFICE UNTIL A REDISTRICTING PLAN IS IMPLEMENTED, OR OTHERWISE REMOVED, AND;

(e) THE ADOPTION OF A STATEWIDE MEETING AND HEARING SCHEDULE.

(7) (a) THE COMMISSION IS 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, INCLUDING TIME,

PLACE, AND AGENDA, MUST BE POSTED AT LEAST THREE DAYS PRIOR TO THE MEETING ON A WEB SITE DEDICATED FOR THE COMMISSION AND FOR THE PURPOSE OF REDISTRICTING.

(b) A COMMISSIONER WHO ENGAGES IN COMMUNICATIONS, IF THE COMMUNICATIONS ARE MADE OUTSIDE OF A PROPERLY NOTICED MEETING OR HEARING OF THE COMMISSION AND ARE RELATED TO THE MAPPING OF CONGRESSIONAL DISTRICTS, SHALL DISCLOSE, AT EACH MEETING, THE NAMES OF THE INDIVIDUALS WITH WHOM THEY COMMUNICATED AND THE PURPOSE AND SUBJECT OF THE COMMUNICATION.

(c) COMMISSIONERS MAY COMMUNICATE WITH ONE ANOTHER ABOUT THE MAPPING OF CONGRESSIONAL DISTRICTS, PROVIDED THAT COMMUNICATION BETWEEN MORE THAN THREE COMMISSIONERS AT ONE TIME MUST BE PROPERLY NOTICED PURSUANT TO THIS SUBSECTION (7). EXCEPT FOR TECHNICAL AND OPERATIONAL MATTERS, AND PREPARING AMENDMENTS DEVELOPED BY A COMMISSIONER FOR THE COMMISSION'S CONSIDERATION, COMMISSIONERS MAY NOT COMMUNICATE WITH STAFF ON THE MAPPING OF CONGRESSIONAL DISTRICTS UNLESS THE COMMUNICATION IS DURING A PROPERLY NOTICED MEETING OR HEARING OF THE COMMISSION.

(d) STAFF ARE NOT PERMITTED TO HAVE EX PARTE COMMUNICATIONS ABOUT THE CONTENT OR DEVELOPMENT OF ANY PLAN. COMMUNICATIONS TO AND FROM STAFF RELATED TO ADMINISTRATIVE, TECHNICAL AND OPERATIONAL MATTERS ON THE MAPPING OF CONGRESSIONAL DISTRICTS, AND GENERAL DISCUSSIONS ABOUT THE REDISTRICTING PROCESS ARE NOT PROHIBITED. WORK PRODUCT AND COMMUNICATIONS BETWEEN STAFF SHALL BE SUBJECT TO DISCLOSURE UNDER COLORADO OPEN RECORDS LAWS ONCE A PLAN TO WHICH THE WORK PRODUCT OR COMMUNICATION PERTAINS IS PRESENTED TO THE COMMISSION DURING A PROPERLY NOTICED MEETING OR HEARING OF THE COMMISSION.

(e) ANY COMMISSIONER WHO PARTICIPATES IN A COMMUNICATION PROHIBITED IN THE SUBSECTION (7) WILL BE REMOVED FROM THE COMMISSION AND REPLACED WITHIN SEVEN DAYS ACCORDING TO COMMISSION RULES.

(f) ANYONE WHO CONTRACTS OR RECEIVES COMPENSATION FOR ADVOCATING TO THE COMMISSION, ONE OR MORE COMMISSIONERS, OR THE STAFF THE ADOPTION OF ANY PLAN, AMENDMENT TO A PLAN, PLAN APPROACH, OR MANNER OF COMPLIANCE WITH ANY OF THE PLAN CRITERIA SET FORTH IN THIS SECTION AND SECTION 46 OF THIS ARTICLE ARE LOBBYISTS WHO MUST REGISTER WITH THE SECRETARY OF STATE AS LOBBYISTS AND ADHERE TO LOBBYIST DISCLOSURE REQUIREMENTS IN STATUTE AND BY RULE.

(g) STAFF SHALL REPORT TO THE COMMISSION ANY ATTEMPTS BY ANYONE TO EXERT UNDUE INFLUENCE OVER THE DRAFTING OF PLANS.

(8) (a) THE GOVERNOR SHALL CONVENE THE COMMISSION NO LATER THAN MAY 15 OF THE YEAR FOLLOWING THAT IN WHICH THE FEDERAL CENSUS IS TAKEN, APPOINTING A TEMPORARY CHAIRPERSON FROM THE COMMISSION'S MEMBERS, WHO ARE APPOINTED IN THE FOLLOWING MANNER:

(I) NO LATER THAN MARCH 25 OF THAT SAME YEAR, THE SPEAKER OF THE COLORADO HOUSE OF REPRESENTATIVES AND THE MINORITY LEADER OF THE SAME SHALL EACH APPOINT TWO MEMBERS IN ACCORDANCE WITH SUBSECTION (2) (b) OF THIS SECTION.

(II) NO LATER THAN MARCH 31 OF THAT SAME YEAR, THE PRESIDENT OF THE COLORADO SENATE AND THE MINORITY LEADER OF THE SAME SHALL EACH APPOINT TWO MEMBERS IN ACCORDANCE WITH SUBSECTION (2) (c) OF THIS SECTION.

(III) (A) THE COLORADO SUPREME COURT NOMINATING COMMISSION, OR ITS SUCCESSOR, SHALL ESTABLISH AND ANNOUNCE A PROCESS FOR THE APPOINTMENT OF MEMBERS IDENTIFIED IN SUBSECTION (2) (a) OF THIS SECTION. THE PROCESS SHALL INCLUDE AN INVITATION TO APPLY FOR THOSE COLORADANS WHO MEET THE IDENTIFIED CRITERIA AND A TIMELINE FOR RECEIVING AND REVIEWING THESE APPLICATIONS.

(B) ON OR BEFORE APRIL 2 OF THAT SAME YEAR, THE SUPREME COURT NOMINATING COMMISSION SHALL FORWARD A LIST OF TEN RECOMMENDED APPLICANTS TO THE EIGHT APPOINTED MEMBERS OF THE COMMISSION. THE RECOMMENDED LIST SHALL, TO THE EXTENT PRACTICAL, REPRESENT COLORADO'S RACIAL, ETHNIC, AND GEOGRAPHIC DIVERSITY. NO LATER THAN APRIL 25 OF THAT SAME YEAR, THE COMMISSIONERS SHALL UNANIMOUSLY APPOINT FOUR MEMBERS FROM THE LIST OF RECOMMENDED APPLICANTS SO THAT THE COMMISSION CONSISTS OF TWELVE MEMBERS.

(C) IF THE COMMISSIONERS FAIL IN THEIR RESPONSIBILITY TO MAKE ANY OF THESE APPOINTMENTS, THE DIRECTOR OF THE GENERAL ASSEMBLY'S NONPARTISAN RESEARCH STAFF, ON APRIL 26 OF THAT SAME YEAR OR THE NEXT BUSINESS DAY THAT FOLLOWS AND IN A PUBLIC SETTING, SHALL RANDOMLY SELECT AS MANY NAMES AS NECESSARY UP TO FOUR NAMES FROM THE LIST OF TEN NAMES RECOMMENDED BY THE SUPREME COURT NOMINATING COMMISSION TO SERVE ON THE COMMISSION SO THAT THE COMMISSION CONSISTS OF TWELVE MEMBERS.

(9) IN DRAFTING COMPETITIVE PLANS, THE COMMISSION MEMBERS MUST RELY ON NONPARTISAN STAFF IDENTIFIED FOR SUCH PURPOSE BY THE DIRECTORS OF THE GENERAL ASSEMBLY'S NONPARTISAN RESEARCH AND LEGAL SERVICES, REFERRED TO IN SECTIONS 43.5 THROUGH 48 OF THIS ARTICLE V AS STAFF OR NONPARTISAN STAFF. IN DRAFTING COMPETITIVE PLANS, THE COMMISSION AND ITS STAFF MAY CONSIDER GENERAL ELECTION PERFORMANCE DATA.

SECTION 3. In the constitution of the state of Colorado, **add** section 44.5 of article V as follows:

Section 44.5. CRITERIA – CONGRESSIONAL DISTRICTS.

(1) THE STATE SHALL BE DIVIDED 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.

(2) 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", 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 DISTRICT 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 COMPETITIVE CONGRESSIONAL DISTRICTS.

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

Section 47.5. REVISION OF DISTRICTS -- (1) (a) (I) WITHIN THIRTY DAYS AFTER THE INDEPENDENT COLORADO CONGRESSIONAL REDISTRICTING COMMISSION HAS BEEN CONVENED, OR THE NECESSARY CENSUS DATA ARE AVAILABLE, WHICHEVER IS LATER, NONPARTISAN STAFF AS IDENTIFIED IN SECTION 44, REFERRED TO AS STAFF FOR THE PURPOSE OF THIS SECTION, SHALL PUBLISH A PRELIMINARY REDISTRICTING PLAN FOR CONGRESSIONAL DISTRICTS. STAFF SHALL KEEP ALL PLANS PREPARED CONFIDENTIAL UNTIL THEY HAVE BEEN PRESENTED TO THE COMMISSION AT A PROPERLY NOTICED MEETING OR HEARING OF THE COMMISSION.

(II) WITHIN FORTY-FIVE DAYS AFTER THE DATE OF THE PUBLICATION OF THE PRELIMINARY CONGRESSIONAL PLAN, THE COMMISSION MUST COMPLETE PUBLIC HEARINGS ON THE PRELIMINARY PLANS IN SEVERAL PLACES THROUGHOUT THE STATE, INCLUDING AT LEAST THREE HEARINGS IN EACH OF COLORADO'S CONGRESSIONAL DISTRICTS. INCLUDED IN THESE HEARINGS MUST BE AT LEAST TWO HEARINGS WEST OF THE CONTINENTAL DIVIDE AND, SEPARATELY, AT LEAST TWO HEARINGS SOUTH OF EL PASO COUNTY'S SOUTHERN BOUNDARY.

(III) IF, FOR ANY REASON, STAFF IS UNABLE TO PRESENT A PRELIMINARY PLAN TO THE COMMISSION, THE STAFF SHALL PUBLISH THE PRELIMINARY PLAN AND ACCEPT PUBLIC COMMENTS ON THE PLANS PRIOR TO SUBMITTING THE PRELIMINARY PLAN DIRECTLY TO THE SUPREME COURT ON THE LAST BUSINESS DAY PRIOR TO OCTOBER 7 OF THE YEAR IN WHICH THE FEDERAL CENSUS IS

TAKEN. THE COURT'S CONSIDERATION SHALL BE AS TO WHETHER THE PLANS ADHERE TO THE CRITERIA OUTLINED IN THIS SECTION AND SECTIONS 44 AND 46 OF THIS ARTICLE.

(IV) THE COMMISSION SHALL NOT AMEND OR VOTE UPON ANY PRELIMINARY PLAN, BUT MAY INSTRUCT STAFF ON HOW THE PRELIMINARY PLAN CAN BE ADJUSTED DURING THE DEVELOPMENT OF THE INITIAL PLAN.

(b) (I) NO LATER THAN TWENTY DAYS AFTER THE CONCLUSION OF THE LAST PUBLIC HEARING, THE STAFF SHALL SUBMIT AN INITIAL PLAN TO THE COMMISSION FOR ITS CONSIDERATION. THE COMMISSION MUST VOTE ON THE PLAN NOT LESS THAN SEVEN DAYS AFTER ITS SUBMISSION. IF THE COMMISSION VOTES ON AN INITIAL PLAN AND DOES NOT APPROVE THE PLAN, THE COMMISSION SHALL PROMPTLY PUBLISH AND PROVIDE THE STAFF WRITTEN REASONS WHY THE PLAN WAS NOT APPROVED.

(II) IF THE COMMISSION REJECTS A PLAN PURSUANT TO PARAGRAPH (I) OF THIS SUBSECTION (b), THE STAFF MUST PREPARE A SECOND PLAN, ADJUSTING THE PLAN ACCORDING TO THE REASONS CITED BY THE COMMISSION FOR DISAPPROVAL OF THE INITIAL PLAN. IF A SECOND PLAN IS REQUIRED UNDER THIS PARAGRAPH (I), THE PLAN MUST BE SUBMITTED TO THE COMMISSION WITHIN TEN DAYS OF THE COMMISSION'S VOTE ON THE PREVIOUS PLAN. THE COMMISSION MUST 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 (I) AND DOES NOT APPROVE THE PLAN, THE COMMISSION SHALL PROMPTLY PUBLISH AND PROVIDE THE STAFF WRITTEN REASONS WHY THE PLAN WAS NOT APPROVED.

(III) IF THE COMMISSION REJECTS A PLAN PURSUANT TO PARAGRAPH (II) OF THIS SUBSECTION (b), THE STAFF MUST PREPARE A THIRD PLAN, ADJUSTING THE PLAN ACCORDING TO THE REASONS CITED BY THE COMMISSION FOR DISAPPROVAL OF THE SECOND PLAN. IF A THIRD PLAN IS REQUIRED UNDER THIS PARAGRAPH (III), THE PLAN MUST BE SUBMITTED TO THE COMMISSION WITHIN TEN DAYS OF THE COMMISSION'S VOTE ON THE PREVIOUS PLAN. THE COMMISSION MUST 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 (III) AND DOES NOT APPROVE THE PLAN, THE COMMISSION SHALL PROMPTLY PUBLISH AND PROVIDE THE STAFF WRITTEN REASONS WHY THE PLAN WAS NOT APPROVED.

(2) (a) (I) NO LATER THAN OCTOBER 6 OF THAT SAME YEAR, THE COMMISSION MUST FINALIZE THE PLAN. THE COMMISSION MAY ADJUST THE DEADLINES SPECIFIED IN SUBSECTION (1) OF THIS SECTION IF CONDITIONS OUTSIDE OF THE COMMISSION'S CONTROL REQUIRE SUCH AN ADJUSTMENT TO ENSURE FINALIZING EACH PLAN AS REQUIRED BY THIS SUBSECTION.

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

(b) (I) THE COMMISSION MUST PROMPTLY SUBMIT THE PLAN TO THE SUPREME COURT FOR REVIEW AND DETERMINATION AS TO WHETHER THE PLANS COMPLY WITH THIS SECTION AND

SECTIONS 44 AND 46 OF ARTICLE V. SUCH REVIEW AND DETERMINATION TAKES PRECEDENCE OVER THE OTHER MATTERS BEFORE THE COURT.

(II) THE SUPREME COURT MUST ADOPT RULES FOR SUCH PROCEEDINGS AND FOR THE PRODUCTION AND PRESENTATION OF SUPPORTIVE EVIDENCE FOR THE PLAN. LEGAL ARGUMENTS OR EVIDENCE CONCERNING THE PLAN MUST BE SUBMITTED TO THE 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.

(c) (I) THE SUPREME COURT MUST 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 MUST PREPARE A PLAN TO CONFORM TO THE COURT'S REQUIREMENTS. THE COMMISSION MAY REQUEST THAT STAFF MAKE ADJUSTMENTS TO THE CONFORMING PLAN. AN APPROVED, CONFORMING PLAN MUST BE SUBMITTED TO THE COURT WITHIN THE TIME PERIOD SPECIFIED BY THE COURT. ADOPTION OF A PLAN PURSUANT TO THIS PARAGRAPH REQUIRES THE AFFIRMATIVE VOTE OF AT LEAST EIGHT COMMISSIONERS.

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

(III) THE SUPREME COURT MUST APPROVE THE REDISTRICTING PLAN BY A DATE THAT WILL ALLOW SUFFICIENT TIME FOR THE PLAN TO BE FILED WITH THE SECRETARY OF STATE NO LATER THAN DECEMBER 15 OF THAT SAME YEAR. THE COURT MUST ORDER THAT THE PLAN BE FILED WITH THE SECRETARY OF STATE NO LATER THAN SUCH DATE.