

FINAL REPORT
OF THE
COLORADO REAPPORTIONMENT COMMISSION

March, 2002

COLORADO REAPPORTIONMENT COMMISSION

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Jay Fetcher,
Vice-Chairman

Becky Lennahan,
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ACKNOWLEDGMENTS

The Commission and staff wish to acknowledge the contributions of the many individuals and groups that participated in the 2001-02 meetings of the Commission and provided testimony at the public hearings around the state. They provided invaluable assistance in familiarizing the Commission with the diverse characteristics and interests of the regions, counties, cities, and communities of interest in Colorado. Special thanks should go to the office of the Secretary of State and the county clerks and recorders who must now assume the job of implementing the new plan.

Special commendation goes to the lawyers and staff at Holme, Roberts & Owen who so ably advised the Commission throughout the process and represented it before the Colorado Supreme Court: Dan Dunn, Manuel Martinez, Rich Rodriguez, Tim Reynolds, Rich Wilkins, and Dyan Davidson.

Acknowledgment is made of the assistance of Scott Nachtrieb of the Legislative Council staff, who provided the expertise to build the data base and took on many of the technical responsibilities that had been performed by private vendors in previous reapportionments. His skill and knowledge resulted in significant financial savings to the state, and his ready availability for trouble-shooting helped the staff on countless occasions. Acknowledgment is also made of the help provided by Don Walker of the Legislative Council staff, whose job it was to post numerous plans to the Commission website on extremely short notice.

The assistance of the following legislative staff is gratefully recognized: Charlie Brown and Doug Brown, who permitted their staffs to participate in this project; Jerry Schierkolk and the staff at the Legislative Print Shop; Tracy Walsh and Ingrid Willis of the Legislative Council accounting staff; Kevin Smith and the Legislative Information Services staff; and Jim Hill and the congressional redistricting staff.

Finally, a very special vote of thanks to the Commission staff: Jeremiah Barry, David Beaujon, Brad Denning, Jill Glaspey, Susan Liddle, Colette Peters, and Ryan Richard.

Becky Lennahan
Staff Director

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PROCEEDINGS OF THE COMMISSION

Introduction

The Colorado Reapportionment Commission convenes once every 10 years after the decennial federal census. Its job is to redraw the boundaries of legislative districts for the state Senate and House of Representatives in compliance with the "one person, one vote" principle. The Commission's composition, its schedule, and many of the legal criteria it must apply are found in article V, sections 46 through 48 of the Colorado Constitution, which the voters originally approved in 1974 and amended in 2000. See Attachment A.

The purpose of this report is to disseminate information about the new plan for Senate and House districts as widely as possible and to provide a record of the Commission's proceedings during Colorado's third experience with a commission system of reapportionment.

The Commission's Task

The Commission was charged with dividing the state into 35 Senate districts having an ideal population of 122,893 each and 65 House districts having an ideal population of 66,173 each. Between 1990 and 2000, Colorado's population increased from 3,294,394 to 4,301,261, or 30.56%. Individual legislative districts grew at different rates, however. See Attachment B. Some of the most dramatic growth occurred in Douglas and Elbert Counties, while a few rural counties actually lost population. See Attachment C. District lines had to change significantly in order to achieve compliance with equal population requirements.

Start-up Legislation and Budget

Senate Bill 00-119, enacted in the 2000 regular session of the General Assembly, laid the groundwork for the 2001-02 reapportionment process. See Attachment D. That bill made initial appropriations that were used primarily for computer hardware and software and for the Commission's start-up costs. Laptop computers and mapping software were made available to each Commissioner. The remainder of the Commission's funding was appropriated by Senate Bill 01-202, enacted in the 2001 session. The Commission's budget for FY 2000-01 was \$184,708 and for FY 2001-02 was \$602,792.

Composition of the Commission

Eleven members were appointed to the Commission by designated appointing authorities in accordance with article V, section 48 (1) (a) to (1) (c) of the Colorado Constitution. The legislative branch appointed four members; the executive branch appointed three members; and the judicial branch named four members. The Commission was comprised of six registered Democrats and five registered Republicans. The members of the Commission and their respective appointing authorities were as follows:

<u>Member</u>	<u>Appointing Authority</u>
Rosemary E. Rodriguez (D) Chairman	Chief Justice of the Colorado Supreme Court
John R. Fetcher, Jr. (D) Vice-Chairman	Chief Justice of the Colorado Supreme Court
Kathleen M. Beatty (D)	Chief Justice of the Colorado Supreme Court
Rep. Daniel Grossman (D)	House Minority Leader
Sen. Mark D. Hillman (R)	Designated by Senate Minority Leader John Andrews
Richard P. Hume ¹ (R)	Governor
Daniel E. Muse (D)	Chief Justice of the Colorado Supreme Court
Rep. Mark S. Paschall (R)	Designated by Speaker of the House Doug Dean
Sen. William Thiebaut, Jr. (D)	Senate Majority Leader
Jeffrey M. Wells (R)	Governor
Heather M. Witwer (R)	Governor

1. Mr. Hume was appointed to replace Larry E. Trujillo, Sr. in September, 2001.

Commission Meetings - Legal Criteria - Public Hearings

The first meeting of the Commission took place on May 11, 2001. The Commission held fourteen meetings within the 113-day time frame allowed by the Colorado Constitution between the first Commission meeting and the publication of the Preliminary Plan. The first three meetings were conducted to familiarize the members with census geography, the U.S. Census Bureau's method of reporting population data, the demographics and economic communities of the state, federal Voting Rights Act provisions, the political data base, and other issues related to the reapportionment process.

The Commission received presentations on the legal criteria dictated by federal statutes and the U.S. and Colorado Constitutions for drawing and assessing plans. The criteria are as follows:

- * Districts must satisfy the equal population requirements of the 14th Amendment and the right-to-vote provisions of the 15th Amendment to the U.S. Constitution.
- * Reapportionment plans must not deny to members of a racial, color, or language minority an equal opportunity to participate in the political process and to elect representatives of their choice. Federal Voting Rights Act, 42 U.S.C. sec. 1973. As applied, this requirement meant that minorities should neither be unnecessarily "packed" into a single district nor unnecessarily "fractured" among two or more districts. See Attachment E.
- * Districts must be as nearly equal in population as possible, with no more than a 5 % deviation between the largest and the smallest. Colo. Const., art. V, sec. 46.
- * Except as necessary to achieve equal population, counties are to be kept whole, and the number of municipalities that are split is to be minimized. Colo. Const., art. V, sec. 47 (2).
- * Each district must be as compact as possible, and the aggregate linear distance around all districts must be as short as possible. Districts must consist of contiguous territory. Colo. Const., art. V, sec. 47 (1).
- * Communities of interest, including ethnic, cultural, economic, trade area, geographic, and demographic factors, must be preserved within a single district wherever possible. Colo. Const., art. V, sec. 47 (3).

In formulating both the Senate and the House districts, major consideration was given to racial and ethnic data. The U.S. Census Bureau's method of reporting racial and ethnic data can cause confusion. Total population is broken down into Hispanics and non-Hispanics. Under the Census Bureau's categories, "Hispanic" is not a race but an ethnicity.

"Hispanic", therefore, can include White Hispanics, Black Hispanics, and people of any other race who identify themselves as Hispanic. "Non-Hispanics" are further broken down into non-Hispanic Whites, non-Hispanic Blacks, and so forth.

The 2000 census was the first time people were authorized to check more than one race category, which raised issues about how to compare minority populations from the 1990 census with current minority counts, and how to determine compliance with the civil rights laws, such as section 2 of the Voting Rights Act, 42 U.S.C. § 1973.

To provide a standard counting method, the U.S. Office of Management and Budget published a "Guidance" dated March 9, 2000, which suggests that, when someone has identified themselves as "White" and one other race, the person be allocated to the minority race for civil rights purposes. If someone has checked two or more minority races, the person can first be allocated to one minority group, then to the other, to analyze any discriminatory pattern. The Department of Justice, in its January 18, 2001 "Guidance Concerning Redistricting and Retrogression Under Section 5 of the Voting Rights Act, 42 U.S.C. 1973c," incorporates the OMB Guidance.

Although Colorado is not subject to section 5, this method of reporting data has the advantage of being a standard one. The Reapportionment Commission used the method set forth in the Department of Justice ("DOJ") Guidance in reporting racial and ethnic information. In the reports on the racial and ethnic composition of house and senate districts, therefore, "White" includes only single-race, non-Hispanic whites, and "DOJ Black" includes non-Hispanic Blacks who checked only the "Black" category, plus dual-race, non-Hispanic persons who checked "Black" and "White". Black Hispanics are counted not as Black but as Hispanics, and the "DOJ Asian", "DOJ Indian", and "DOJ Hawaiian" categories are treated similarly. The "DOJ Other" category includes those non-Hispanics checking only the "Some Other Race" box, non-Hispanic persons who checked more than one minority race and dual-race, non-Hispanic persons who checked "Some Other Race" and "White." Thus, in the reports that follow the Senate and House plans, the sum of Hispanics plus all of the race categories will be 100% of the population.

The Commission began the task of reapportioning the House and Senate seats by dividing the state into eight geographic regions: the Western Slope; Denver; Boulder and Adams Counties; Jefferson, Gilpin, Clear Creek and Park Counties; Arapahoe, Douglas and Elbert Counties; El Paso and Teller Counties; Larimer and Weld Counties; Pueblo County and counties in the San Luis Valley and the Eastern Plains. Plans for each region were submitted by members of the Commission, interested groups, and, early in the process, the staff. During the period leading to adoption of the Preliminary Plan, the Commission and its staff prepared over 500 proposed plans.

The Commission posted its Preliminary Senate Plan on the Commission website on August 30, 2001, and its Preliminary House Plan on August 31, 2001. Paper copies were

made available to the general public on September 4, 2001, and were distributed to members of the state legislature, county clerks and recorders, county commissioners, the press, and other interested parties. All publications were within the 113-day period required by article V, section 48 (1) (e) of the Colorado Constitution.

The Reapportionment Commission convened its first public hearing approximately one week after publication of the Preliminary Plan. Regional hearings were held in twenty-two locations around the state with each hearing attended by at least two Commission members. Hearings located the farthest from Denver were scheduled before metro Denver area hearings so that legislator/commissioners could attend the special session of the General Assembly on growth issues and congressional redistricting. The hearing sites and the dates on which hearings took place are listed below:

Location	Date
Alamosa	September 6
Durango	September 7
Lamar	September 11
Steamboat Springs	September 11
Vail	September 11
Burlington	September 12
Glenwood Springs	September 12
Delta	September 12
Sterling	September 13
Salida	September 13
Trinidad	September 17
Pueblo	September 21
Littleton	September 24
Golden	September 24
Colorado Springs	September 25
Boulder	October 1
Denver	October 2
Brighton	October 3
Castle Rock	October 3
Greeley	October 4
Ft. Collins	October 9
Broomfield	October 10

Following completion of the public hearings, the Commission met on four occasions to discuss comments which it had received and to formulate the Final Plan. The House portion of the Final Plan was adopted on November 19, 2001, by a vote of 10-1, and the Senate portion of the Final Plan was adopted on November 27, 2001, by a vote of 6-5. Though it did not constitute part of the Final Plan, the Commission authorized the submission of a Senate minority report to the Supreme Court for consideration.

The Final Plan renumbered some of the House and Senate districts in an effort to keep consecutive numbers in the same county or region, insofar as possible.

Court Proceedings

The Final Plan was submitted to the Colorado Supreme Court on December 7, 2001. The Commission filed its Legal Memorandum and Explanatory Materials in Support of Final Plan on December 17, 2001. Statements of support for various aspects of the Final Plan were filed by Jennie Sanchez, Adeline Sanchez, and Debra Casanova; the Colorado AFL-CIO; Metro Citizens for Fair Reapportionment; Timothy D. Knaus, Chairman of the Colorado State Democratic Party; Dan Grossman, Colorado House Minority; Blacks for Fair Reapportionment; and the Colorado State Senate Leadership.

Objections to the Final Plan were required to be filed by December 27, 2001. Objections were received from the following entities and individuals:

- Citizens for Constitutional Maps (Arapahoe County)
- Betty Chronic, et al., (Boulder County)
- Town of Collbran
- Colorado Hispanic Bar Association (HD 63 & 65)
- Douglas/Elbert County Citizens for Fair State Representation
- Elbert/Douglas County Livestock Association
- Susan Fey (HD 60 & 62)
- Beth Gallegos (SD 23-26)
- Garfield County Commissioners
- Don Lee
- Mesa County Commissioners
- Mesa County School District 51
- Minority Commission Members
- Steve Olstad, et al., (Broomfield)
- Town of Palisade
- Mark Sessions, et al. (El Paso County)
- Jack Taylor, et al. (SD 7 & 8, HD 56-61)

The Commission filed its Response to Objections on January 3, 2002, and a 2½-hour oral argument took place on January 7, 2002.

The Supreme Court rendered its initial decision on January 28, 2002. It held that the Final Plan was not "sufficiently attentive to county boundaries to meet the requirement of section 47 (2)" of article V of the Colorado Constitution and was not accompanied by an adequate factual showing that less drastic alternatives could not have satisfied the equal population criterion. The decision specifically pointed to the Senate plan for Adams, Arapahoe, Boulder, Douglas, Jefferson, Mesa, and Pueblo Counties and to the cities of Boulder and Pueblo, since these areas were not allocated the number of whole districts to which they were entitled. The plan was remanded to the Commission, with directions to resubmit it by February 15, 2002. See Attachment F.

The Commission held three meetings to consider revised plans. It adopted a new plan for the Senate and technical amendments to the House plan. The Revised Final Plan was submitted to the Court on February 12, 2002. The Court set a February 19 deadline for filing objections to the resubmitted plan, and a February 20 deadline for the Commission's response to objections. Two Senate and two House objections were received.

The Supreme Court issued its second decision on February 22, 2002. It upheld the Revised Final Plan, finding that the Commission followed the procedures and applied the criteria of federal and Colorado law. See Attachment G.²

The Revised Final Plan was transmitted in accordance with article V, section 48 (1) (e) of the Colorado Constitution to the Secretary of State later on February 22, 2002, in the form of an electronic file on a compact disk. See Attachment I. Copies of the original CD for each county were later provided to the Secretary of State, along with paper maps of each house and senate district.

Website

Throughout the reapportionment process, the Commission created and maintained a comprehensive website at www.state.co.us/gov_dir/reap/reapp_index.htm. The website contained information about the reapportionment process, the federal and state constitutional and statutory criteria, and the process by which the Commission formulated both the Preliminary and Final Plans. The website also allowed a person to read answers to common questions about the reapportionment process and review Commission hearing summaries. During each stage of the Commission's deliberations, a person could view maps presented to or adopted by the Commission. The Colorado Supreme Court's decisions were also posted on the website.

2. Citations to earlier Colorado redistricting cases are found at Attachment H.

Technical Matters

The software used by the Commission was called "Maptitude for Redistricting," a product of the Caliper Corporation. It is a specialized version of Maptitude, Caliper's all-purpose geographic information system (GIS) software. It enabled users to assign census geography to districts while viewing the district under construction and running totals of population, racial and ethnic data, and political data on the screen. The software accommodated the importation of plans drawn on other systems, and the exportation of plans drawn using the Commission system to other interested parties. It also had broad thematic mapping capability.

The Commission's data base consisted of the Census Bureau's TIGER map ("TIGER" is an acronym for the "Topologically Integrated Geographic Encoding and Referencing" system), the 2000 census population data (the P.L. 94-171 data), and voter registration information and election returns from the 1998 and 2000 general elections. Since population data was associated with census blocks as shown on the TIGER map, the Commission had to rely on census geography in order to demonstrate compliance with federal and state equal population requirements. This meant using a map that was at least two years old and that did not reflect annexations and new development occurring after the map was finalized. It also meant that current precincts could not always be reflected on the map, since the Census Bureau requires that block boundaries be "visible features" and precinct boundaries are not always visible features.

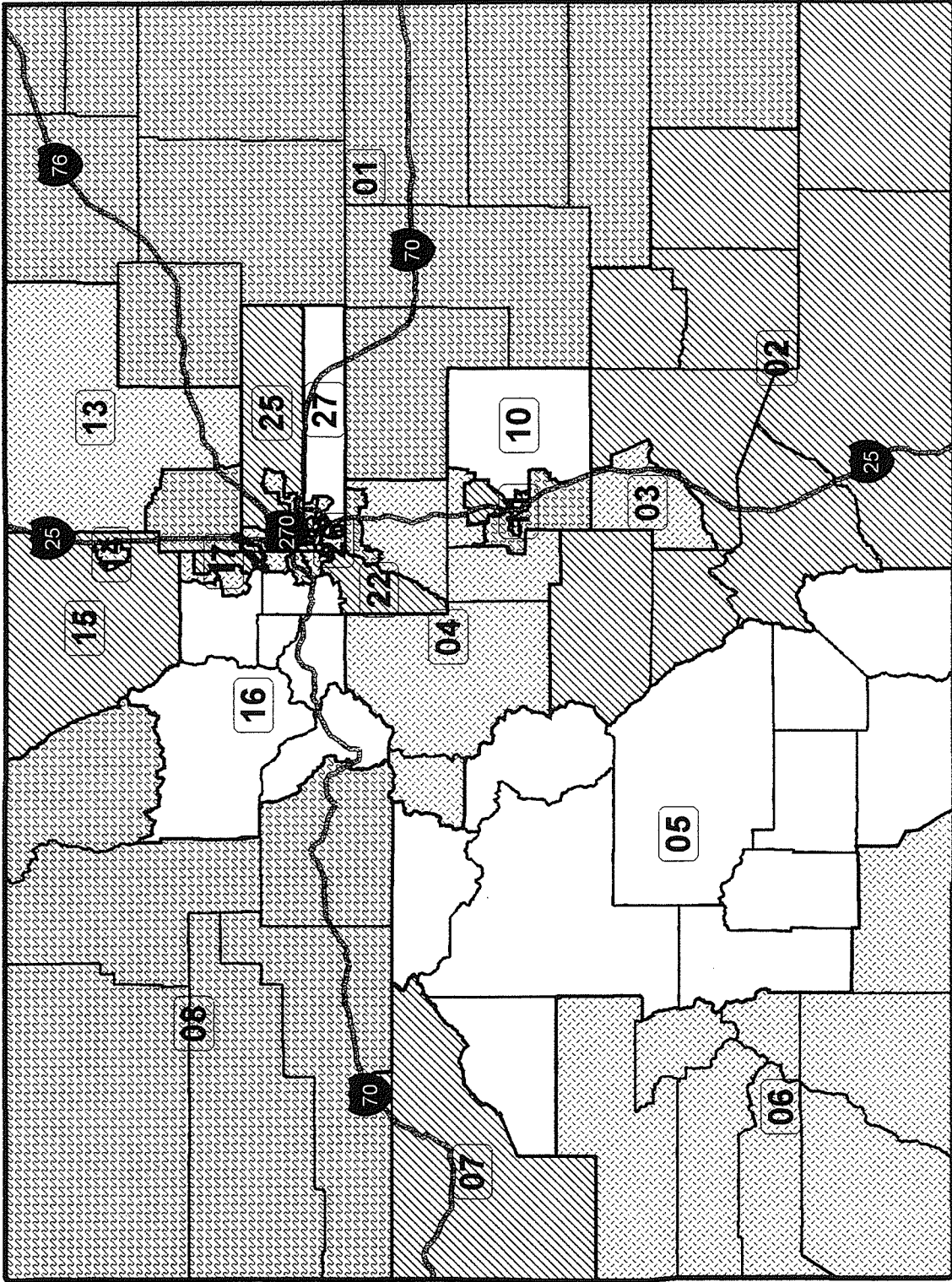
The Commission's task was complicated by the creation of the City and County of Broomfield on November 15, 2001. The boundary of the new city and county was larger than that of the city as shown on the TIGER map, but smaller than the maximum boundary authorized by the constitutional amendment approved by the voters in November, 1998. When the boundary became final, it actually split several census blocks. The Commission adopted as much of the actual, official boundary of Broomfield as it could in its Revised Final Plan, and it passed the Resolution found at Attachment J to assist county clerks and recorders in the affected area.

The Commission recognized that when county clerks and recorders redrew precinct boundaries following the 2001-02 round of reapportionment, they might encounter tiny areas with insignificant populations that would have to be in separate precincts, because of the requirement that no precinct include more than one house, senate, or congressional district. See section 2-2-506 (1) (a), C.R.S. Accordingly, the Commission directed the staff to adjust house and senate boundaries to eliminate these "sliver" areas insofar as possible, so long as no adjustment moved more than 75 people (after the first Final Plan) or 125 people (after the Revised Final Plan). The staff used the computer system to overlay the Revised House Final Plan, the Revised Senate Final Plan, and the congressional plan approved by the Denver District Court on January 25, 2002, and eliminated approximately 55 "slivers."

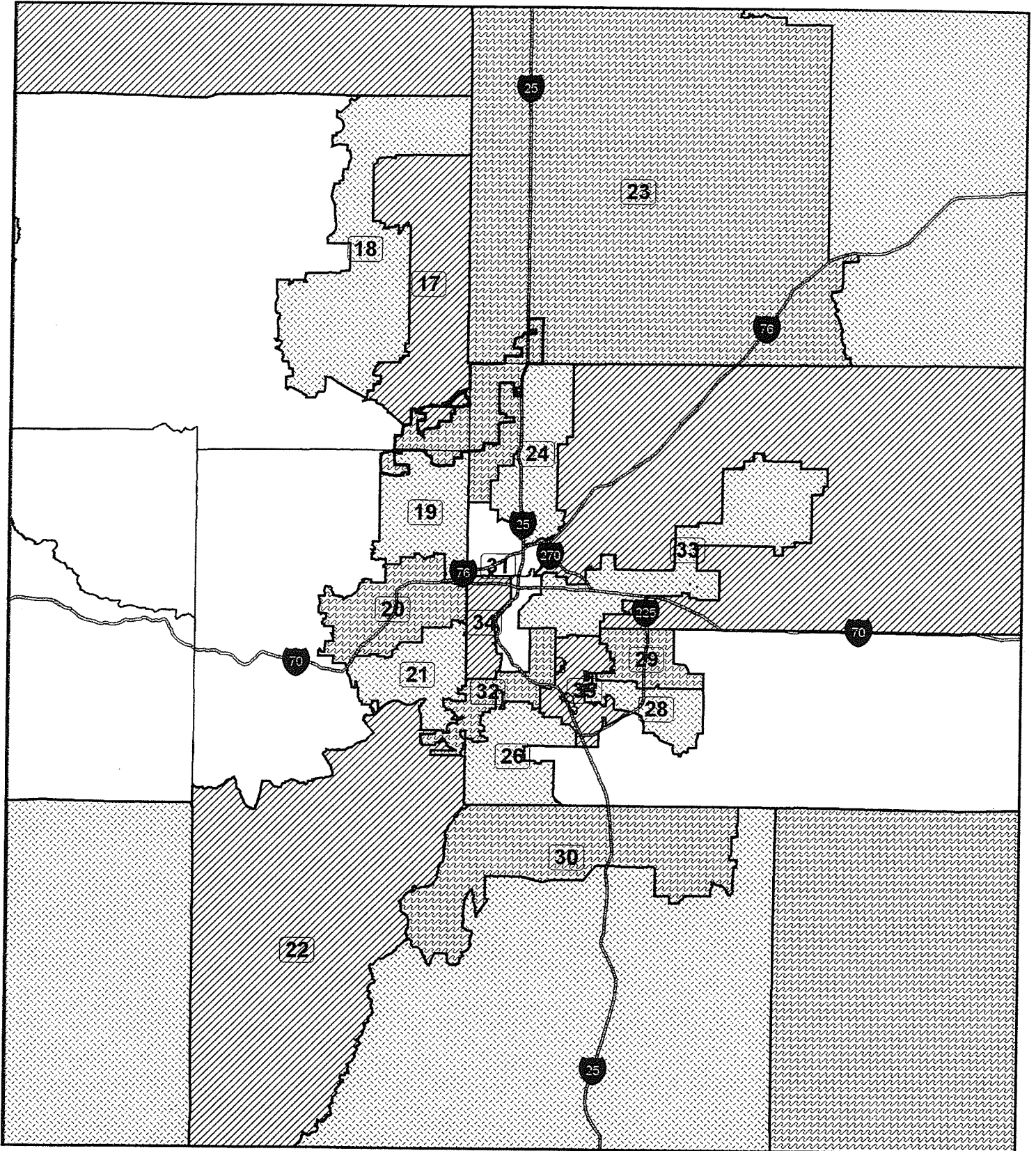
Users of this Final Report should note that the maps appearing herein include district boundaries that have been manually labeled in order to make the maps as readable and helpful as possible. However, since the labeling process is not completely error-free, it is important to note that the official version of the plan is the electronic file transmitted to the Secretary of State. See Attachment I. If there is a conflict between a boundary shown on the electronic file and the boundary label shown on the maps in this report, the electronic file controls.

In order to preserve information on municipal populations as shown by the 2000 census, a table of municipal populations is found at Attachment K.

SENATE FINAL PLAN - Statewide



SENATE FINAL PLAN - Metro Area

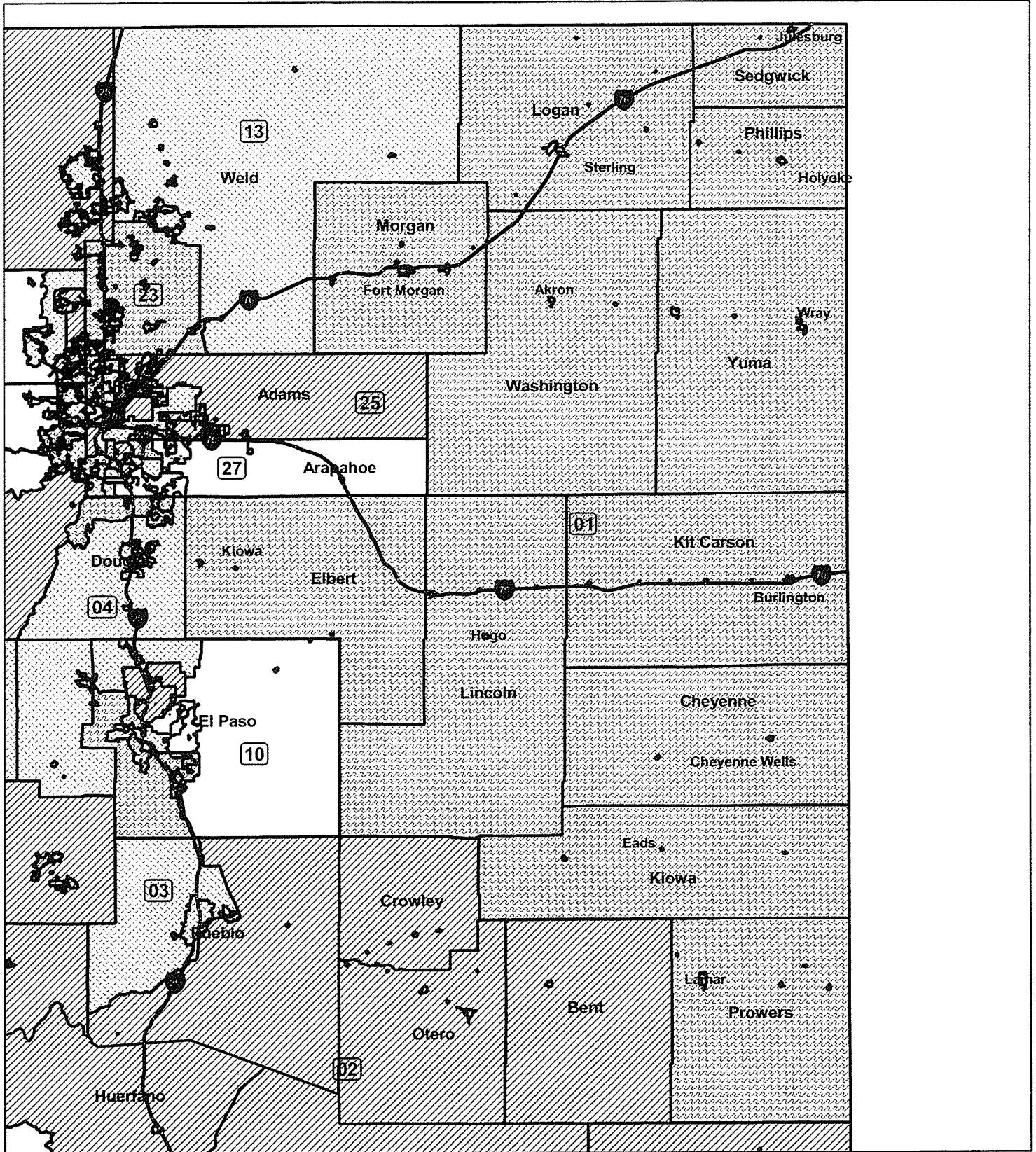


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Senate District 1

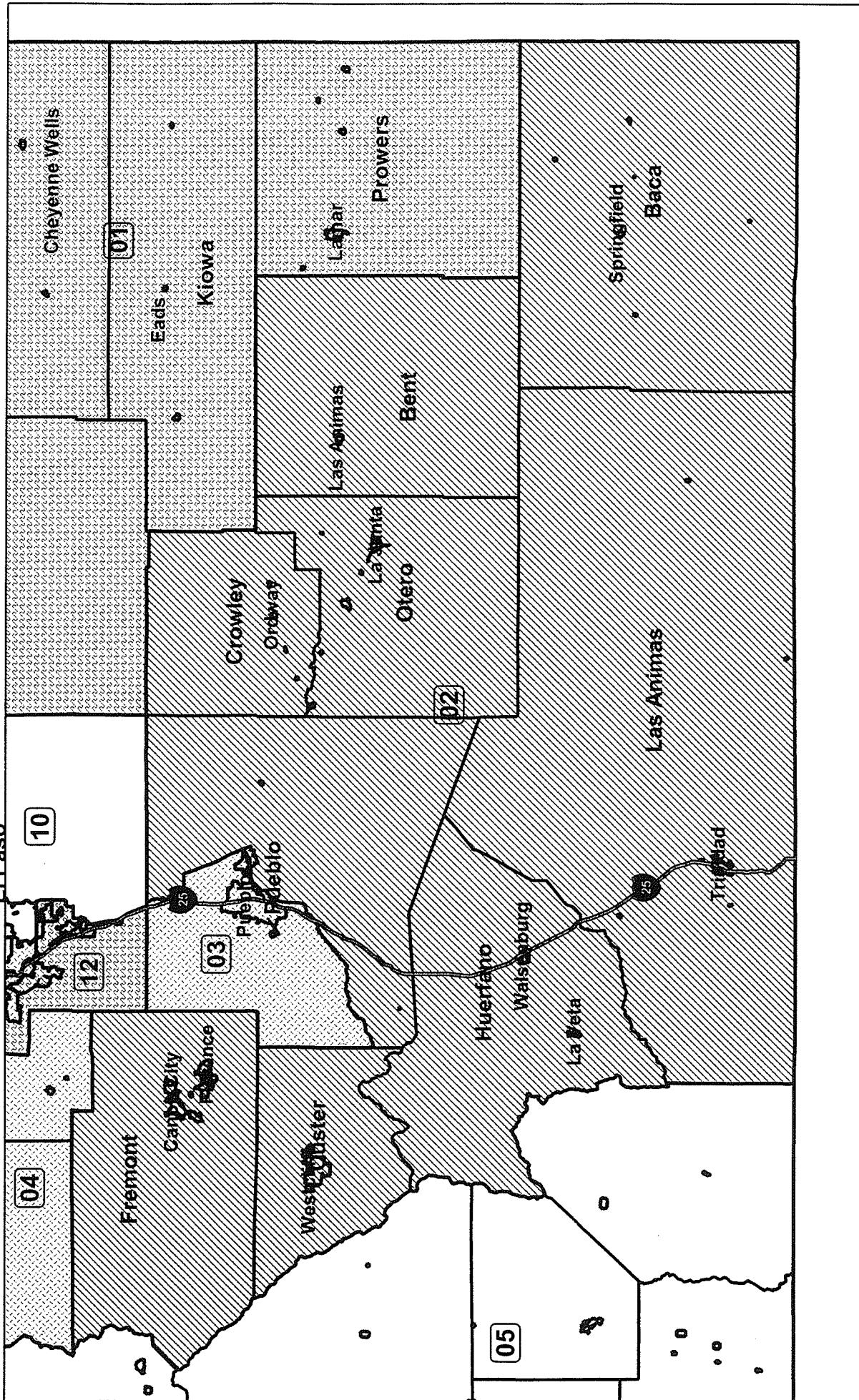


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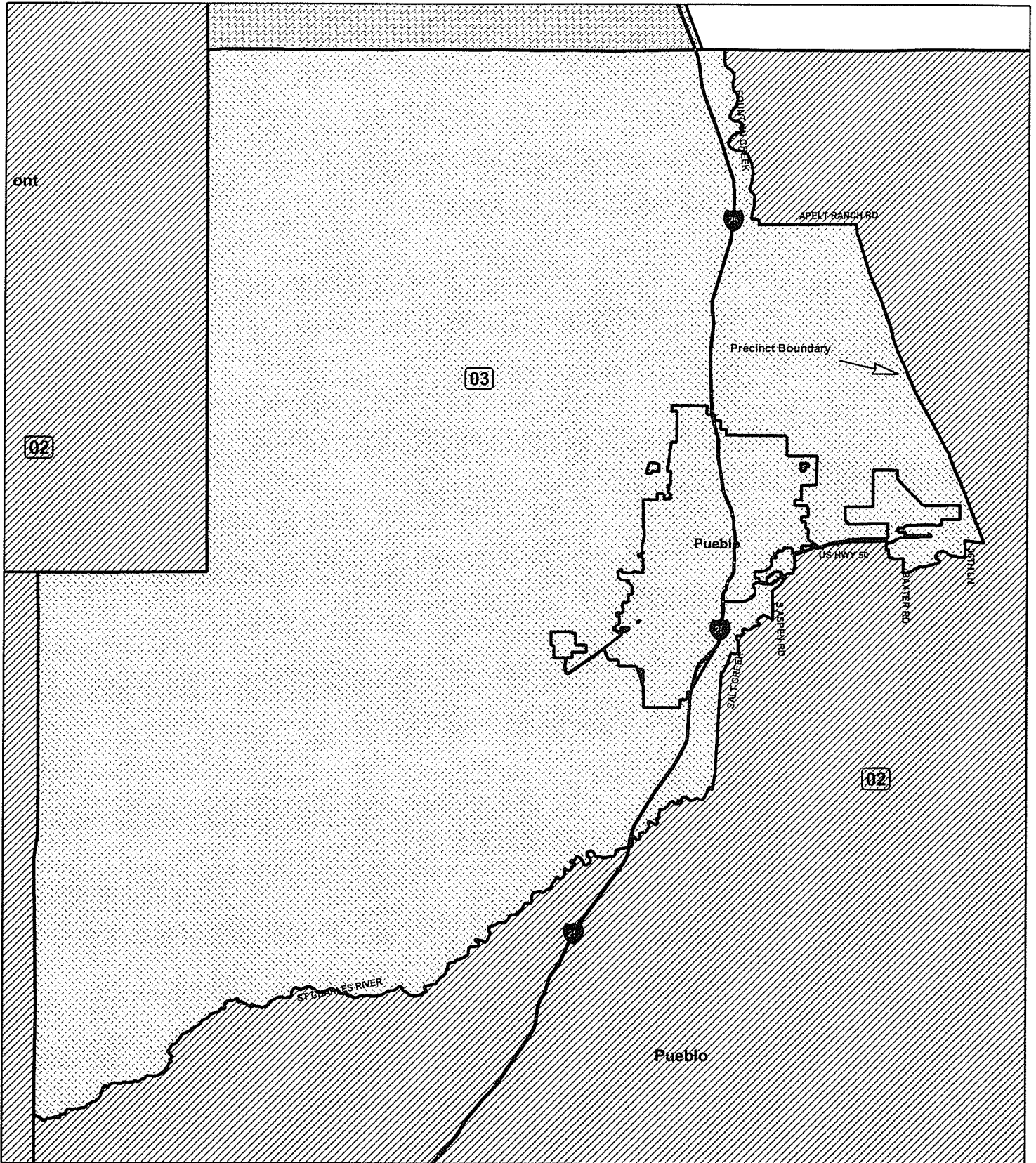
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Senate District 2



Senate District 3

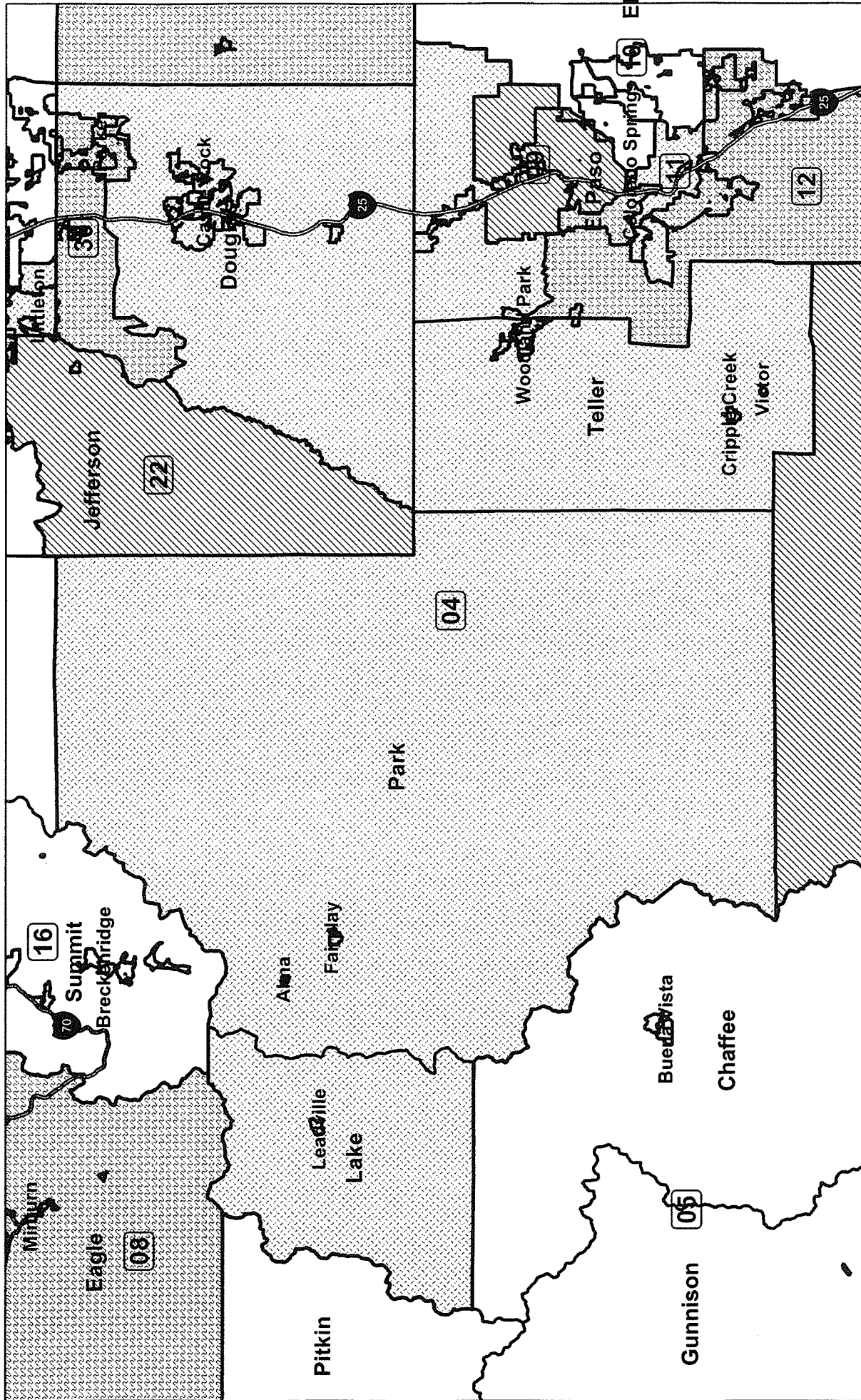


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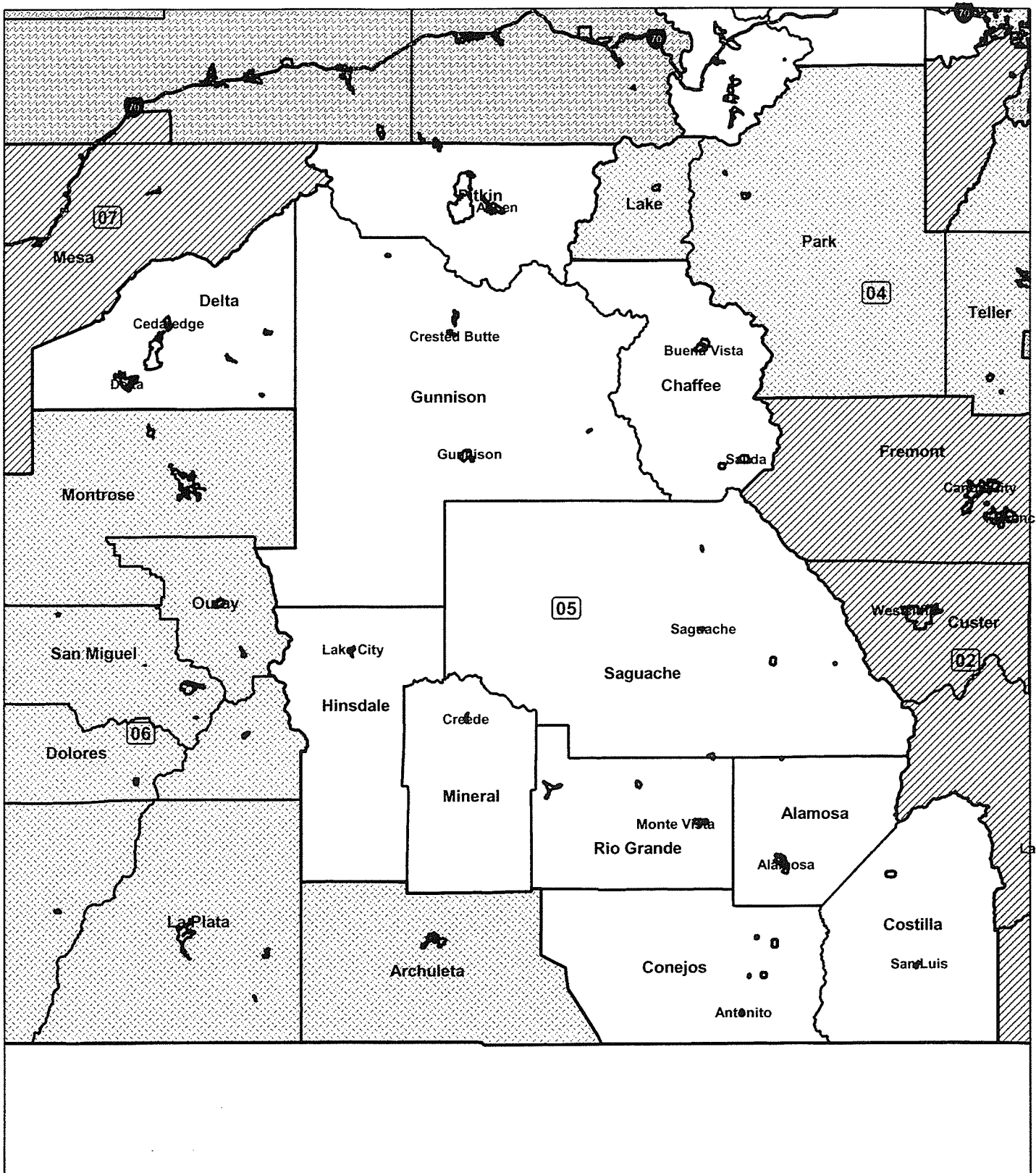
House District 4



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Senate District 5

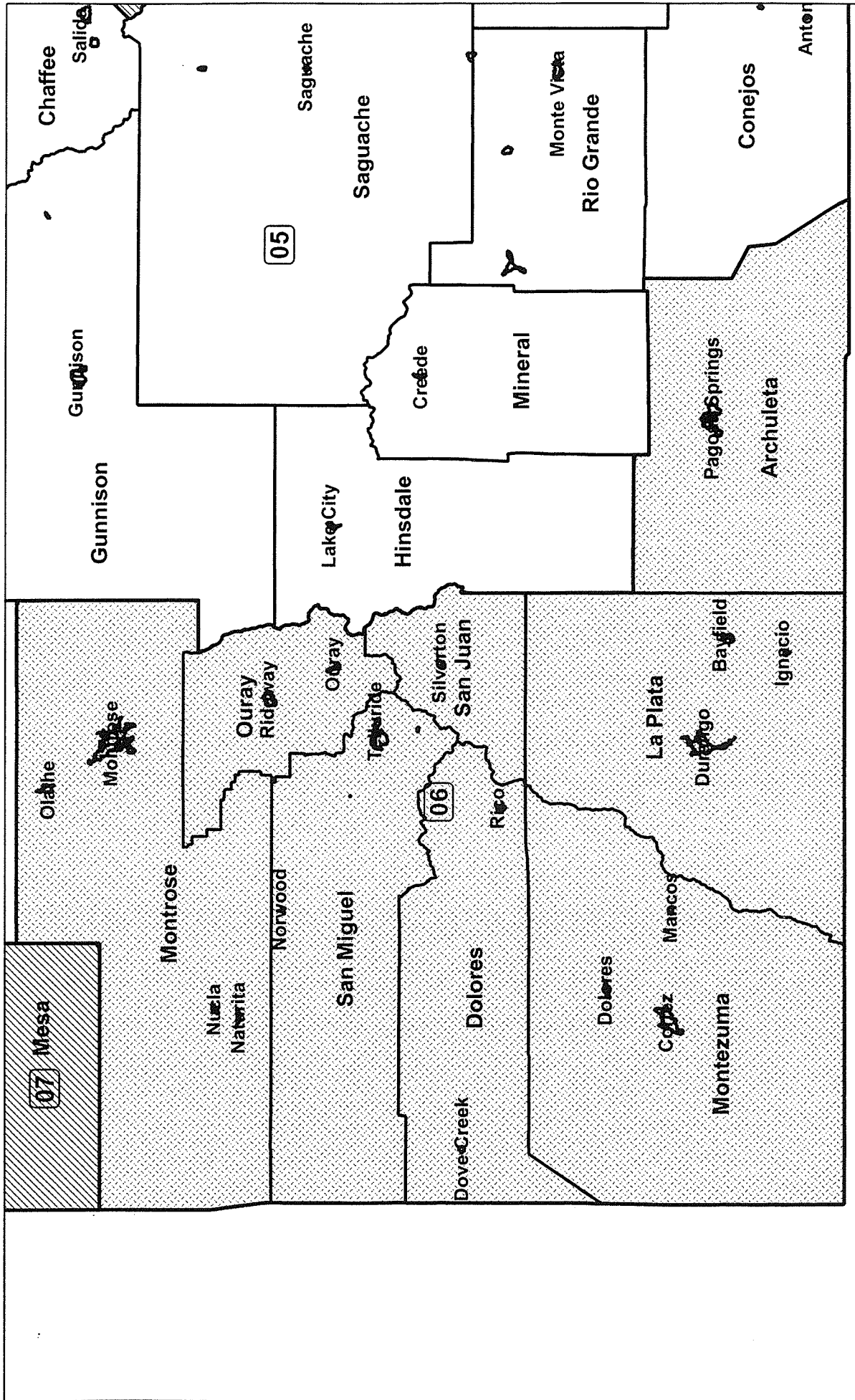


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Senate District 6

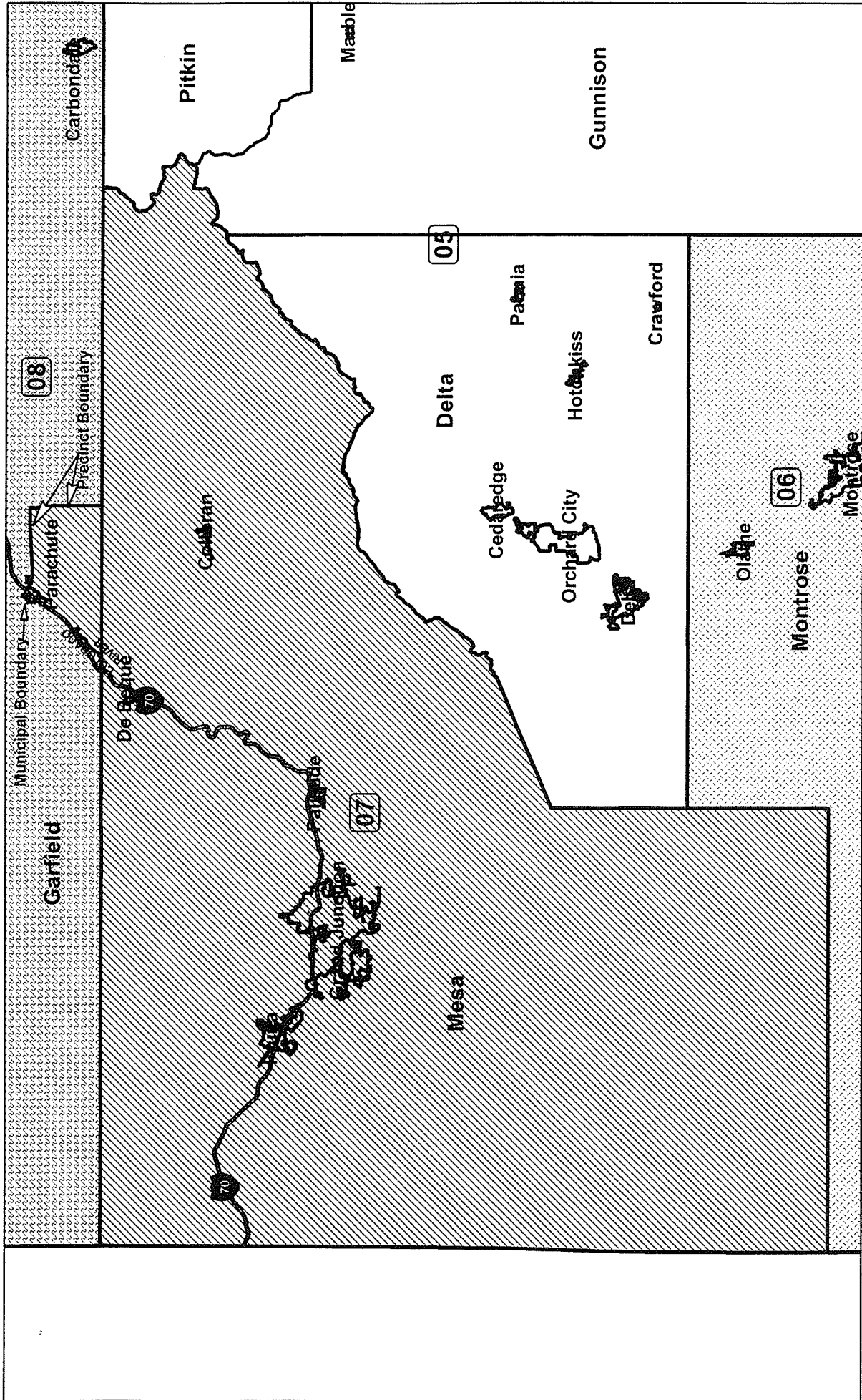


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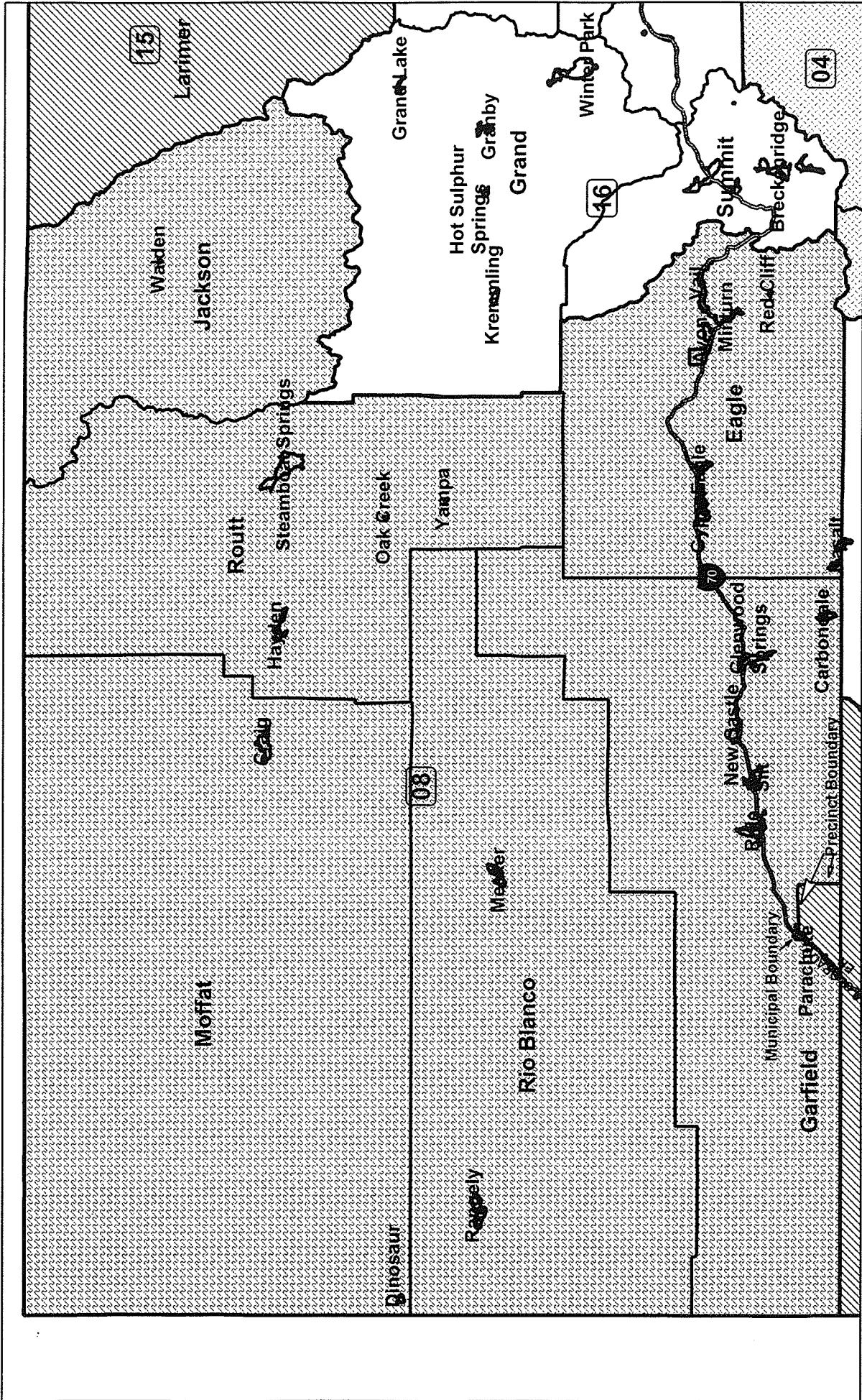
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Senate District 7



Senate District 8

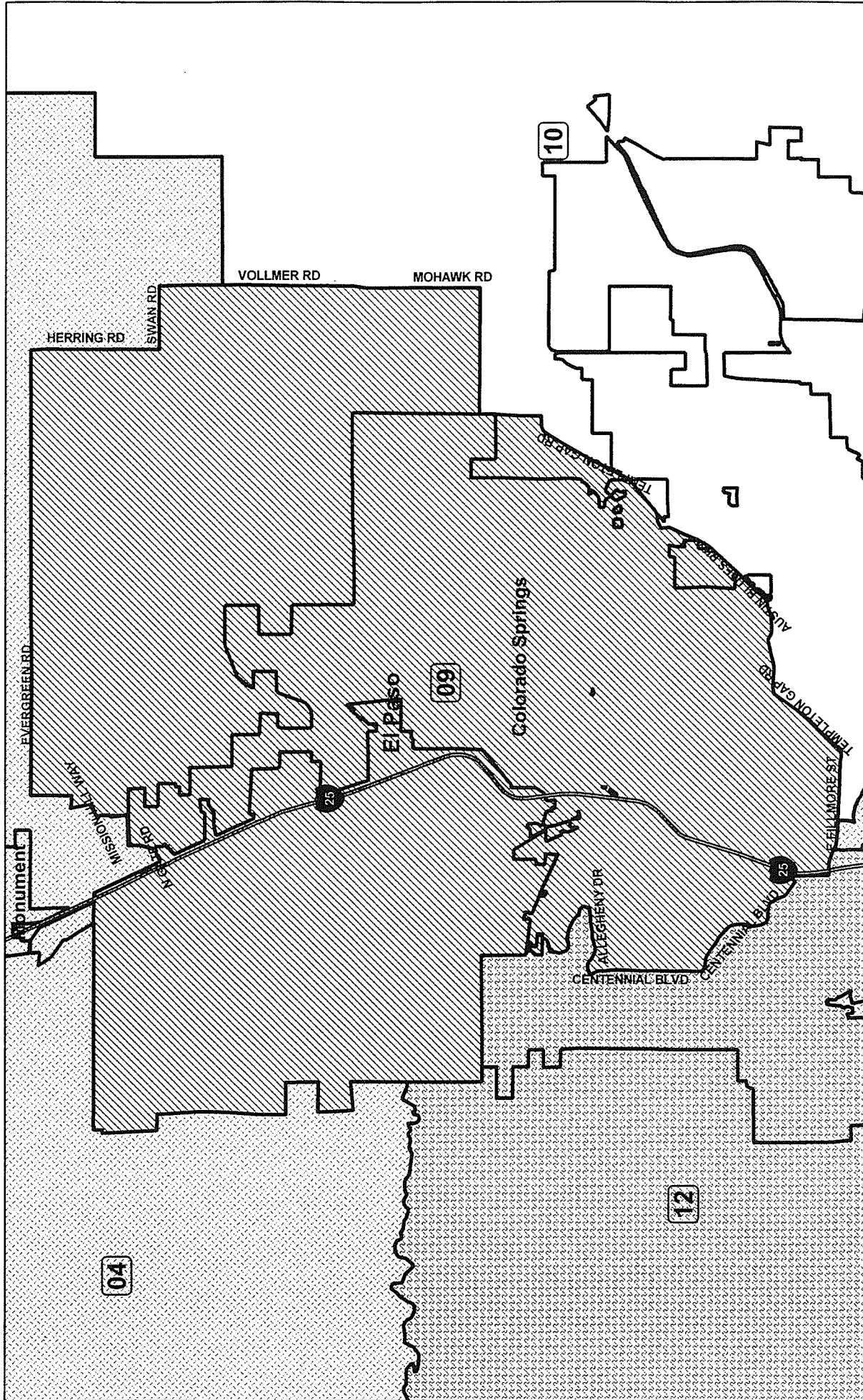


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Senate District 9

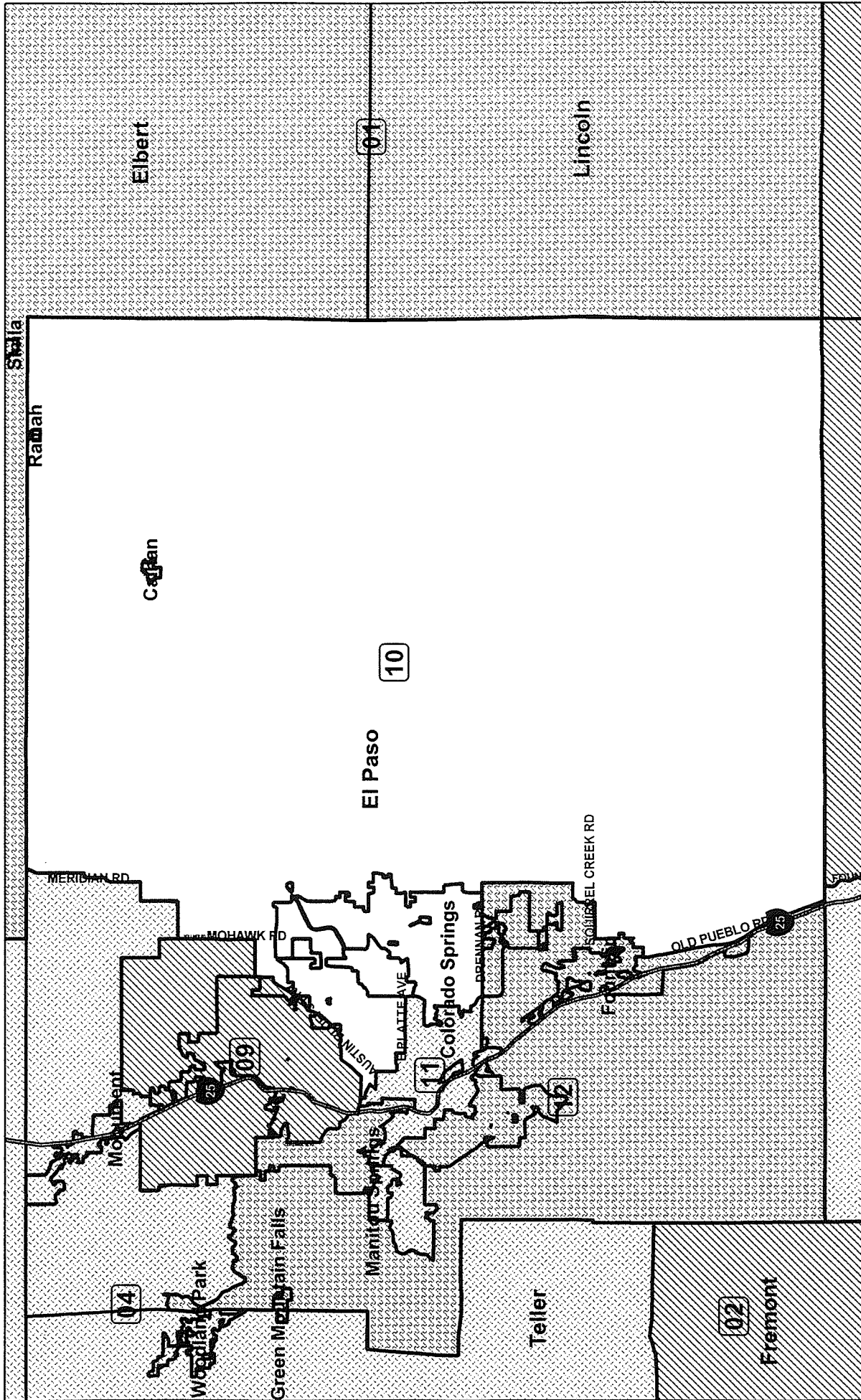


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Senate District 10

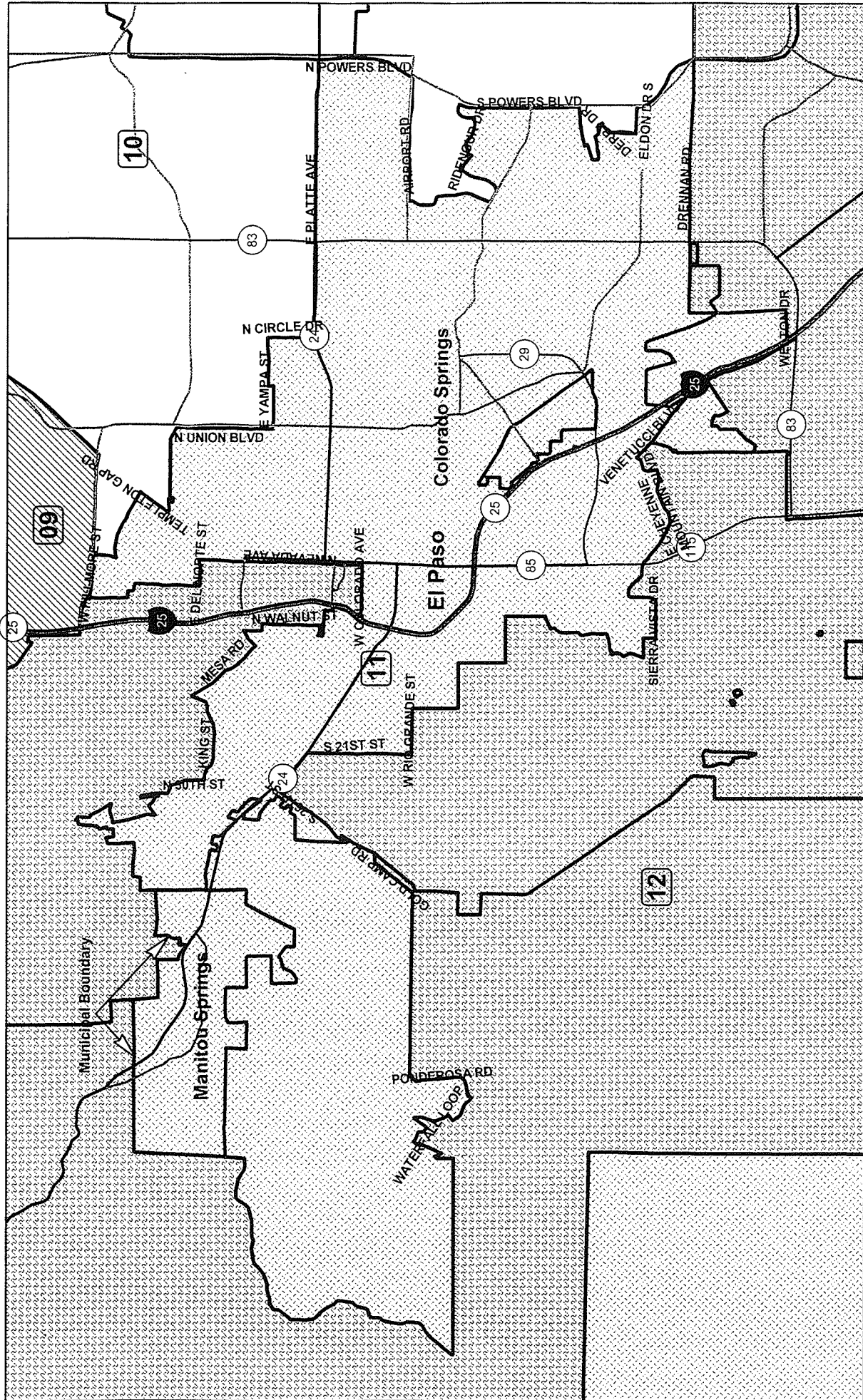


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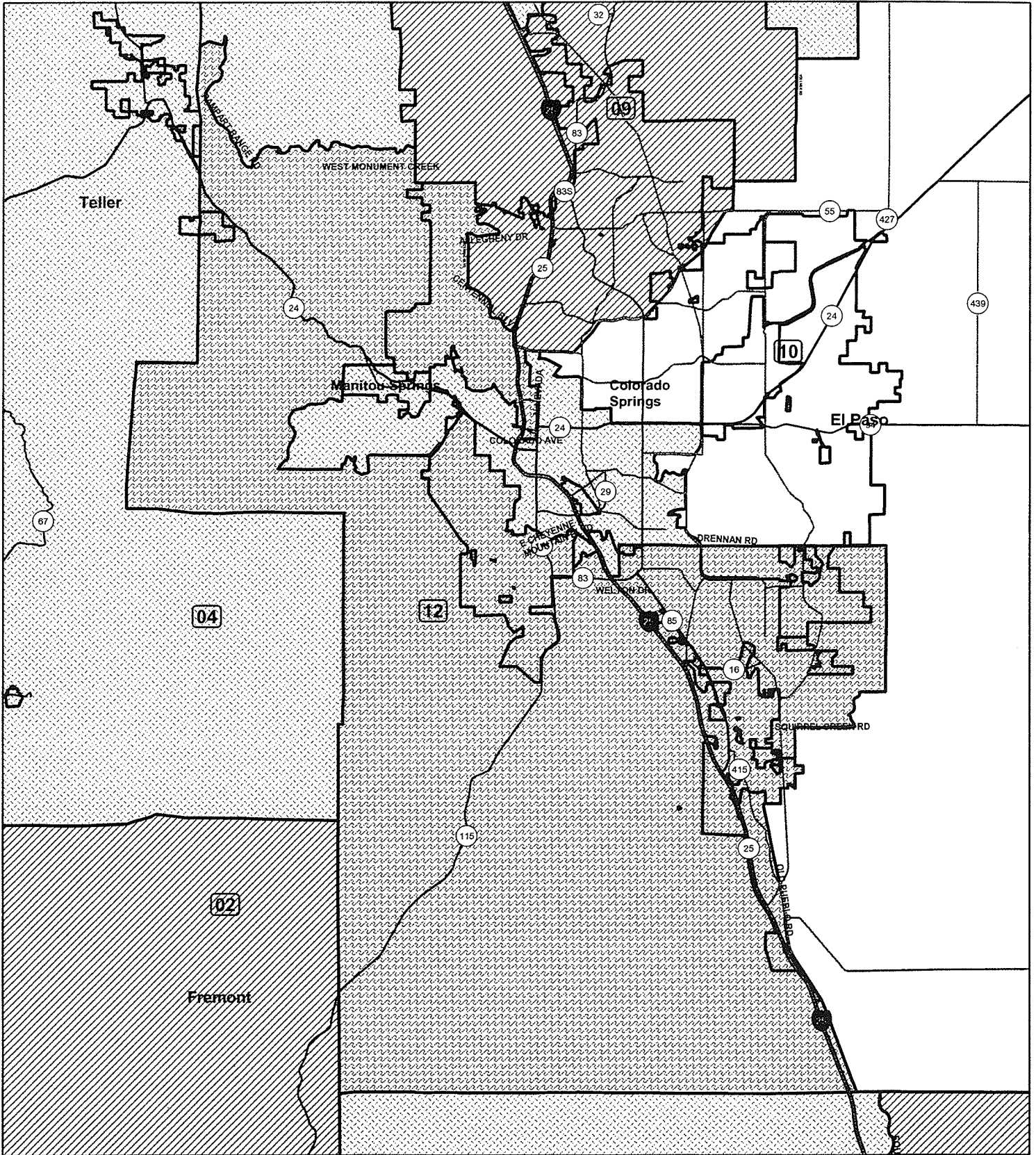
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Senate District 11



Senate District 12

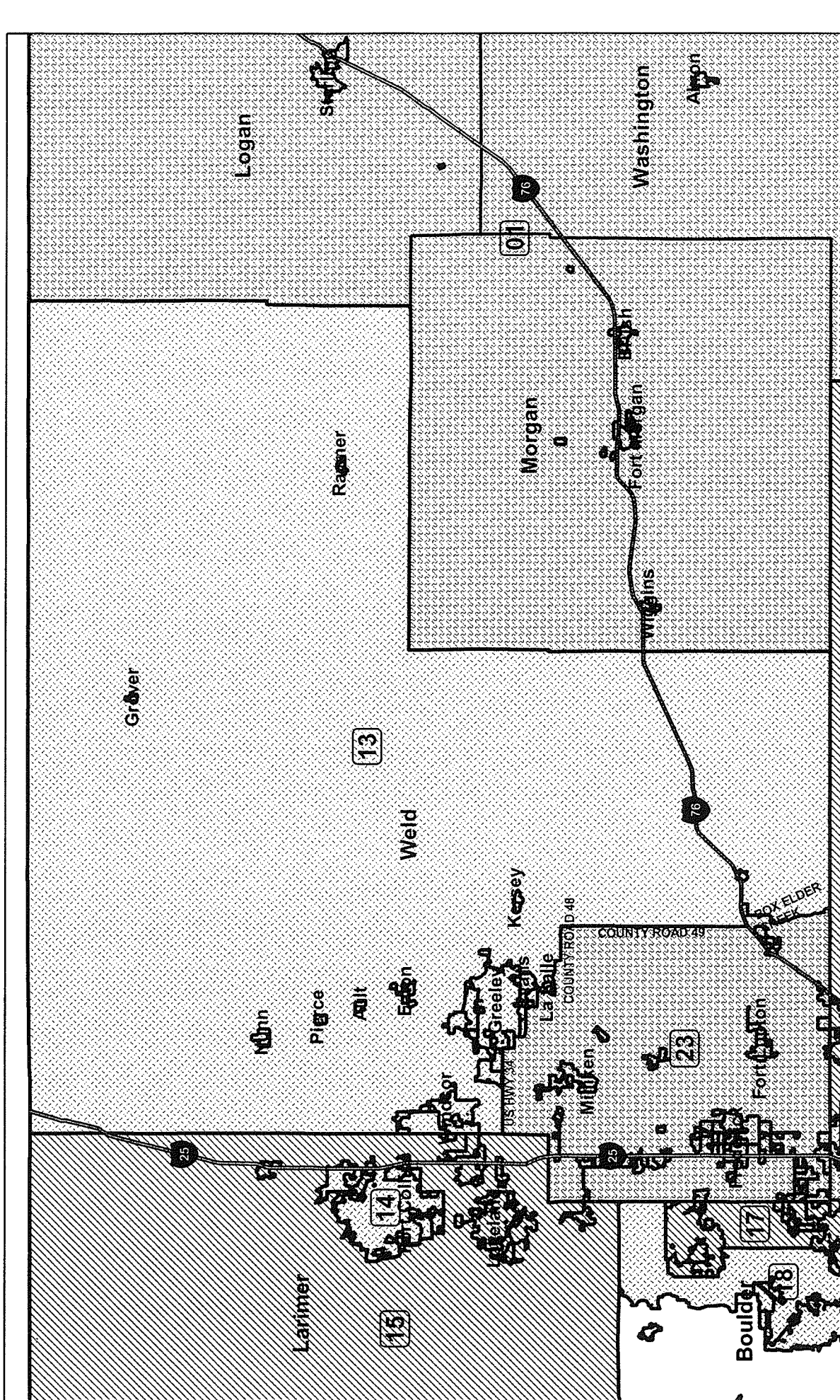


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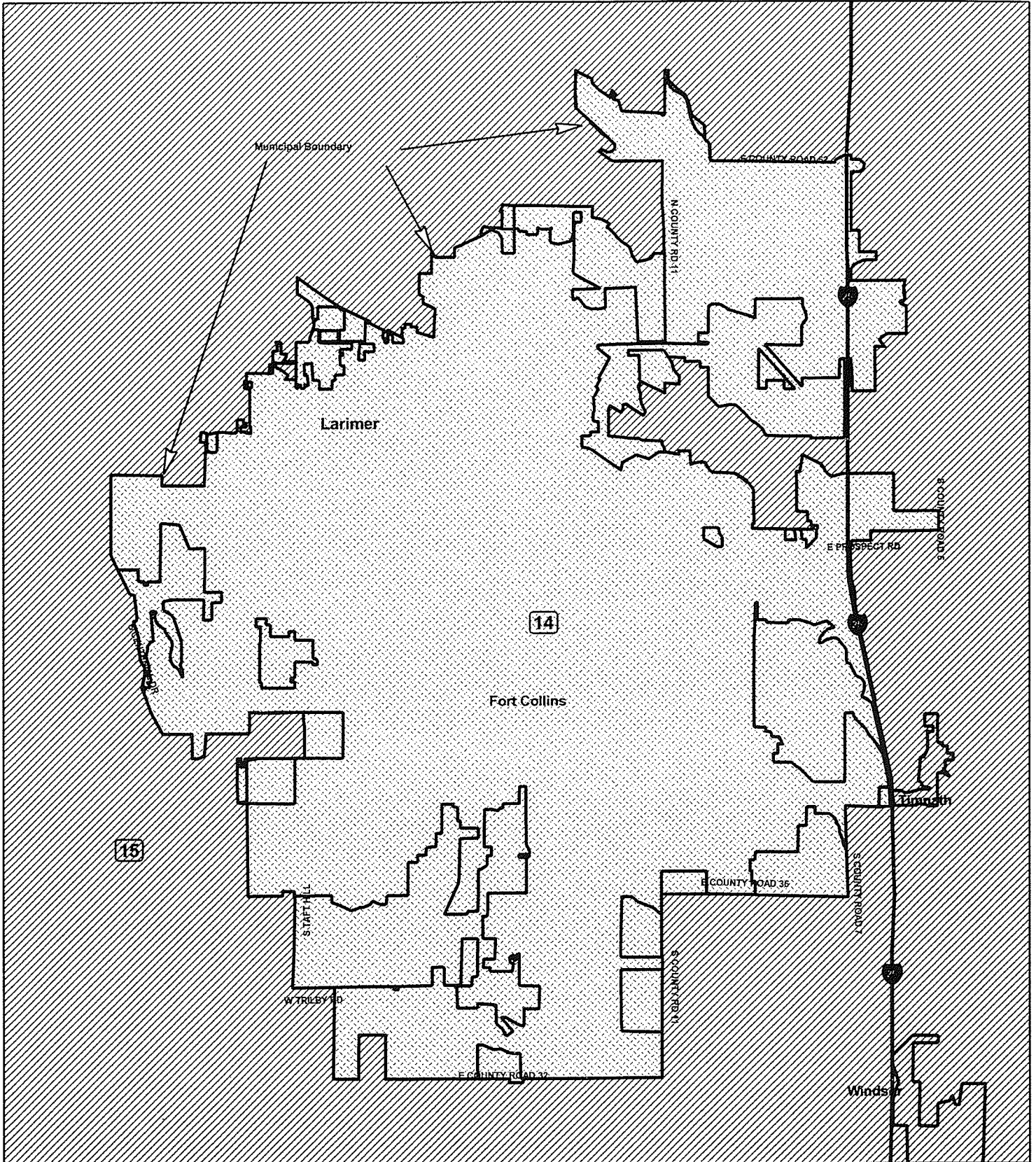
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Senate District 13



Senate District 14

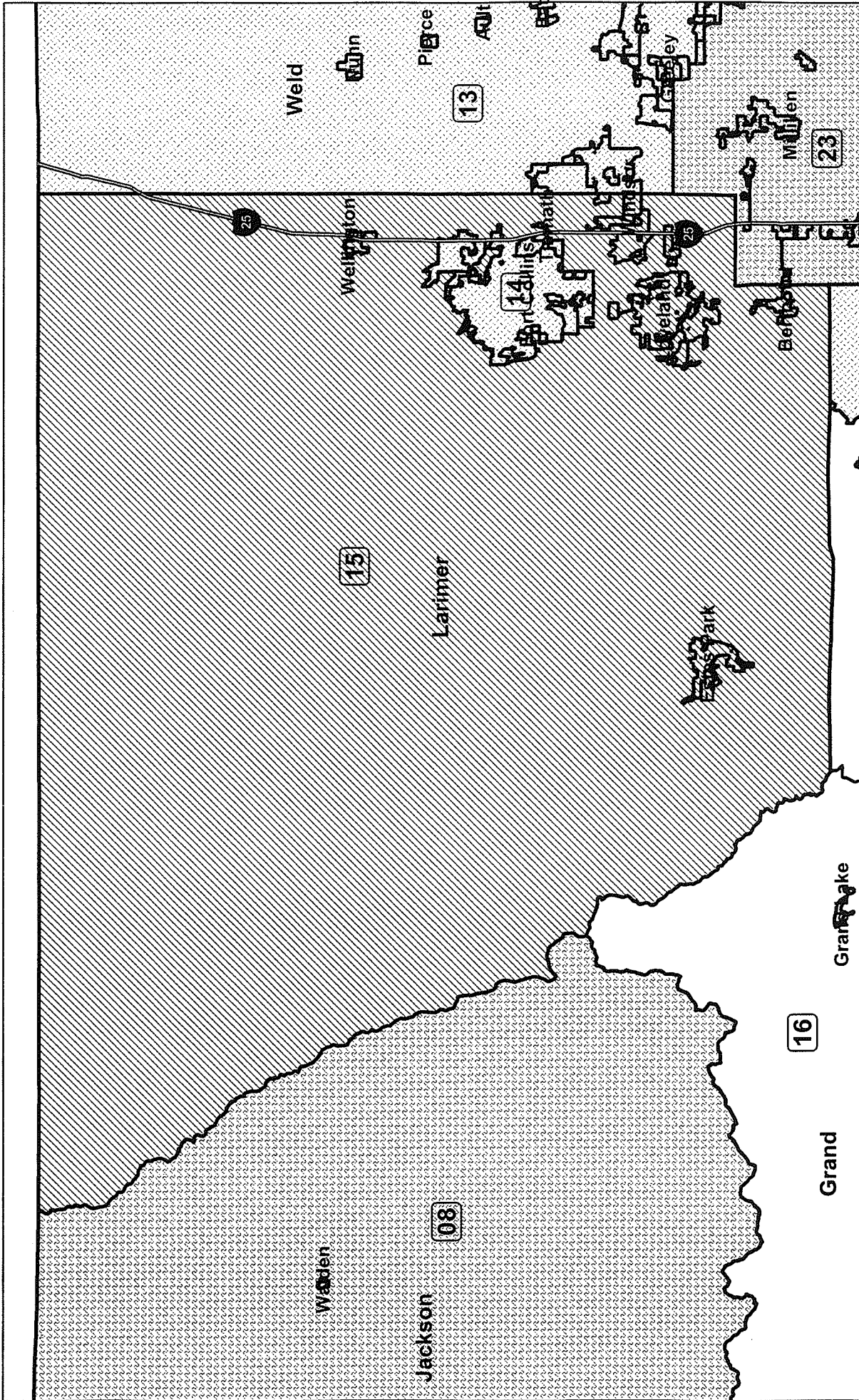


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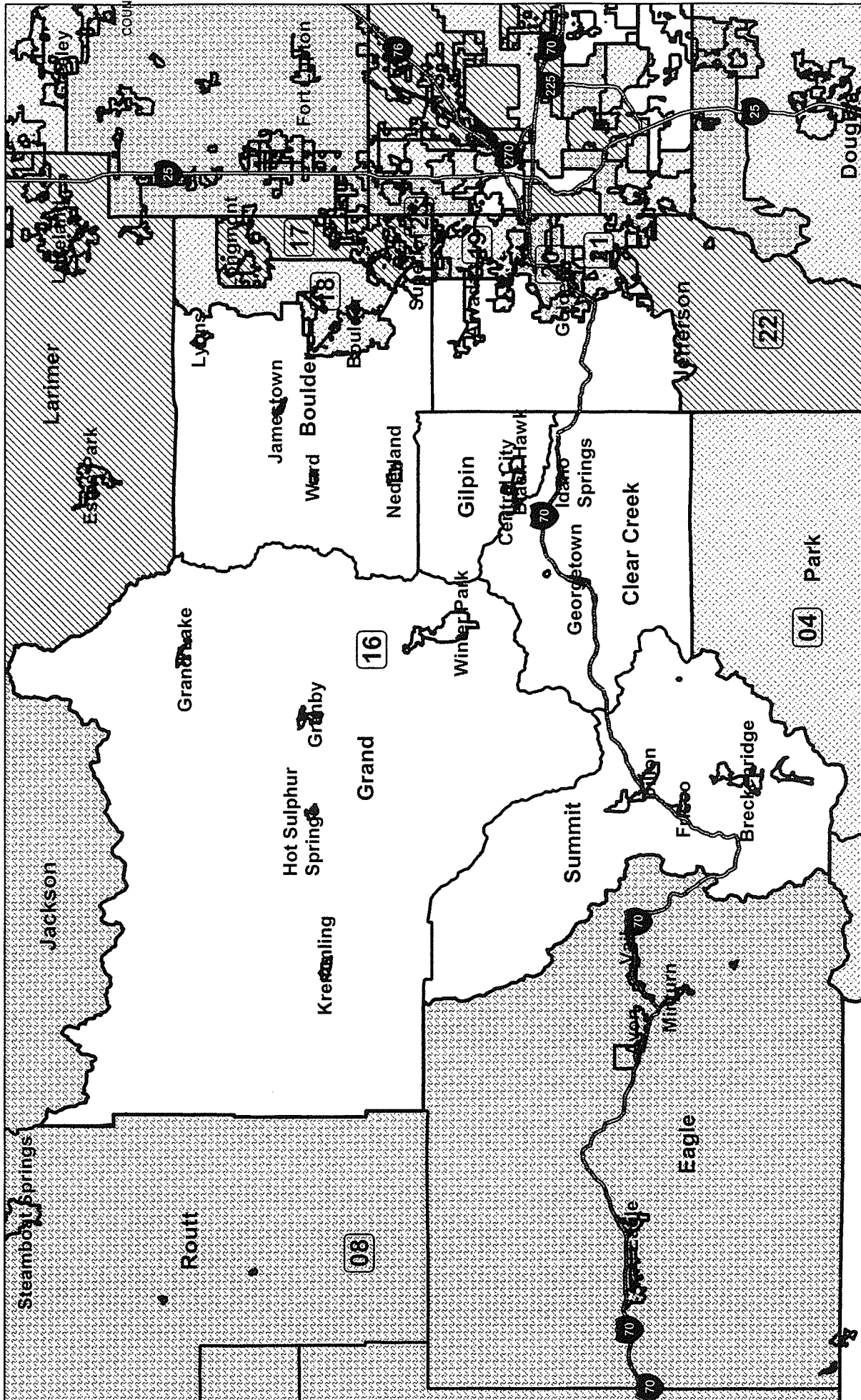
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Senate District 15



Senate District 16

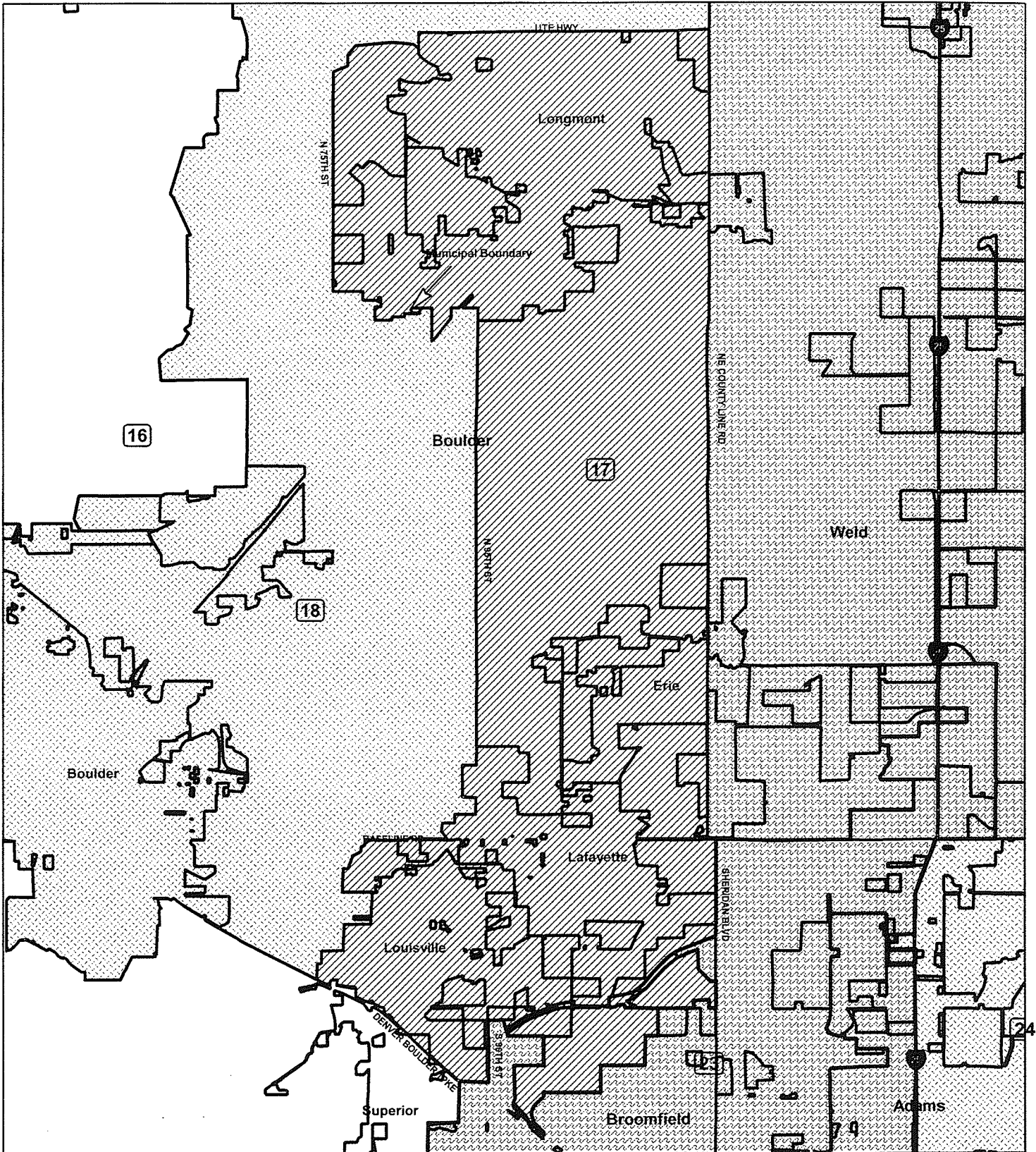


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Senate District 17

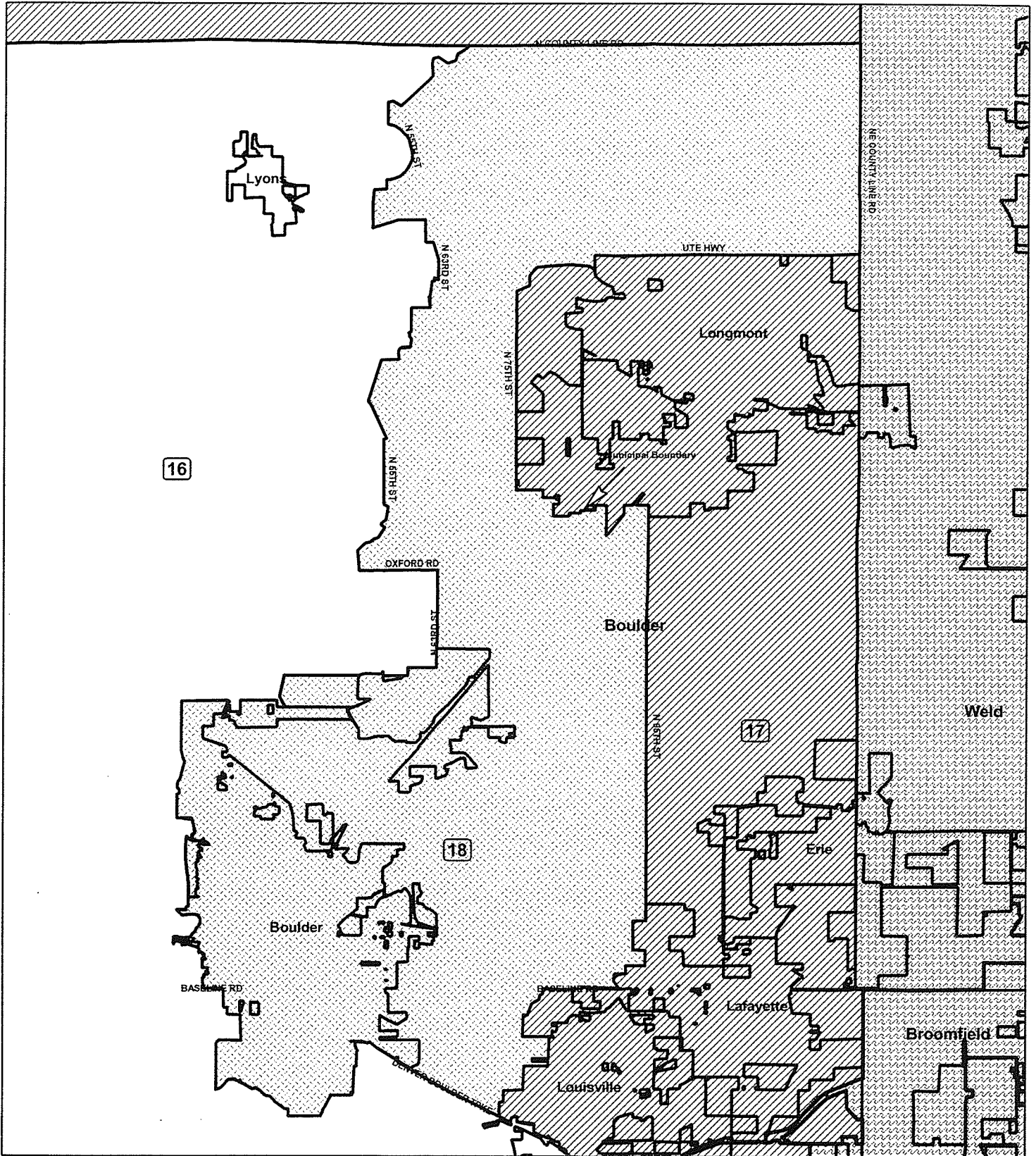


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Senate District 18

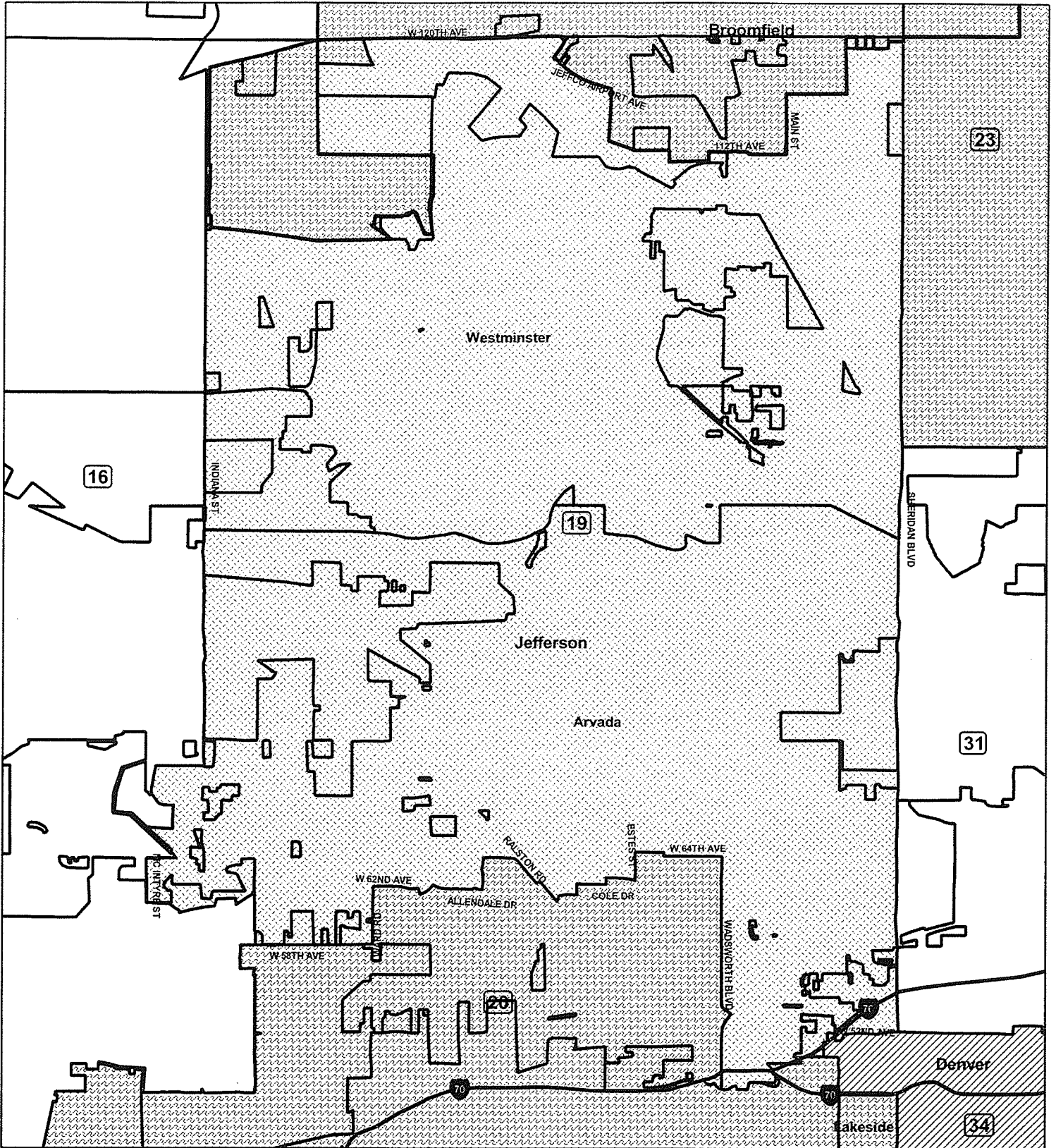


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Senate District 19

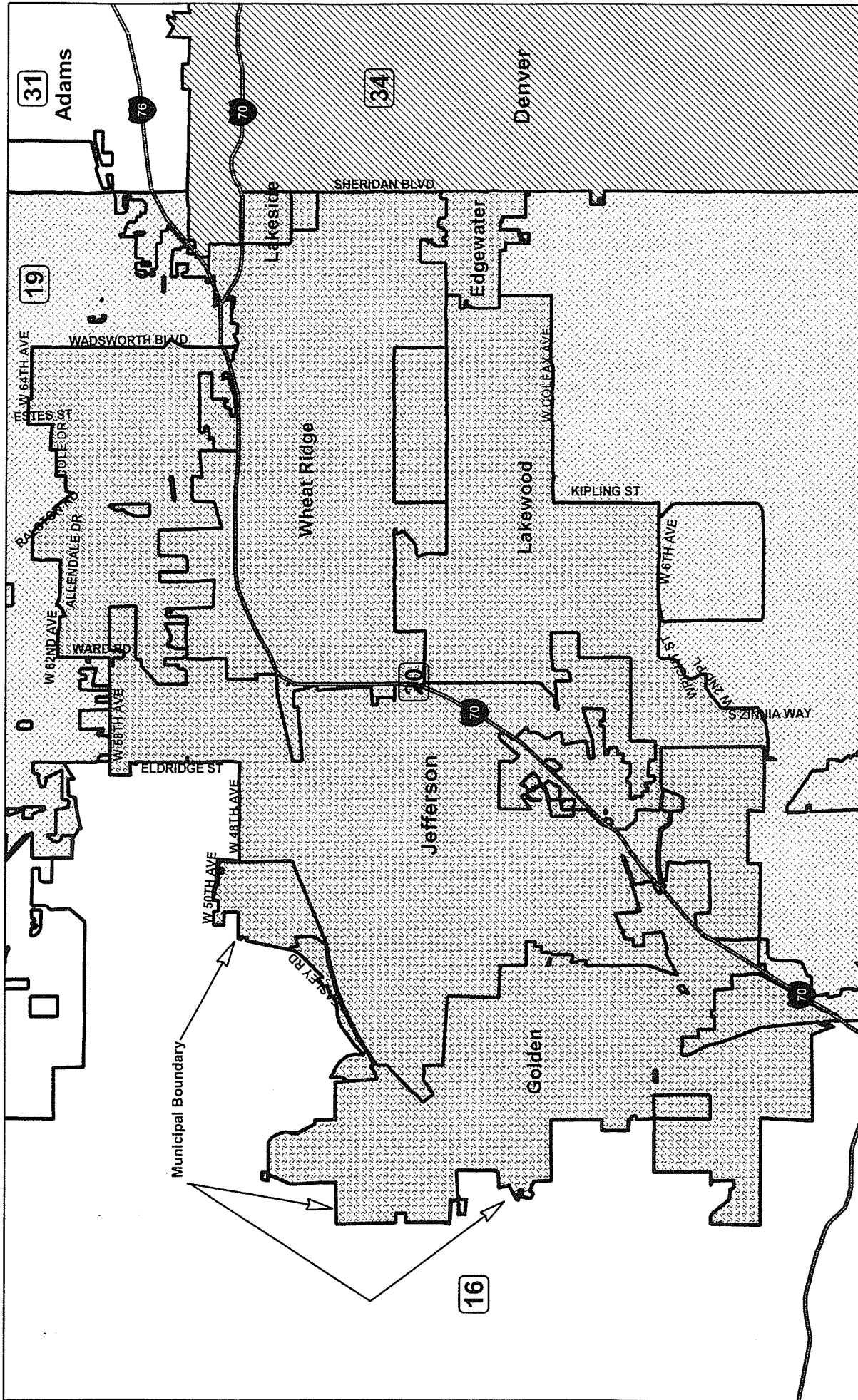


February 2002

file path X:\Commission\Layouts\Final Districts BWSD 19

Colorado Reapportionment Commission
1600 Broadway, Suite 1020
Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

Senate District 20

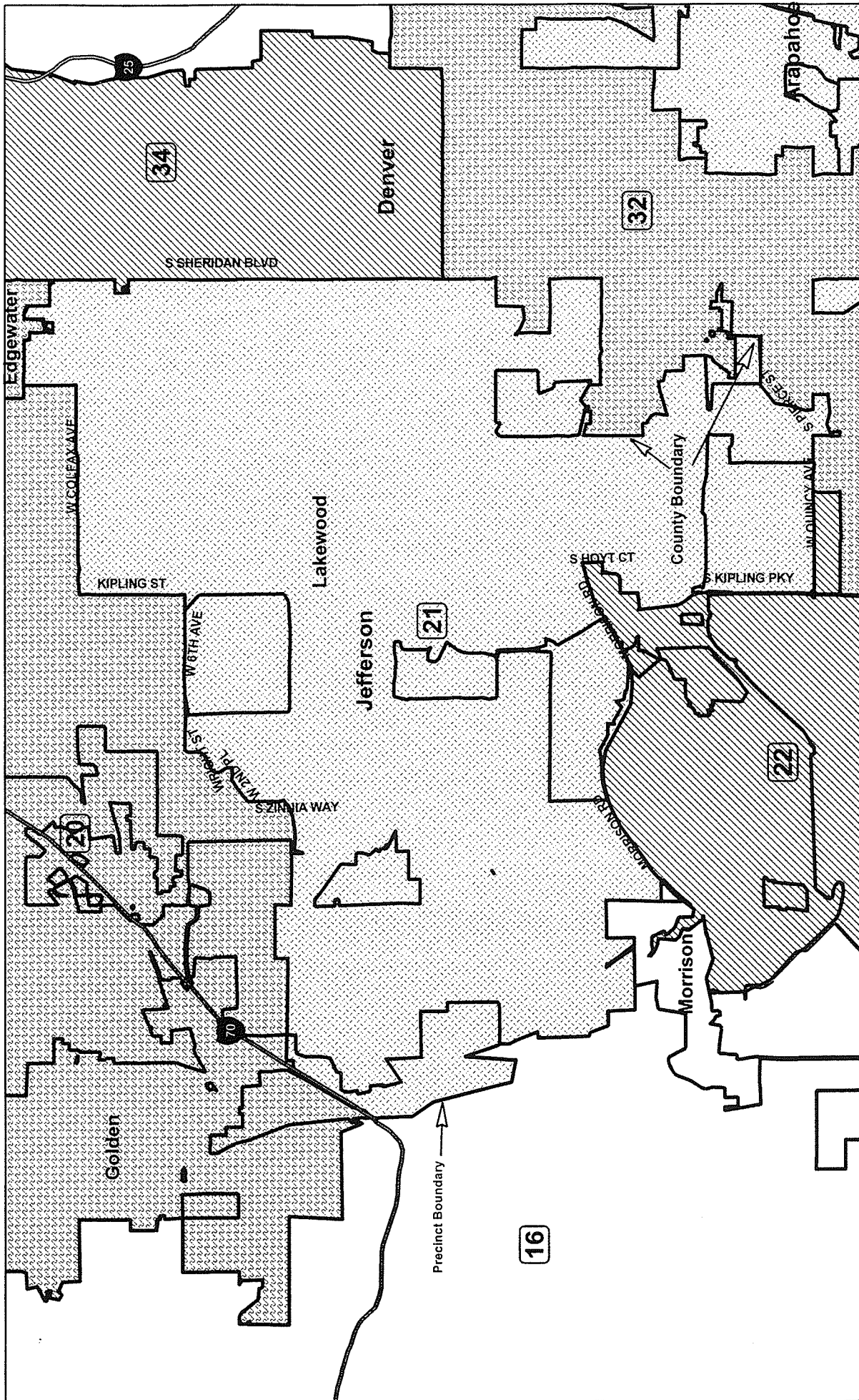


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www.state.co.us/gov_dir/stateleg.html

February 2002

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Senate District 21

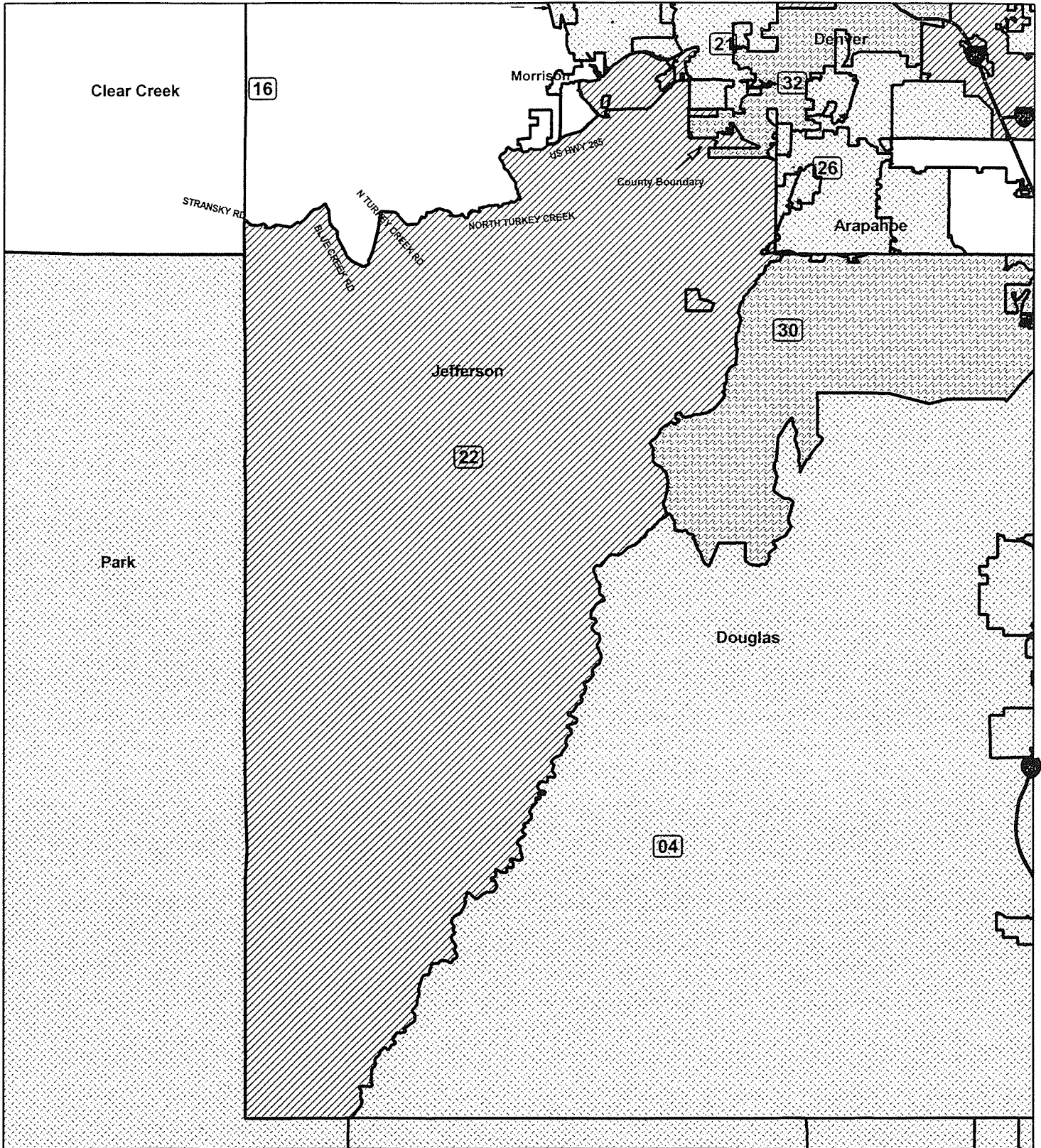


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www.state.co.us/gov_dir/stateleg.html

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Senate District 22

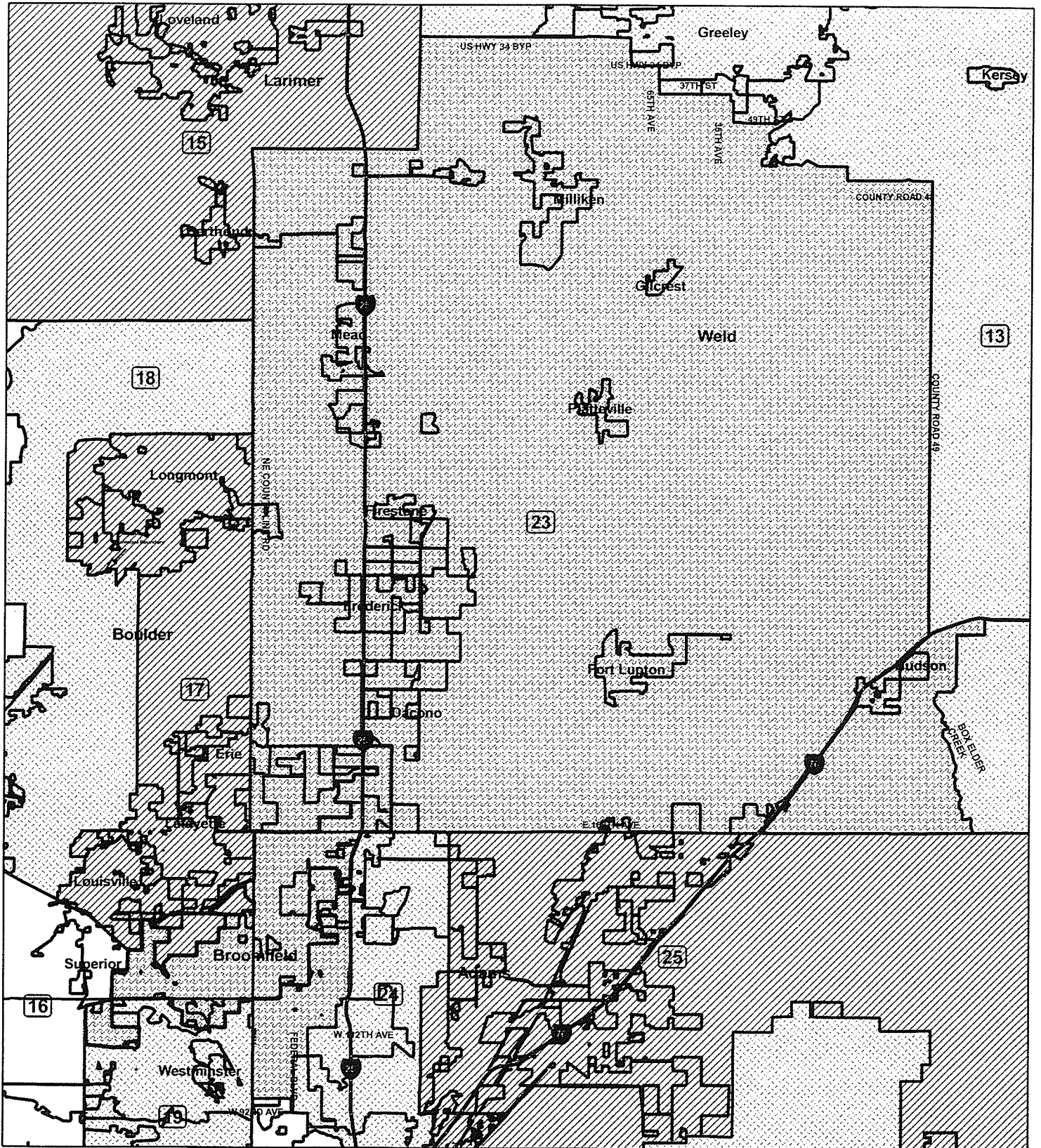


February 2002

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Colorado Reapportionment Commission
1600 Broadway, Suite 1020
Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

Senate District 23

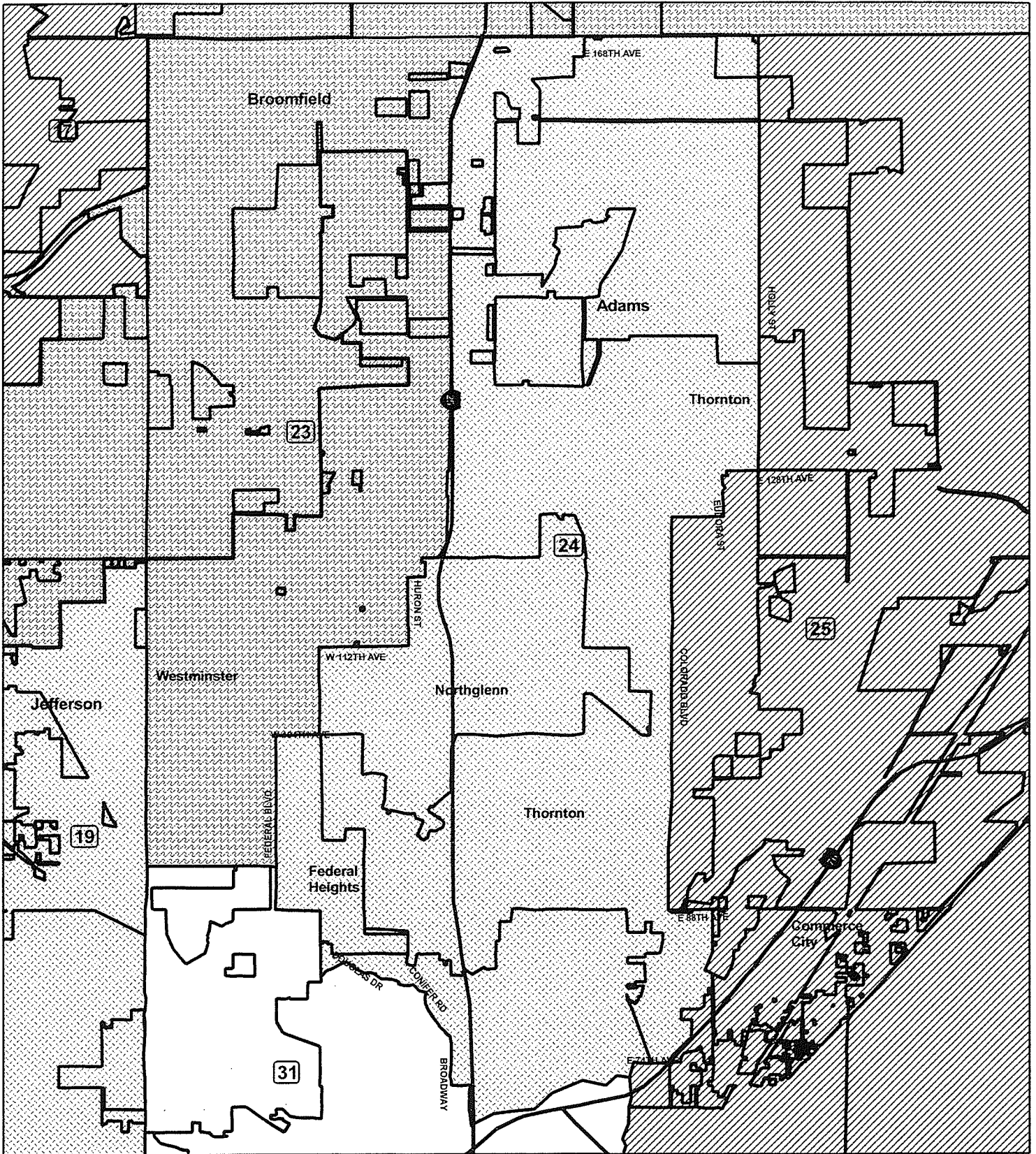


February 2002

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Colorado Reapportionment Commission
1600 Broadway, Suite 1020
Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

Senate District 24

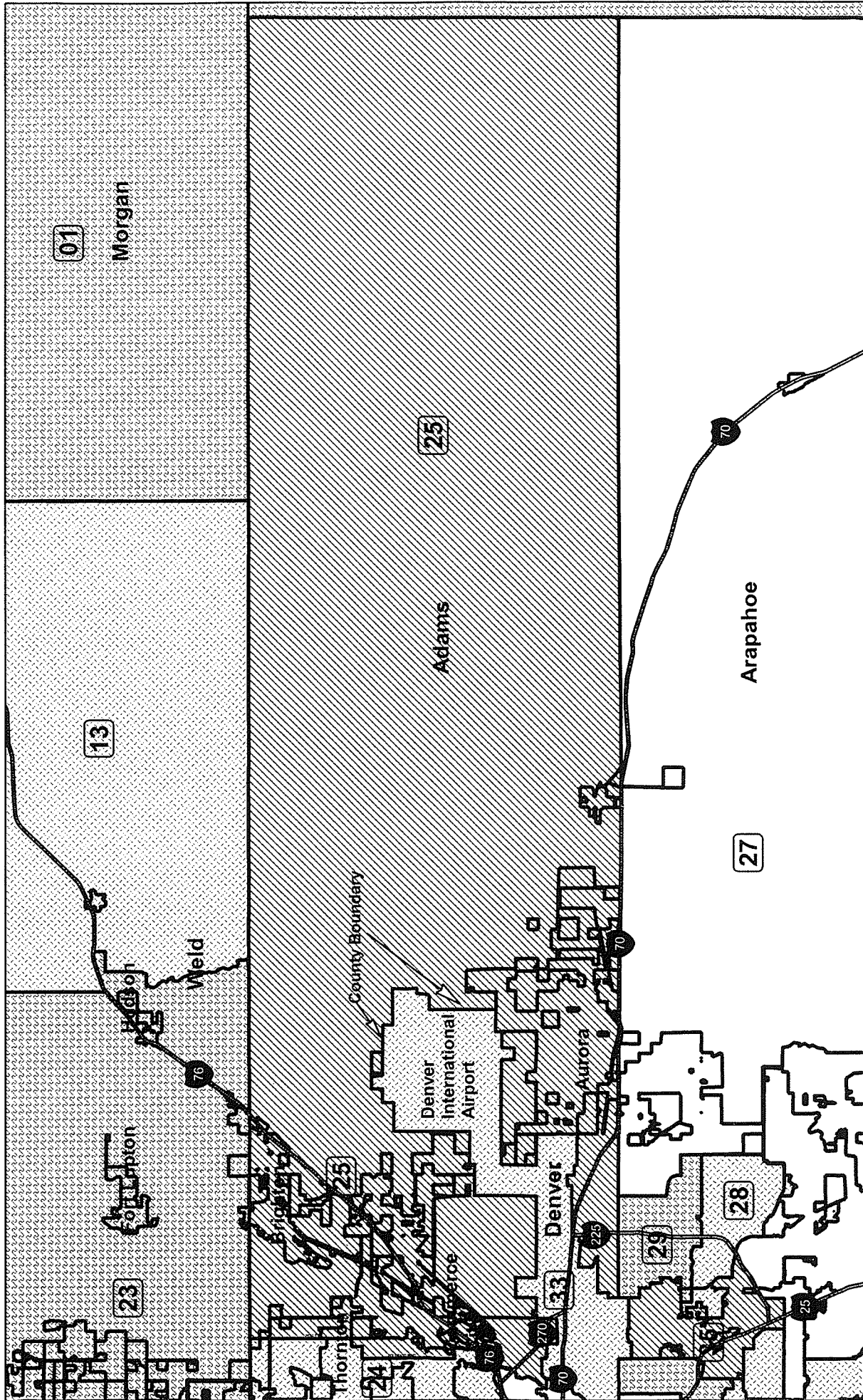


February 2002

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Colorado Reapportionment Commission
1600 Broadway, Suite 1020
Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

Senate District 25

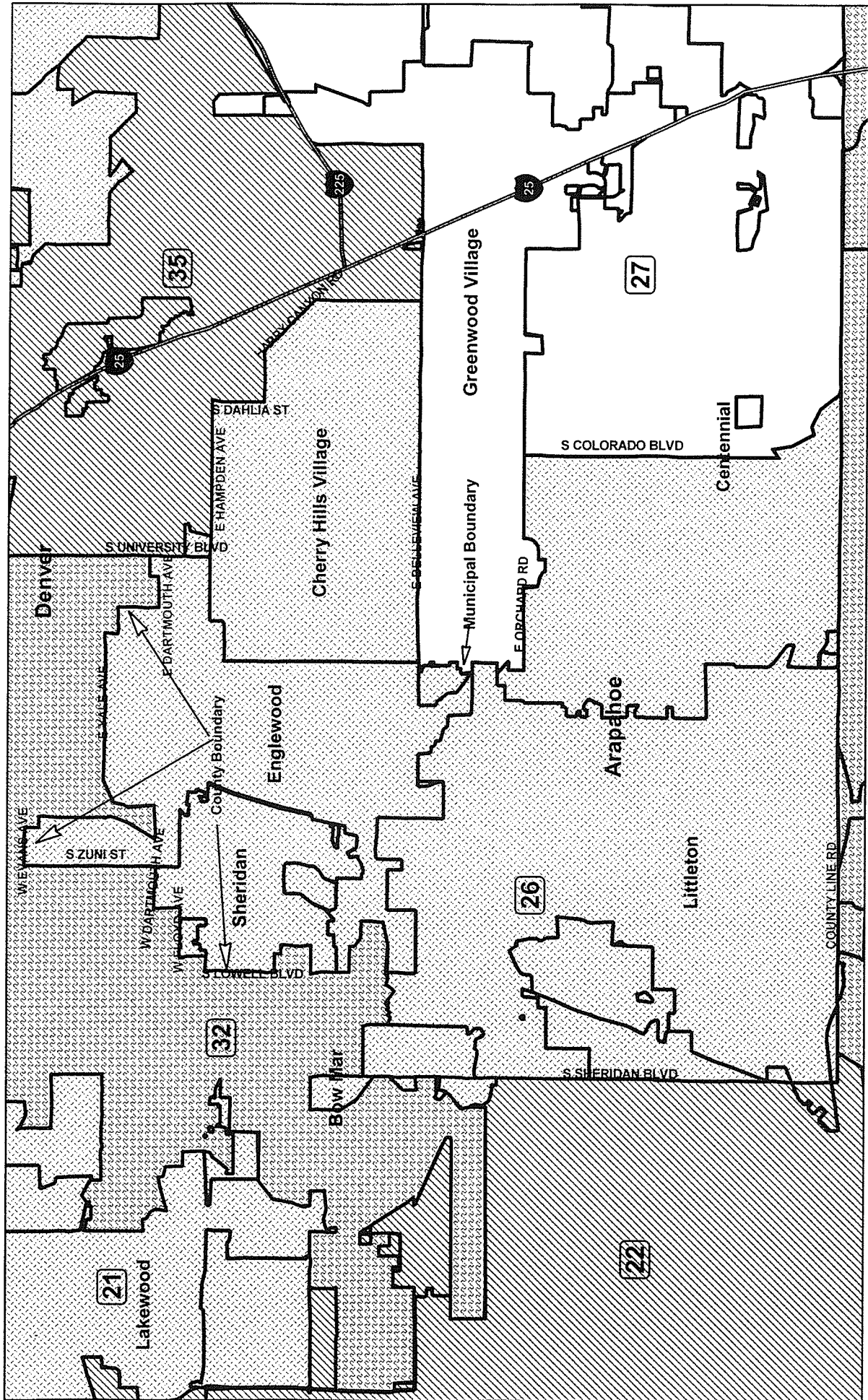


Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

February 2002

file path X:\Commission\Layouts\Final Districts Color\SD 25

Senate District 26

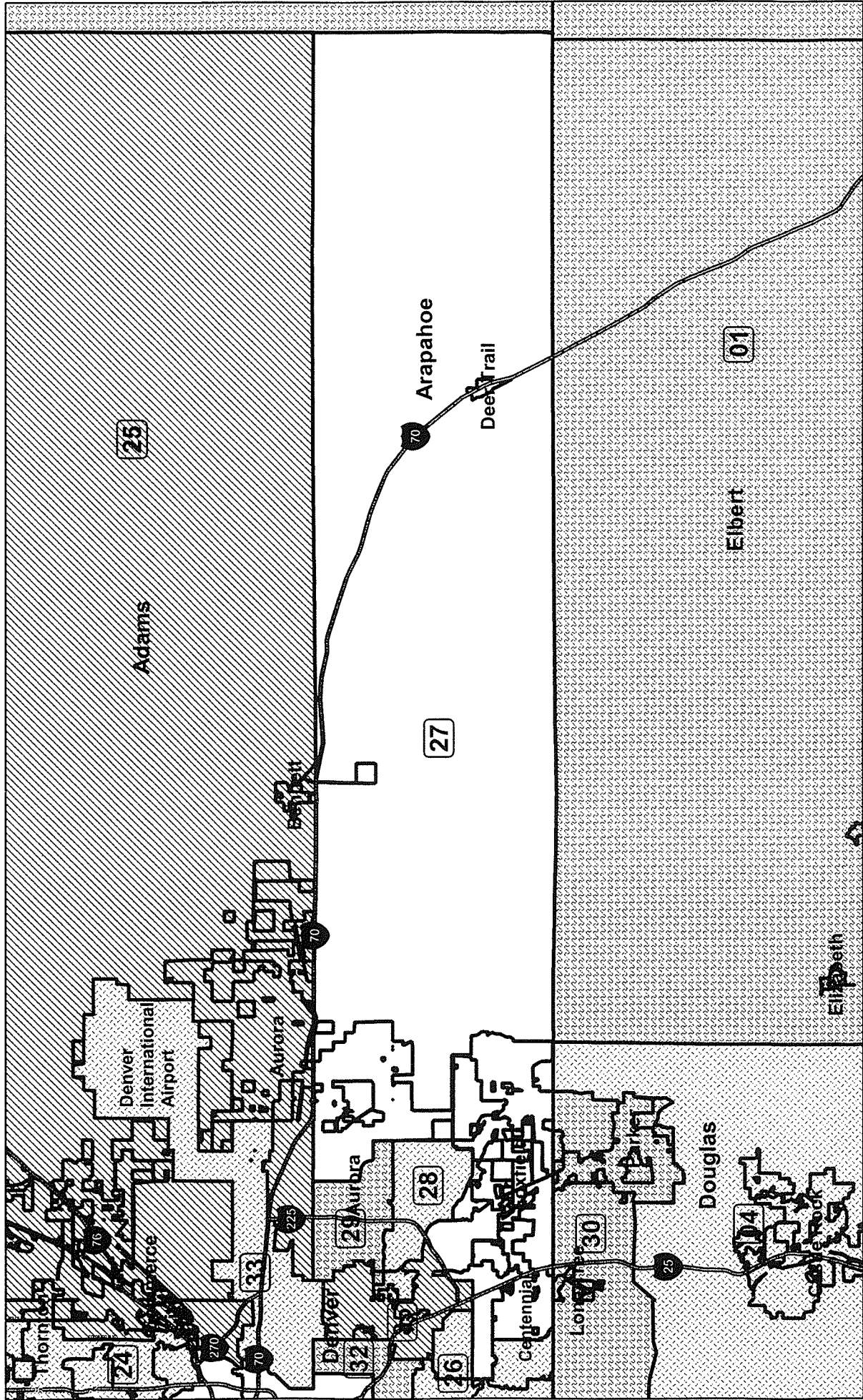


Colorado Reapportionment Commission
 1600 Broadway, Suite 1020
 Denver, CO 80202
 Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

February 2002

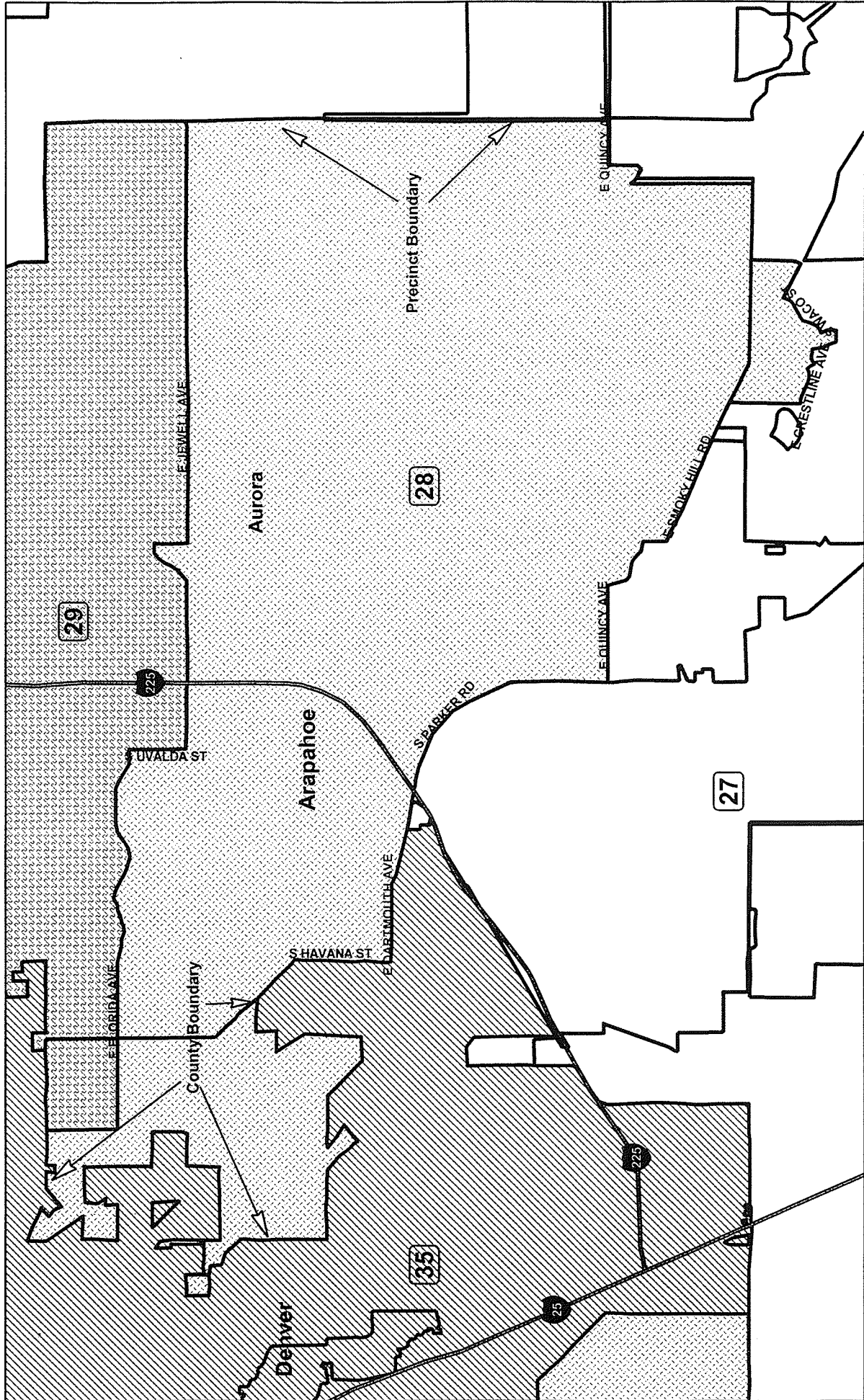
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Senate District 27

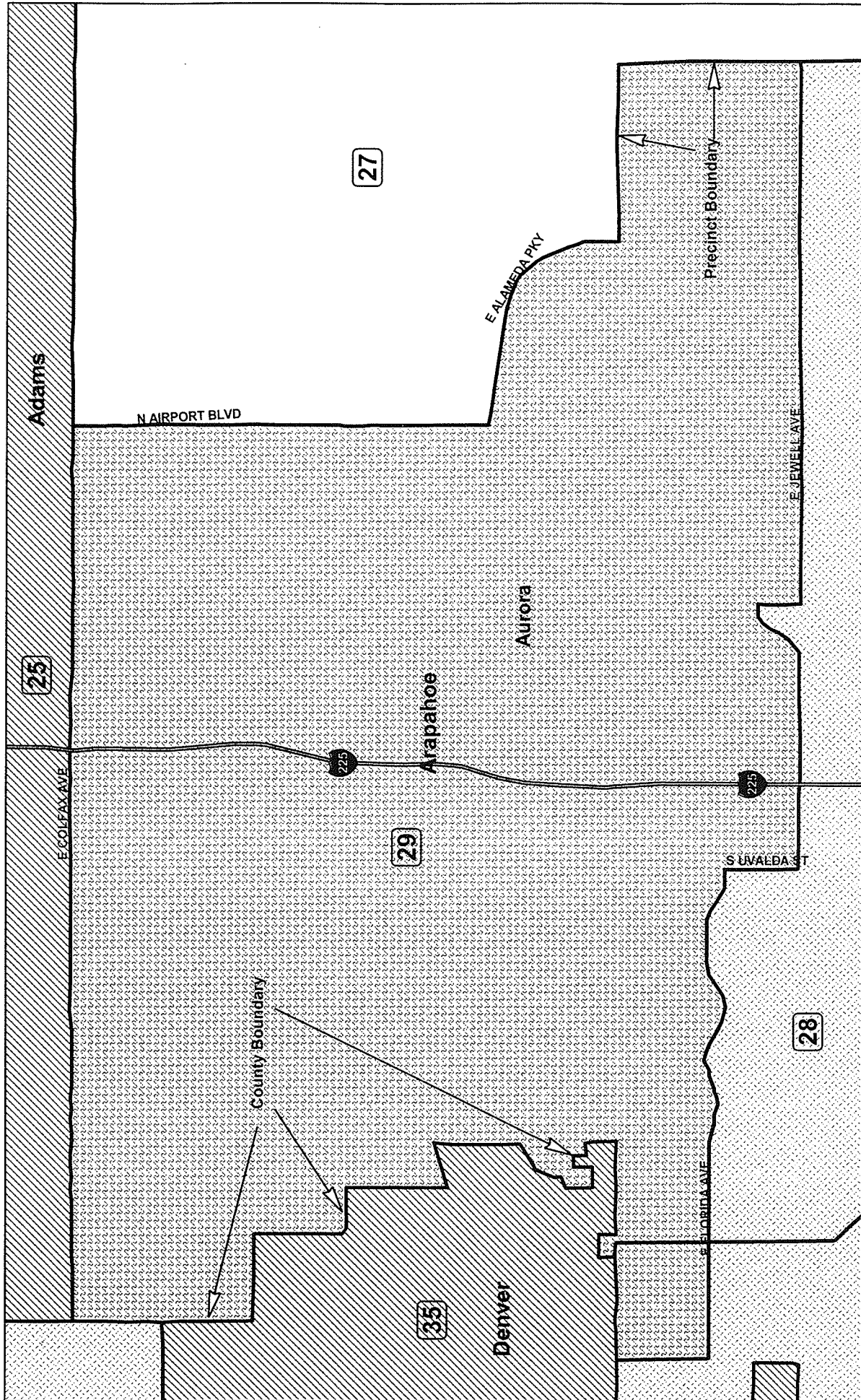


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1600 Broadway, Suite 1020
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www.state.co.us/gov_dir/stateleg.html

Senate District 28



Senate District 29

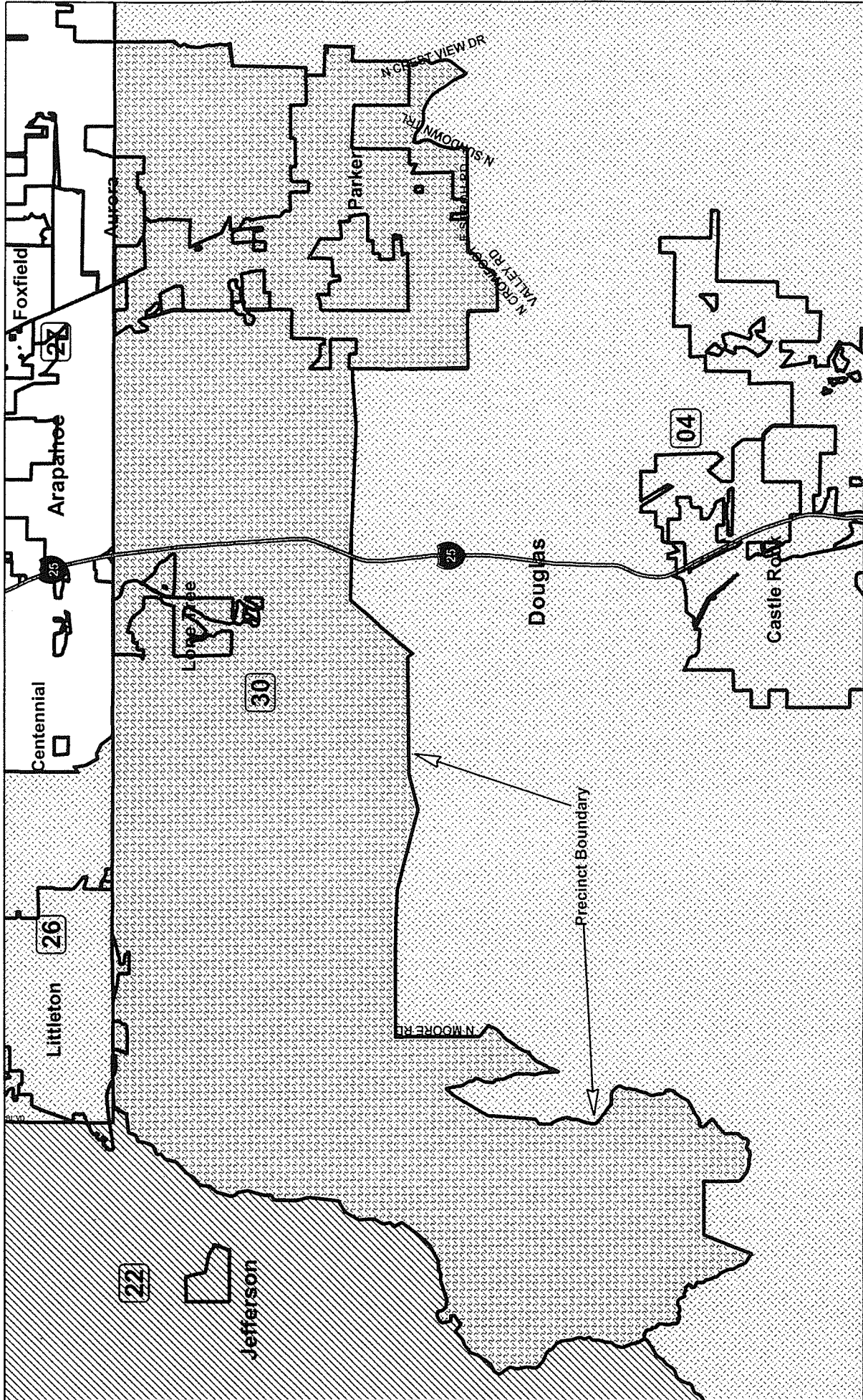


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www.state.co.us/gov_dir/stateleg.html

February 2002

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Senate District 30

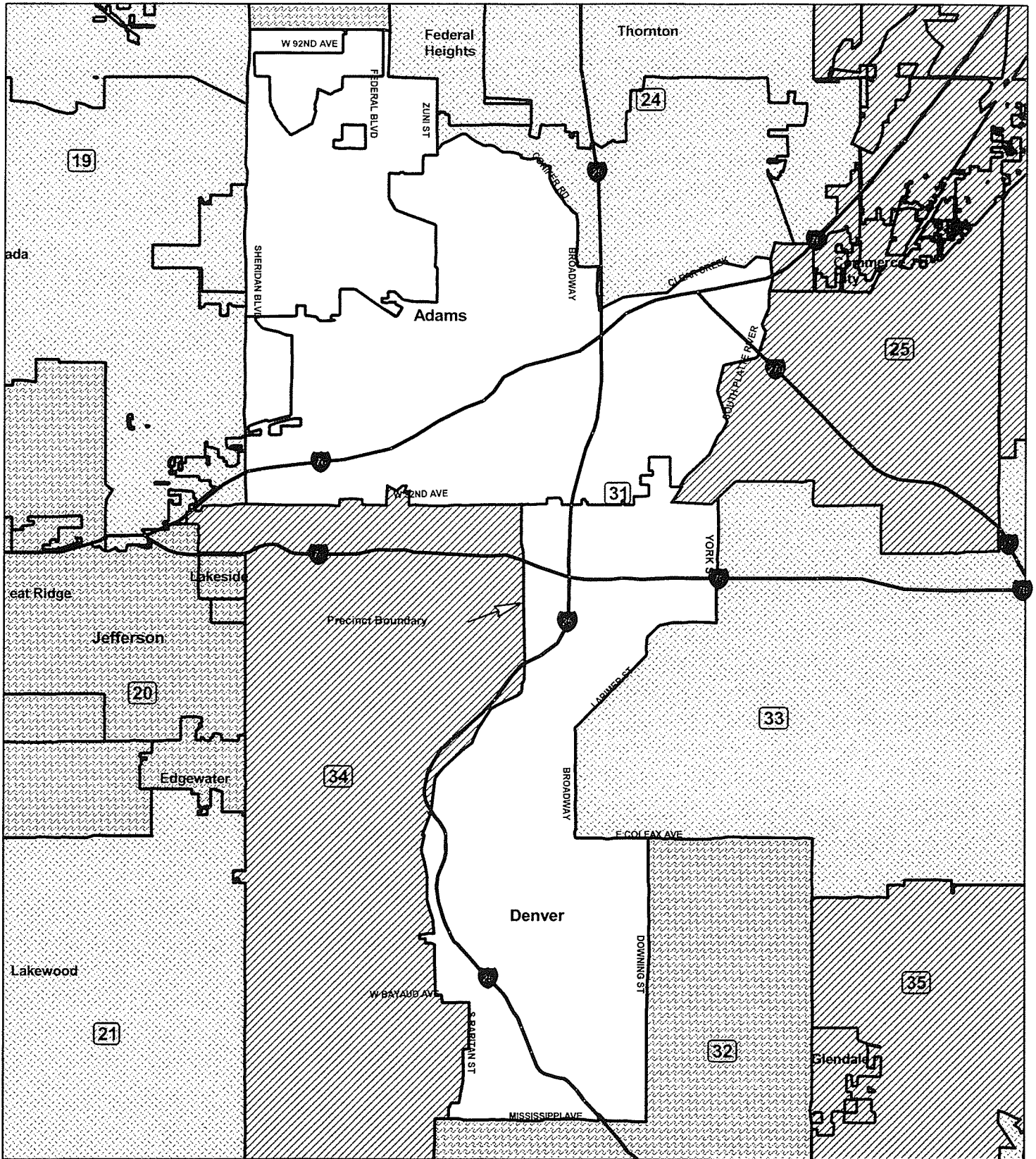


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February 2002

file path X:\Commission\Layouts\Final Districts BWMSD 30

Senate District 31

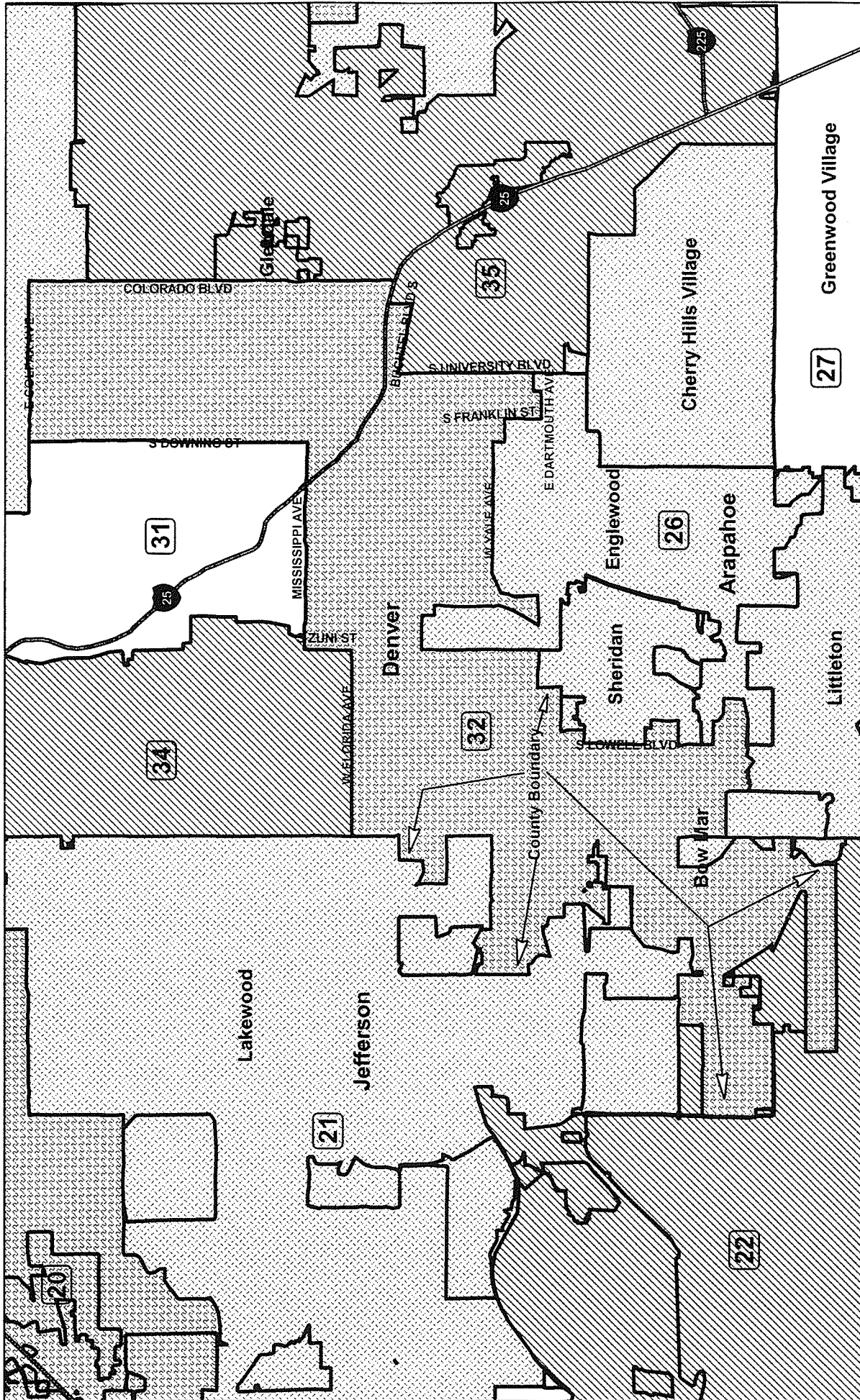


February 2002

file path X:\Commission\Layouts\Final Districts BW\SD 31

Colorado Reapportionment Commission
1600 Broadway, Suite 1020
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

Senate District 32

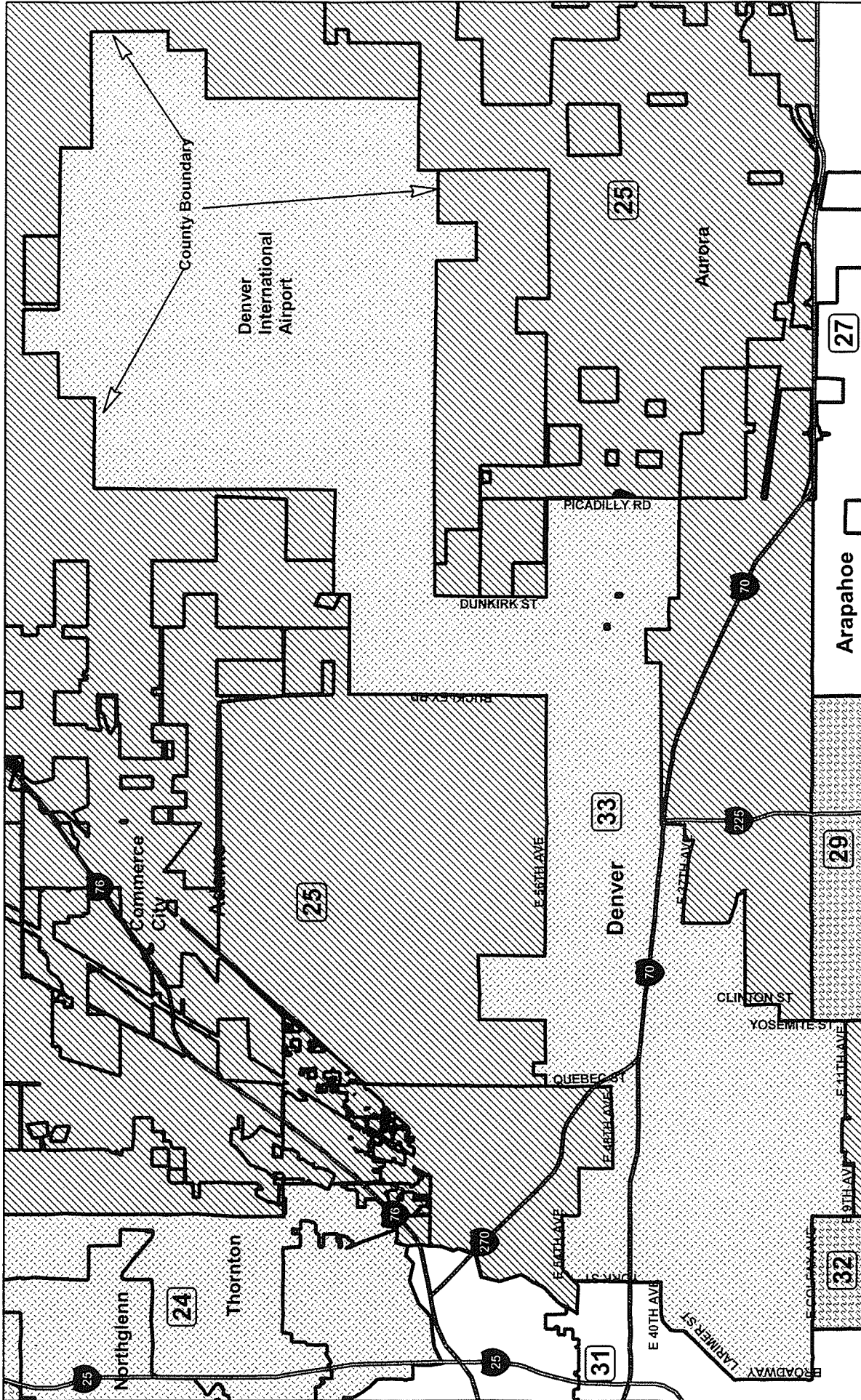


Colorado Reapportionment Commission
1600 Broadway, Suite 1020
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

February 2002

file path X:\Commission\Layouts\Final Districts BWMSD 32

Senate District 33

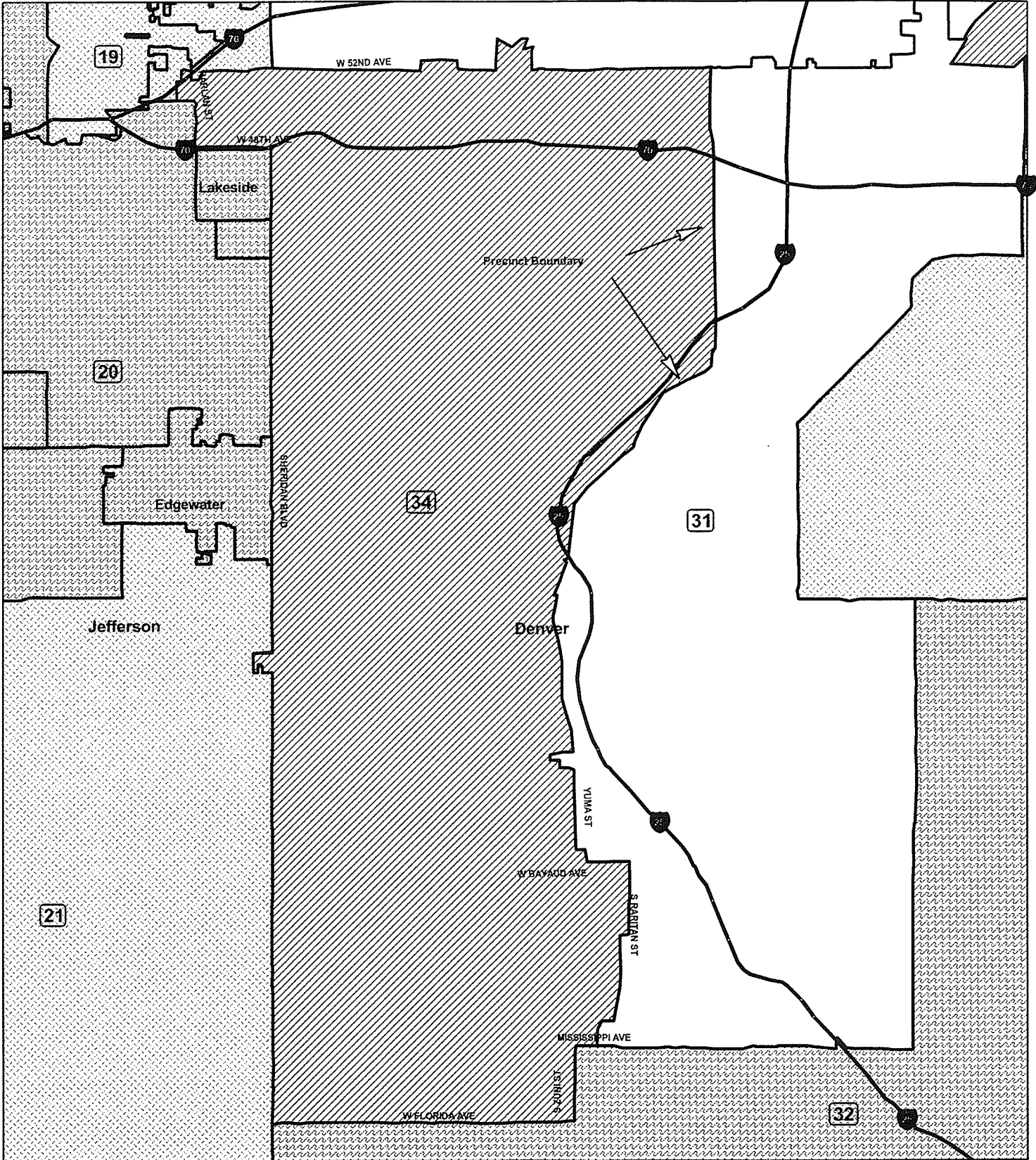


Colorado Reapportionment Commission
1600 Broadway, Suite 1020
Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

February 2002

file path X:\CommissionLayouts\Final Districts BWSD 33

Senate District 34

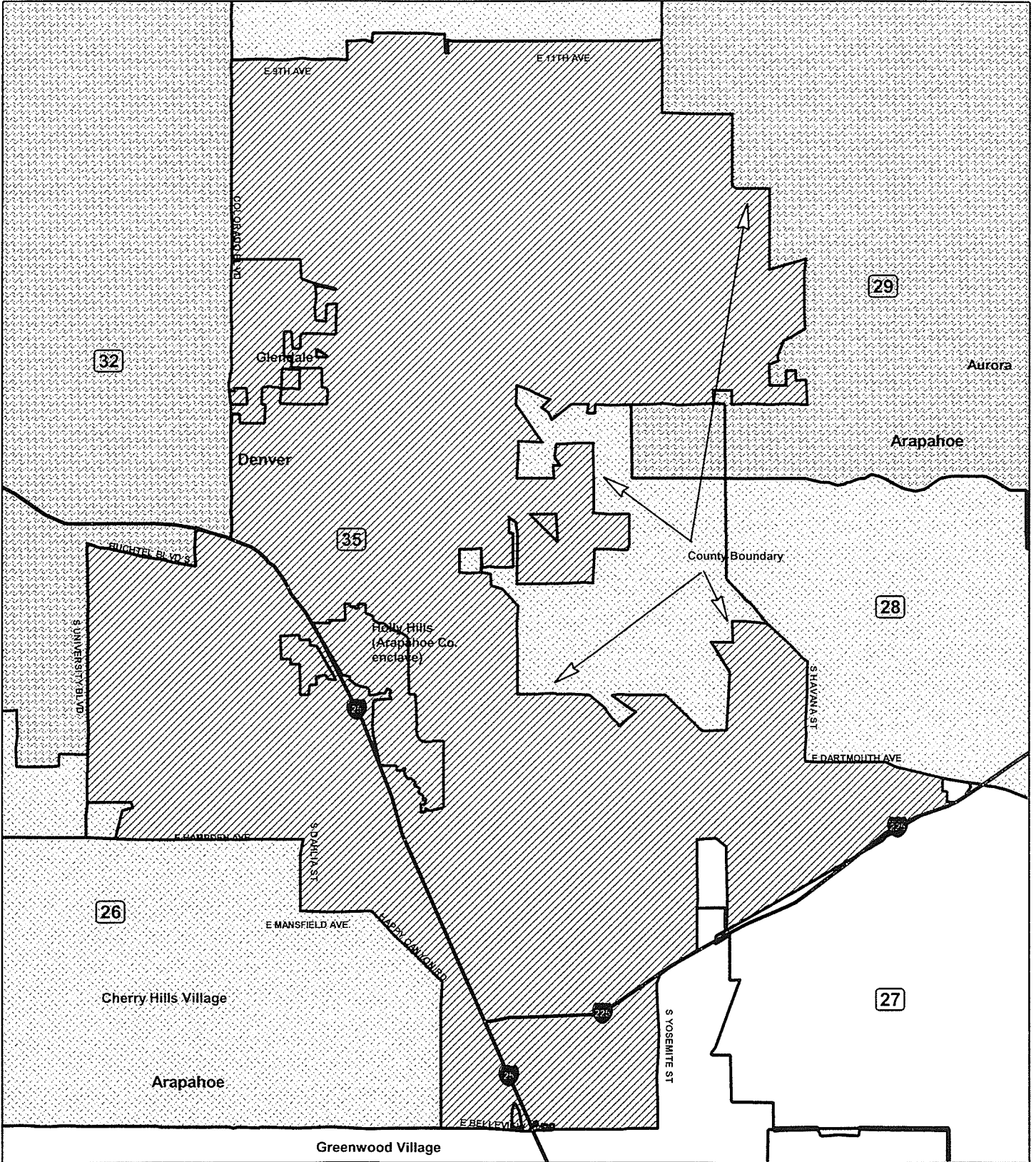


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file path X:\Commission\Layouts\Final Districts BWSD 34

Colorado Reapportionment Commission
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Senate District 35



February 2002

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Colorado Reapportionment Commission
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Denver, CO 80202
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SEQUENCING OF SENATE ELECTIONS - RESUBMITTED PLAN

The following Senate districts shall elect senators in the following years, and every four years thereafter:

<u>2002</u>	<u>2004</u>
1	4
2	8
3	10
5	12
6	14
7	17
9	18
11	19
13	21
15	23
16	25
20	26
22	27
24	28
30	29
32	31
34	33
	35

Plan: (COPY)FINAL_SENATE_PLAN
Plan Type: Senate
Administrator: Scott
User:

Population Summary Report

Monday February 11, 2002

4:34 PM

DISTRICT	POPULATION	DEVIATION	% DEVN.
01	121,975	-918	-0.75
02	125,876	2,983	2.43
03	124,657	1,764	1.44
04	120,871	-2,022	-1.65
05	119,884	-3,009	-2.45
06	123,839	946	0.77
07	120,741	-2,152	-1.75
08	121,401	-1,492	-1.21
09	125,387	2,494	2.03
10	123,787	894	0.73
11	120,879	-2,014	-1.64
12	121,667	-1,226	-1.00
13	125,880	2,987	2.43
14	125,572	2,679	2.18
15	125,922	3,029	2.46
16	119,907	-2,986	-2.43
17	122,279	-614	-0.50
18	119,901	-2,992	-2.43
19	121,949	-944	-0.77
20	120,059	-2,834	-2.31
21	120,587	-2,306	-1.88
22	120,235	-2,658	-2.16
23	125,688	2,795	2.27
24	125,873	2,980	2.42
25	125,901	3,008	2.45
26	119,835	-3,058	-2.49
27	119,868	-3,025	-2.46
28	120,286	-2,607	-2.12
29	121,154	-1,739	-1.42
30	122,994	101	0.08
31	123,195	302	0.25
32	125,610	2,717	2.21
33	125,892	2,999	2.44
34	125,845	2,952	2.40
35	125,865	2,972	2.42

Total Population: 4,301,261
Ideal District Population 122,893
Summary
Population Range: 119,835 to 125,922

Type: Senate

User:

Ratio Range:	1.05
Absolute Range:	-3.058 to 3.029
Absolute Overall Range:	6.087.00
Relative Range:	-2.49% to 2.46%
Relative Overall Range:	4.95%
Absolute Mean Deviation:	2.205.66
Relative Mean Deviation:	1.79%
Standard Deviation:	2.420.73

District Summary

Ethnic Breakdown of Districts plus Voting Age Population

Plan **FINAL_SENATE_PLAN_**
Plan **Senate**

Date: **February 11, 20**
Time: **4:35 pm**
Page: **1**

DISTRICT	POPULATION	NH_WHT	HISPANIC	NH_DOJ_BLK	NH_DOJ_IND	NH_DOJ_ASN	NH_DOJ_HVN	NH_DOJ_Other	18_POP
01	121,975	98,074	20,709	1,224	1,057	489	97	325	87,740
		80.41 %	16.98 %	1.00 %	0.9 %	0.40 %	0.08 %	0.27 %	71.93 %
02	125,876	89,554	29,002	3,592	2,382	703	80	563	96,821
		71.14 %	23.04 %	2.85 %	1.9 %	0.56 %	0.06 %	0.45 %	76.92 %
03	124,657	69,317	49,656	2,525	1,279	972	74	834	92,513
		55.61 %	39.83 %	2.03 %	1.0 %	0.78 %	0.06 %	0.67 %	74.21 %
04	120,871	109,487	7,421	819	1,252	1,366	89	437	86,903
		90.58 %	6.14 %	0.68 %	1.0 %	1.13 %	0.07 %	0.36 %	71.90 %
05	119,884	88,535	27,738	753	1,545	756	61	496	91,839
		73.85 %	23.14 %	0.63 %	1.3 %	0.63 %	0.05 %	0.41 %	76.61 %
06	123,839	101,791	14,163	391	6,100	636	100	658	93,345
		82.20 %	11.44 %	0.32 %	4.9 %	0.51 %	0.08 %	0.53 %	75.38 %
07	120,741	104,998	12,115	644	1,548	821	160	455	90,486
		86.96 %	10.03 %	0.53 %	1.3 %	0.68 %	0.13 %	0.38 %	74.94 %
08	121,401	99,739	18,798	364	1,079	841	104	476	90,227
		82.16 %	15.48 %	0.30 %	0.9 %	0.69 %	0.09 %	0.39 %	74.73 %
09	125,387	104,547	9,293	4,474	1,227	4,658	205	983	89,799
		83.38 %	7.41 %	3.57 %	1.0 %	3.71 %	0.16 %	0.78 %	71.62 %
10	123,787	97,717	12,322	7,146	1,524	3,496	266	1,316	88,767
		78.94 %	9.95 %	5.77 %	1.2 %	2.82 %	0.21 %	1.06 %	71.71 %
11	120,879	76,604	22,925	13,973	1,794	3,357	446	1,780	90,730
		63.37 %	18.97 %	11.56 %	1.5 %	2.78 %	0.37 %	1.47 %	75.06 %
12	121,667	91,698	12,926	9,568	1,588	4,023	552	1,312	87,677
		75.37 %	10.62 %	7.86 %	1.3 %	3.31 %	0.45 %	1.08 %	72.06 %
13	125,880	88,508	33,286	836	1,022	1,464	168	596	91,570
		70.31 %	26.44 %	0.66 %	0.8 %	1.16 %	0.13 %	0.47 %	72.74 %
14	125,572	107,534	10,959	1,433	1,106	3,570	169	801	98,219
		85.64 %	8.73 %	1.14 %	0.9 %	2.84 %	0.13 %	0.64 %	78.22 %

District Summary

Ethnic Breakdown of Districts plus Voting Age Population

Date: February 11, 2011
 Time: 4:35 pm
 Page: 1

Plan FINAL_SENATE_PLAN_Senate

DISTRICT	POPULATION	NH_WHI	HISPANIC	NH_DOJ_BLK	NH_DOJ_IND	NH_DOJ_ASSN	NH_DOJ_HWN	NH_DOJ_OTHER	18_POP
15	125,922	112,625 89.44 %	9,852 7.82 %	553 0.44 %	1,302 1.0 %	1,135 0.90 %	88 0.07 %	367 0.29 %	93,520 74.27 %
16	119,907	110,046 91.78 %	5,692 4.75 %	631 0.53 %	908 0.8 %	1,958 1.63 %	87 0.07 %	585 0.49 %	92,649 77.27 %
17	122,270	97,242 79.52 %	19,047 15.58 %	953 0.78 %	1,065 0.9 %	3,331 2.72 %	108 0.09 %	533 0.44 %	88,062 72.02 %
18	119,901	102,778 85.72 %	8,806 7.34 %	1,512 1.26 %	841 0.7 %	5,040 4.20 %	101 0.08 %	823 0.69 %	90,757 83.20 %
19	121,949	103,519 84.89 %	11,505 9.43 %	1,064 0.87 %	978 0.8 %	4,216 3.46 %	80 0.07 %	587 0.48 %	88,878 72.88 %
20	120,059	99,791 83.12 %	13,930 11.60 %	1,314 1.09 %	1,469 1.2 %	2,635 2.19 %	131 0.11 %	789 0.66 %	93,277 77.69 %
21	120,587	94,307 78.21 %	18,292 15.17 %	1,852 1.54 %	1,437 1.2 %	3,855 3.20 %	122 0.10 %	722 0.60 %	93,241 77.32 %
22	120,235	108,280 90.06 %	7,183 5.97 %	857 0.71 %	860 0.7 %	2,513 2.09 %	114 0.09 %	428 0.36 %	85,236 70.89 %
23	125,688	96,561 76.83 %	22,517 17.91 %	1,023 0.81 %	1,120 0.9 %	3,715 2.96 %	78 0.06 %	674 0.54 %	89,775 71.43 %
24	125,873	87,158 69.24 %	30,159 23.96 %	2,074 1.65 %	1,505 1.2 %	3,956 3.14 %	171 0.14 %	850 0.68 %	90,453 71.86 %
25	125,901	68,322 54.27 %	44,916 35.68 %	7,751 6.16 %	1,484 1.2 %	2,441 1.94 %	184 0.15 %	803 0.64 %	87,478 69.48 %
26	119,835	102,664 85.67 %	11,180 9.33 %	1,568 1.31 %	1,256 1.0 %	2,550 2.13 %	116 0.10 %	501 0.42 %	91,325 76.21 %
27	119,868	101,584 84.75 %	6,627 5.53 %	4,209 3.51 %	724 0.6 %	5,782 4.82 %	139 0.12 %	803 0.67 %	82,960 69.21 %
28	120,286	89,223 74.18 %	11,049 9.19 %	10,823 9.00 %	972 0.8 %	6,739 5.60 %	188 0.16 %	1,292 1.07 %	89,078 74.06 %

Senate - 42

District Summary

Ethnic Breakdown of Districts plus Voting Age Population

Plan	FINAL_SENATE_PLAN_	Ethnic Breakdown of Districts plus Voting Age Population										Date:
Plan	Senate	DISTRICT	POPULATION	NH_WHT	HISPANIC	NH_DOJ_BLK	NH_DOJ_IND	NH_DOJ_ASN	NH_DOJ_HWN	NH_DOJ_Other	18_POP	February 11, 20
												4:35 pm
												Page: 3
		29	121,154	62,875	27,394	21,584	1,117	5,903	303	1,978	88,574	
				51.90 %	22.61 %	17.82 %	0.9 %	4.87 %	0.25 %	1.63 %	73.11 %	
		30	122,994	108,794	6,569	1,649	655	4,586	111	630	82,912	
				88.45 %	5.34 %	1.34 %	0.5 %	3.73 %	0.09 %	0.51 %	67.41 %	
		31	123,195	72,200	39,670	3,244	1,488	5,237	148	1,208	97,852	
				58.61 %	32.20 %	2.63 %	1.2 %	4.25 %	0.12 %	0.98 %	79.43 %	
		32	125,610	87,972	27,836	2,948	1,270	4,583	107	894	101,871	
				70.04 %	22.16 %	2.35 %	1.0 %	3.65 %	0.08 %	0.71 %	81.10 %	
		33	125,892	36,251	39,057	44,811	1,056	2,589	170	1,958	91,063	
				28.80 %	31.02 %	35.59 %	0.8 %	2.06 %	0.14 %	1.56 %	72.33 %	
		34	125,845	39,452	78,681	2,312	1,562	2,837	97	904	90,268	
				31.35 %	62.52 %	1.84 %	1.2 %	2.25 %	0.08 %	0.72 %	71.73 %	
		35	125,865	93,133	14,326	9,985	863	5,559	177	1,822	105,101	
				73.99 %	11.38 %	7.93 %	0.7 %	4.42 %	0.14 %	1.45 %	83.50 %	
			4,301,261	3,202,880	735,601	170,459	48,435	108,312	5,391	30,183	3,200,466	

Plan Name: (COPY)FINAL SENATE PLAN
 Plan Type: Senate
 Date: 2/11/2002
 Time: 4:45:35PM
 Administrator: Scott

Measures of Compactness

2/11/2002

DISTRICT	Roeck	Schwartzberg	Perimeter	Ehrenburg
01	0.44	1.53	791.48	
02	0.35	1.65	795.63	
03	0.48	1.33	139.38	
04	0.43	1.83	468.32	
05	0.42	1.51	751.87	
06	0.44	1.42	532.89	
07	0.38	1.41	310.84	
08	0.58	1.36	663.69	
09	0.63	1.33	53.98	
10	0.65	1.31	175.61	
11	0.28	2.56	64.14	
12	0.31	2.17	163.26	
13	0.53	1.39	289.22	
14	0.55	2.07	63.25	
15	0.52	1.50	290.53	
16	0.52	1.60	406.53	
17	0.30	1.80	66.22	
18	0.28	2.07	88.73	
19	0.54	1.70	39.54	
20	0.47	1.71	45.57	
21	0.52	1.83	41.71	
22	0.31	1.61	126.96	
23	0.46	1.71	160.48	
24	0.33	1.55	37.08	
25	0.30	1.88	228.40	
26	0.56	1.88	42.37	
27	0.20	1.77	170.27	
28	0.33	1.97	33.15	
29	0.39	1.55	25.35	
30	0.27	1.79	77.59	
31	0.26	1.95	38.94	
32	0.22	2.91	53.85	
33	0.18	2.25	76.28	
34	0.37	1.53	22.69	
35	0.48	2.21	39.25	
Sum	N/A	N/A	7,375.05	
Min	0.18	1.31	N/A	
Max	0.65	2.91	N/A	
Mean	0.41	1.76	N/A	
Std. Dev.	0.13	0.36	N/A	

Plan: (COPY)FINAL SENATE PLAN
Plan Type: Senate
Administrator: Scott
User:

Plan Components Report

Monday, February 11, 2002

5:06 PM

	Population
District 01	
Cheyenne County	2,231
Elbert County	19,872
Kiowa County	1,622
Kit Carson County	8,011
Lincoln County	6,087
Logan County	20,504
Morgan County	27,171
Phillips County	4,480
Prowers County	14,483
Sedgwick County	2,747
Washington County	4,926
Yuma County	9,841
District 01 Subtotal	121,975
District 02	
Baca County	4,517
Bent County	5,998
Crowley County	5,518
Custer County	3,503
Fremont County	46,145
Huerfano County	7,862
Las Animas County	15,207
Otero County	20,311
Pueblo County (part)	16,815
District 02 Subtotal	125,876
District 03	
Pueblo County (part)	124,657
District 03 Subtotal	124,657
District 04	
Douglas County (part)	52,772
El Paso County (part)	25,209
Lake County	7,812
Park County	14,523

District 04 (continued)

Teller County	20,555
District 04 Subtotal	120,871

District 05

Alamosa County	14,966
Chaffee County	16,242
Conejos County	8,400
Costilla County	3,663
Delta County	27,834
Gunnison County	13,956
Hinsdale County	790
Mineral County	831
Pitkin County	14,872
Rio Grande County	12,413
Saguache County	5,917
District 05 Subtotal	119,884

District 06

Archuleta County	9,898
Dolores County	1,844
La Plata County	43,941
Montezuma County	23,830
Montrose County	33,432
Ouray County	3,742
San Juan County	558
San Miguel County	6,594
District 06 Subtotal	123,839

District 07

Garfield County (part)	4,486
Mesa County	116,255
District 07 Subtotal	120,741

District 08

Eagle County	41,659
Garfield County (part)	39,305
Jackson County	1,577
Moffat County	13,184
Rio Blanco County	5,986
Routt County	19,690
District 08 Subtotal	121,401

District 09

Plan: (COPY)FINAL SENATE PLAN
Type: Senate

Administrator: Scott
User:
Population

District 09 (continued)

El Paso County (part) 125,387
District 09 Subtotal 125,387

District 10

El Paso County (part) 123,787
District 10 Subtotal 123,787

District 11

El Paso County (part) 120,879
District 11 Subtotal 120,879

District 12

El Paso County (part) 121,667
District 12 Subtotal 121,667

District 13

Weld County (part) 125,880
District 13 Subtotal 125,880

District 14

Larimer County (part) 125,572
District 14 Subtotal 125,572

District 15

Larimer County (part) 125,922
District 15 Subtotal 125,922

District 16

Boulder County (part) 27,583
Clear Creek County 9,322
Gilpin County 4,757
Grand County 12,442
Jefferson County (part) 42,255
Summit County 23,548
District 16 Subtotal 119,907

District 17

Boulder County (part) 122,279
District 17 Subtotal 122,279

District 18

Boulder County (part) 119,901
District 18 Subtotal 119,901

District 19

Jefferson County (part) 121,949
District 19 Subtotal 121,949

District 20

Jefferson County (part) 120,059
District 20 Subtotal 120,059

District 21

Jefferson County (part) 120,587
District 21 Subtotal 120,587

District 22

Jefferson County (part)

120,235

District 22 Subtotal

120,235

District 23

Adams County (part)

47,380

Boulder County (part)

21,525

Jefferson County (part)

1,727

Weld County (part)

55,056

District 23 Subtotal

125,688

District 24

Adams County (part)

125,873

District 24 Subtotal

125,873

District 25

Adams County (part)

125,901

District 25 Subtotal

125,901

District 26

Arapahoe County (part)

119,595

Jefferson County (part)

240

District 26 Subtotal

119,835

District 27

Arapahoe County (part)

119,868

District 27 Subtotal

119,868

District 28

Arapahoe County (part)

120,286

Denver County (part)

0

District 28 Subtotal

120,286

District 29

Arapahoe County (part)

121,154

District 29 Subtotal

121,154

District 30

Douglas County (part)

122,994

District 30 Subtotal

122,994

District 31

Adams County (part)

64,703

Denver County (part)

58,492

District 31 Subtotal

123,195

District 32

Denver County (part)

125,606

Jefferson County (part)

4

District 32 Subtotal

125,610

District 33

Adams County (part)

0

Denver County (part)

125,892

Plan: (COPY)FINAL_SENATE_PLAN
Type: Senate

Administrator: Scott
User:

	<u>Population</u>
District 33 Subtotal	125,892
District 34	
Denver County (part)	125,845
District 34 Subtotal	125,845
District 35	
Arapahoe County (part)	7,064
Denver County (part)	118,801
District 35 Subtotal	125,865
State totals	4,301,261

Plan Name: (COPY)FINAL SENATE PLAN
Plan Type: Senate
Administrator: Scott

Political Subdivisions Split Between Districts

Monday February 11, 2002

4:39 PM

Number of subdivisions not split:

County 52

Number of subdivisions split into more than one district:

County 11

County

Cases where a County is split among 2 Districts: 5

Cases where a County is split among 4 Districts: 1

Cases where a County is split among 5 Districts: 3

Cases where a County is split among 6 Districts: 1

Cases where a County is split among 8 Districts: 1

Number of times a County has been split into more than one district: 32

Total of County splits: 43

County	District
<i>Split Counties :</i>	
Adams	23
Adams	24
Adams	25
Adams	31
Adams	33
Arapahoe	26
Arapahoe	27
Arapahoe	28
Arapahoe	29
Arapahoe	35
Boulder	16
Boulder	17
Boulder	18
Boulder	23
Denver	28
Denver	31
Denver	32
Denver	33
Denver	34
Denver	35
Douglas	04
Douglas	30
El Paso	04
El Paso	09
El Paso	10
El Paso	11
El Paso	12
Garfield	07
Garfield	08

County	District
<i>Split Counties (continued)</i>	
Jefferson	16
Jefferson	19
Jefferson	20
Jefferson	21
Jefferson	22
Jefferson	23
Jefferson	26
Jefferson	32
Larimer	14
Larimer	15
Pueblo	02
Pueblo	03
Weld	13
Weld	23

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd
FINAL_SENATE_PLAN_

Date: February 11, 20
Time: 4:35 pm
Page: 1

Plan	Senate	00UNAFF	REG LRG R	REG LRG D	BDED LRG R	BDED LRG D	REG LRG R9	REG LRG D9
01	34.84 %	22.135.0	28.384.0	11.201.0	27.504.9	16.105.0	24.188.0	10.665.0
	46.70 %	29.67 %	71.70 %	28.30 %	63.07 %	36.93 %	69.40 %	30.60 %
02	27.864.5	21.905.0	23.305.8	17.361.6	21.984.3	22.341.4	19.341.4	14.978.0
	34.36 %	27.01 %	57.31 %	42.69 %	49.60 %	50.40 %	56.36 %	43.64 %
03	18.267.5	22.007.0	16.907.3	24.772.4	15.722.7	28.531.6	15.099.6	19.789.0
	22.67 %	27.31 %	40.56 %	59.44 %	35.53 %	64.47 %	43.28 %	56.72 %
04	44.140.9	29.282.9	35.820.5	13.415.5	35.383.6	18.469.4	24.988.3	8.785.4
	48.70 %	32.31 %	72.75 %	27.25 %	65.70 %	34.30 %	73.99 %	26.01 %
05	30.801.0	28.525.0	23.643.9	18.134.0	23.707.0	23.947.0	19.804.1	15.400.0
	35.03 %	32.44 %	56.59 %	43.41 %	49.75 %	50.25 %	56.26 %	43.74 %
06	36.734.0	32.795.0	27.218.0	15.071.0	28.996.0	20.597.0	18.800.0	9.881.0
	39.04 %	34.86 %	64.36 %	35.64 %	58.47 %	41.53 %	65.55 %	34.48 %
07	34.266.7	25.958.1	28.841.6	14.335.8	27.078.9	20.666.1	23.303.1	12.042.4
	42.38 %	32.10 %	66.80 %	33.20 %	56.72 %	43.28 %	65.93 %	34.07 %
08	30.584.4	31.722.0	22.470.5	14.553.2	21.851.2	20.064.0	16.420.0	9.613.6
	37.03 %	38.41 %	60.69 %	39.31 %	52.13 %	47.87 %	63.07 %	36.93 %
09	41.243.1	24.444.9	32.368.2	10.735.8	31.063.3	15.617.4	25.371.0	7.569.7
	51.67 %	30.62 %	75.09 %	24.91 %	66.54 %	33.46 %	77.02 %	22.98 %
10	36.354.5	24.655.3	29.823.3	10.855.8	28.777.6	15.460.3	23.048.4	7.837.2
	47.45 %	32.18 %	73.31 %	26.69 %	65.05 %	34.95 %	74.63 %	25.37 %
11	23.053.3	23.810.8	17.555.5	14.251.5	16.661.7	18.160.9	13.683.2	9.642.3
	34.70 %	35.84 %	55.19 %	44.81 %	47.85 %	52.15 %	58.66 %	41.34 %
12	31.675.3	22.915.4	25.855.5	12.032.3	24.350.2	16.572.0	18.805.8	8.024.6
	44.98 %	32.54 %	68.24 %	31.76 %	59.50 %	40.50 %	70.09 %	29.91 %
13	29.190.9	26.741.0	23.359.9	12.679.7	21.710.8	17.799.3	17.631.7	9.556.0
	39.16 %	35.87 %	64.82 %	35.18 %	54.95 %	45.05 %	64.85 %	35.15 %
14	31.113.5	32.599.8	25.361.1	18.399.8	24.934.3	24.058.5	19.346.3	13.016.2
	35.84 %	37.56 %	57.95 %	42.05 %	50.89 %	49.11 %	59.78 %	40.22 %
15	36.977.5	28.443.2	30.422.9	17.671.2	30.070.7	23.085.5	23.095.8	10.626.9
	43.39 %	33.37 %	63.26 %	36.74 %	56.57 %	43.43 %	68.49 %	31.51 %

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd
FINAL_SENATE_PLAN_

Date: February 11, 20
Time: 4:35 pm
Page: 2

Plan	Senate	00REPS	00DEMIS	00UNAFF	REG_LRG_R	REG_LRG_D	BDED_LRG_R	BDED_LRG_D	REG_LRG_R9	REG_LRG_D9
16	34,797.6	25,489.6	37,350.7	27,814.5	21,124.6	26,036.6	27,899.9	22,159.1	14,036.2	14,036.2
	35.64 %	26.11 %	38.25 %	56.83 %	43.17 %	48.27 %	51.73 %	61.22 %	38.78 %	38.78 %
17	25,604.9	23,444.7	28,744.5	24,181.2	18,370.4	22,028.6	23,986.0	18,631.1	12,563.8	12,563.8
	32.91 %	30.14 %	36.95 %	56.83 %	43.17 %	47.87 %	52.13 %	59.72 %	40.28 %	40.28 %
18	19,262.9	35,761.9	37,477.6	20,900.9	30,309.0	14,785.9	39,456.5	18,516.9	18,193.7	18,193.7
	20.82 %	38.66 %	40.52 %	40.81 %	59.19 %	27.26 %	72.74 %	50.44 %	49.86 %	49.86 %
19	28,858.9	22,089.5	26,908.6	24,616.8	17,098.8	23,485.0	23,146.7	22,178.2	14,143.7	14,143.7
	37.07 %	28.37 %	34.56 %	59.01 %	40.99 %	50.36 %	49.64 %	61.06 %	38.94 %	38.94 %
20	25,746.5	22,696.2	25,198.8	21,450.9	18,262.9	20,574.5	23,942.1	19,251.0	14,025.0	14,025.0
	34.96 %	30.82 %	34.22 %	54.01 %	45.99 %	46.22 %	53.78 %	57.85 %	42.15 %	42.15 %
21	26,367.9	22,464.0	25,006.1	22,378.1	17,689.7	21,592.3	22,953.1	18,987.1	13,898.2	13,898.2
	35.71 %	30.42 %	33.87 %	55.85 %	44.15 %	48.47 %	51.53 %	57.90 %	42.10 %	42.10 %
22	34,971.2	19,153.7	27,640.6	30,488.7	16,779.5	29,759.1	22,442.5	24,304.1	11,526.8	11,526.8
	42.77 %	23.43 %	33.80 %	64.48 %	35.52 %	57.01 %	42.99 %	67.84 %	32.16 %	32.16 %
23	28,676.9	21,642.2	31,157.2	24,594.4	16,596.7	23,641.6	22,014.0	18,984.8	11,893.0	11,893.0
	35.20 %	26.56 %	38.24 %	59.71 %	40.29 %	51.78 %	48.22 %	61.66 %	38.34 %	38.34 %
24	21,450.0	25,489.5	28,070.5	15,273.6	15,922.7	14,991.2	20,319.5	12,512.1	12,416.7	12,416.7
	28.60 %	33.98 %	37.42 %	48.96 %	51.04 %	42.46 %	57.54 %	50.19 %	49.81 %	49.81 %
25	16,716.9	23,030.0	22,568.7	11,968.4	12,242.8	11,693.9	15,632.7	9,720.1	9,774.6	9,774.6
	26.83 %	36.96 %	36.22 %	49.43 %	50.57 %	42.79 %	57.21 %	49.88 %	50.12 %	50.12 %
26	34,386.7	20,872.5	26,232.1	25,522.3	15,418.2	24,039.5	21,251.5	22,945.4	12,478.9	12,478.9
	42.20 %	25.61 %	32.19 %	62.34 %	37.66 %	53.08 %	46.92 %	64.77 %	38.23 %	38.23 %
27	36,703.5	18,822.5	25,036.4	29,874.8	15,018.0	28,121.1	20,382.1	24,161.5	11,000.7	11,000.7
	45.56 %	23.36 %	31.08 %	66.55 %	33.45 %	57.98 %	42.02 %	68.71 %	31.29 %	31.29 %
28	27,336.9	22,176.9	26,237.6	22,218.4	16,689.4	21,114.6	21,805.6	17,069.3	12,083.8	12,083.8
	36.09 %	29.28 %	34.64 %	57.11 %	42.89 %	49.20 %	50.80 %	58.55 %	41.45 %	41.45 %
29	16,769.9	21,691.1	21,520.9	13,872.9	13,946.5	13,165.7	17,404.5	11,200.5	10,339.9	10,339.9
	27.96 %	36.16 %	35.88 %	49.87 %	50.13 %	43.07 %	56.93 %	52.00 %	48.00 %	48.00 %
30	41,127.9	15,492.6	26,361.9	32,868.0	12,540.4	32,187.5	18,002.9	21,026.3	7,282.9	7,282.9
	49.56 %	18.67 %	31.77 %	72.38 %	27.62 %	64.13 %	33.87 %	74.27 %	25.73 %	25.73 %

Senate - 53

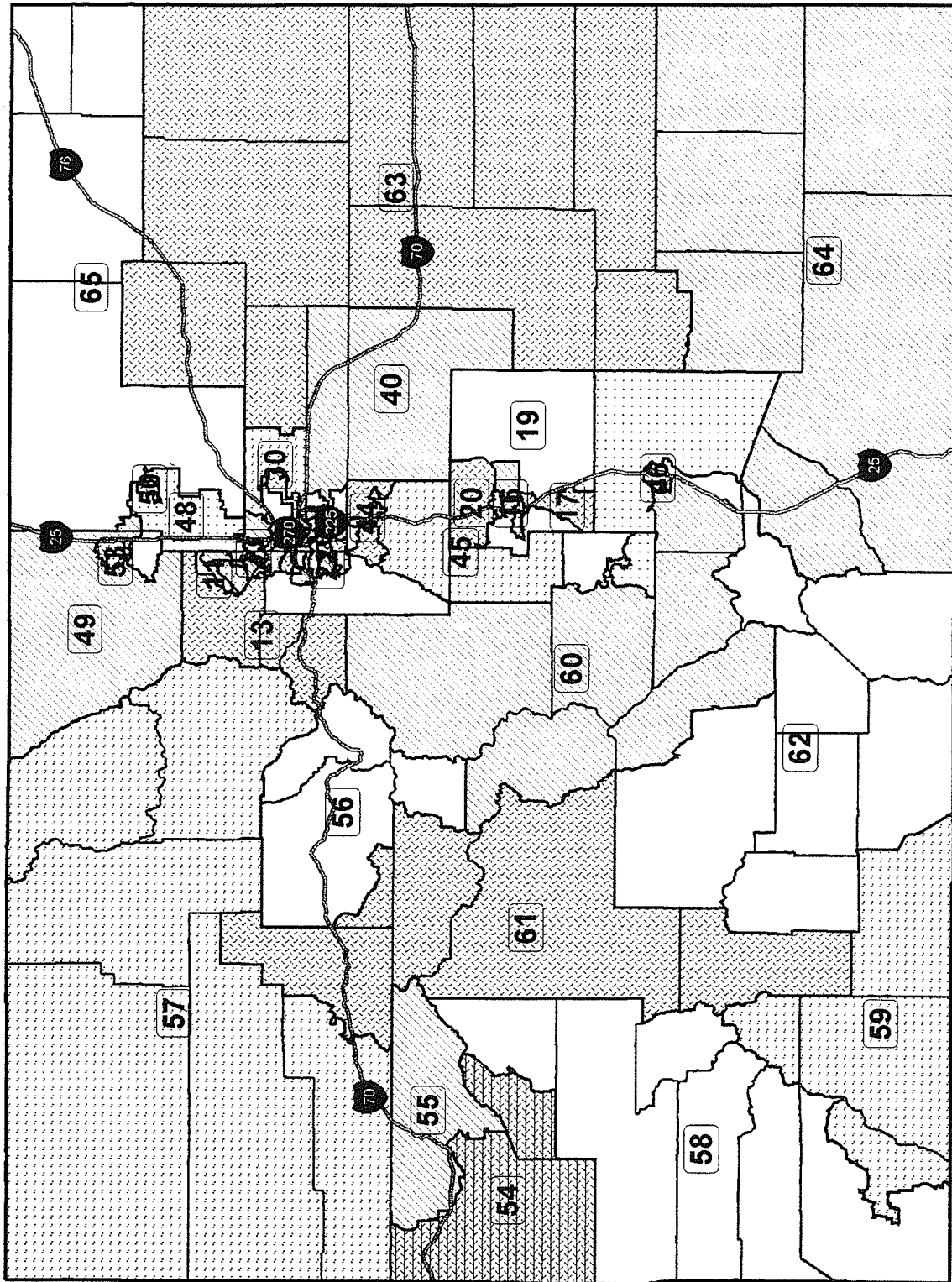
District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd
FINAL_SENATE_PLAN_

Date: February 11, 20
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Page: 3

Plan	Senate	00REPS	00DEMS	00UNAFF	REG_LRG_R	REG_LRG_D	BDED_LRG_R	BDED_LRG_D	REG_LRG_R ^g	REG_LRG_D ^g
31	16,512.3	31,464.3	28,279.4	11,850.9	18,710.0	11,257.7	23,029.5	9,281.4	15,876.2	63.11 %
	21.65 %	41.26 %	37.08 %	38.78 %	61.22 %	32.83 %	67.17 %	36.89 %	19,283.9	54.00 %
32	22,784.4	31,937.5	28,319.6	17,910.3	24,731.4	16,403.3	30,594.2	16,425.0	17,462.3	77.78 %
	27.44 %	38.46 %	34.10 %	42.00 %	58.00 %	34.90 %	65.10 %	46.00 %	14,526.4	71.51 %
33	8,750.0	37,078.5	19,786.3	8,337.8	20,390.0	7,733.8	23,544.3	4,089.6	22,222.2	77.78 %
	13.34 %	56.51 %	30.16 %	29.02 %	70.98 %	24.73 %	75.27 %	22.22 %	18,882.8	57.87 %
34	8,595.8	28,974.9	16,869.1	7,517.3	16,090.8	7,143.1	18,882.8	5,787.5	28,449.9	71.51 %
	15.79 %	53.22 %	30.99 %	31.84 %	68.16 %	27.45 %	72.55 %	28.49 %	17,821.0	49.10 %
35	27,139.0	31,424.0	28,538.2	20,614.0	25,098.6	18,889.1	31,356.1	18,471.6	50.90 %	
	31.16 %	36.08 %	32.76 %	45.09 %	54.91 %	37.59 %	62.41 %	50.90 %		
	989,667.99	828,407.99	935,245.02	805,562.00	588,500.77	768,440.99	769,521.00	630,538.05	437,869.13	

HOUSE FINAL PLAN - Statewide

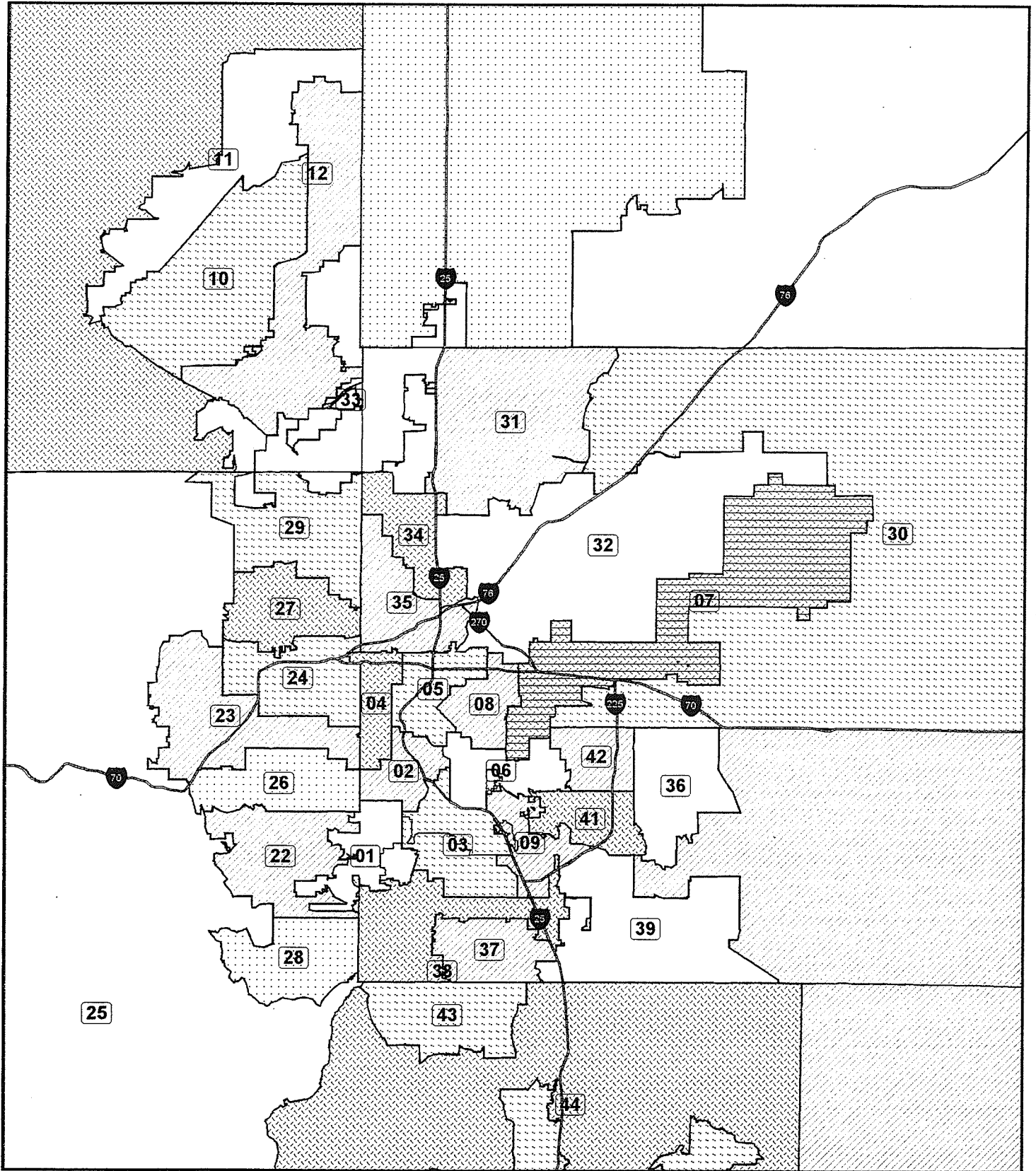


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February 2002

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HOUSE FINAL PLAN - Metro Area

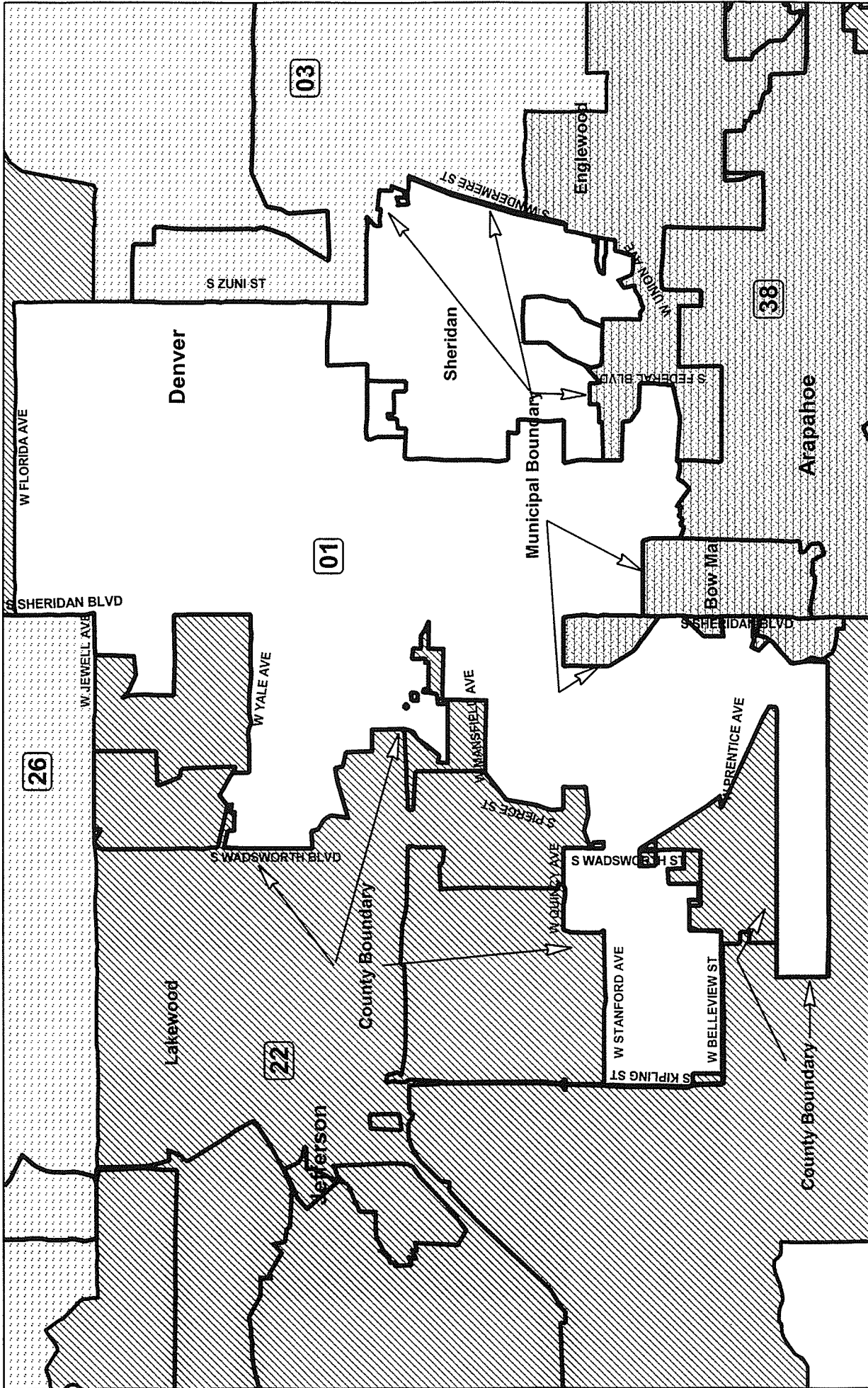


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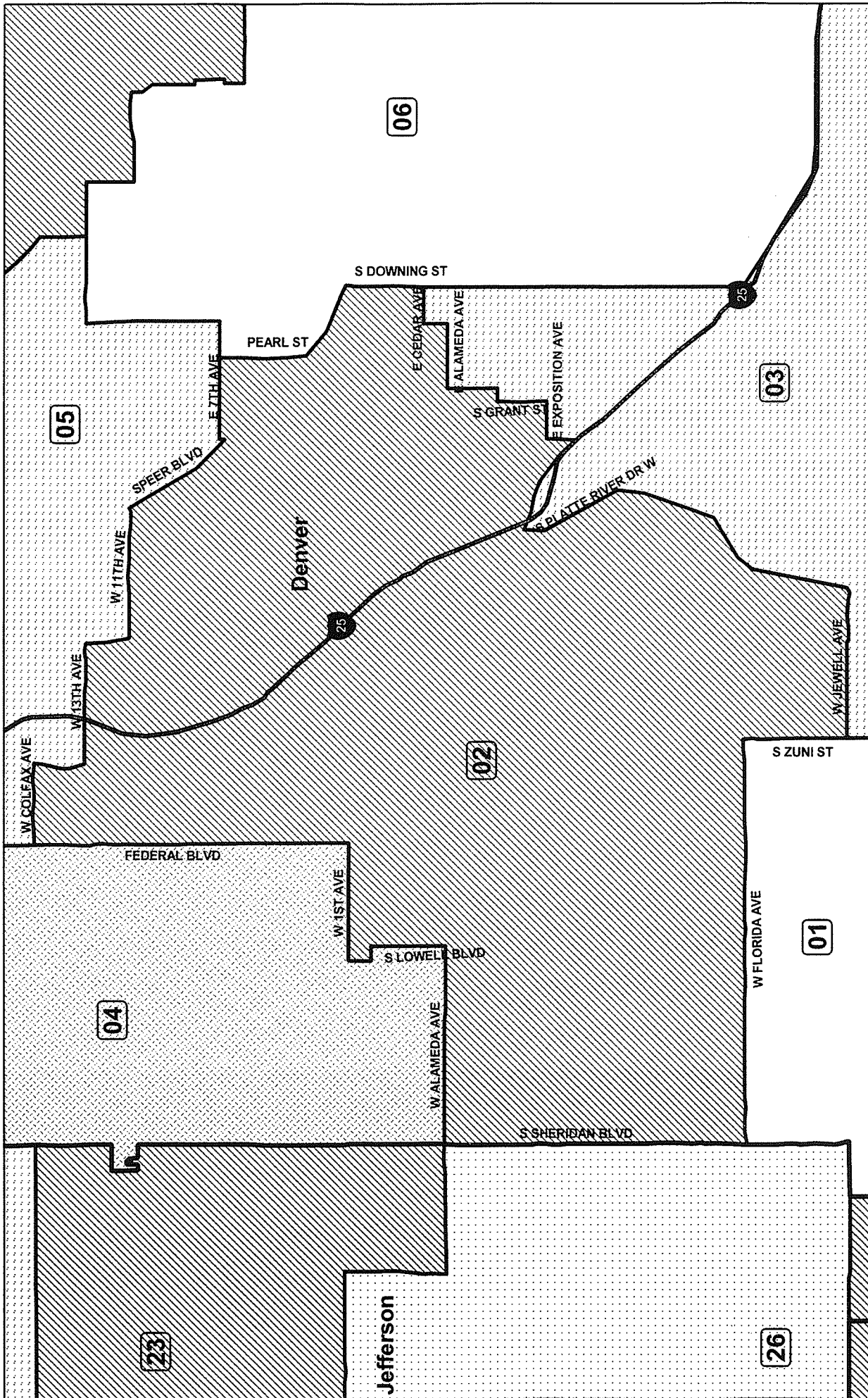
House District 1



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House District 2

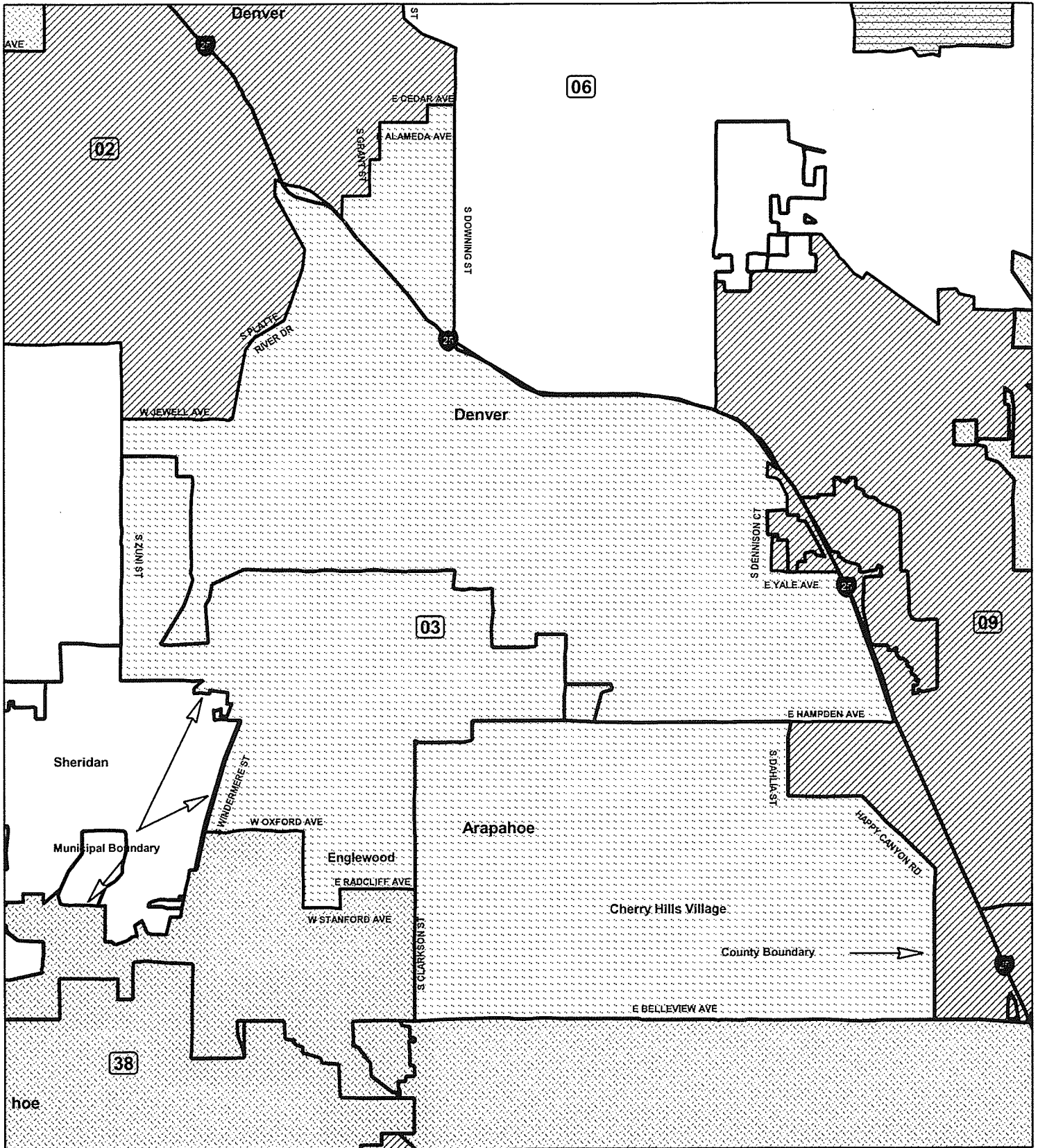


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February 2002

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House District 3

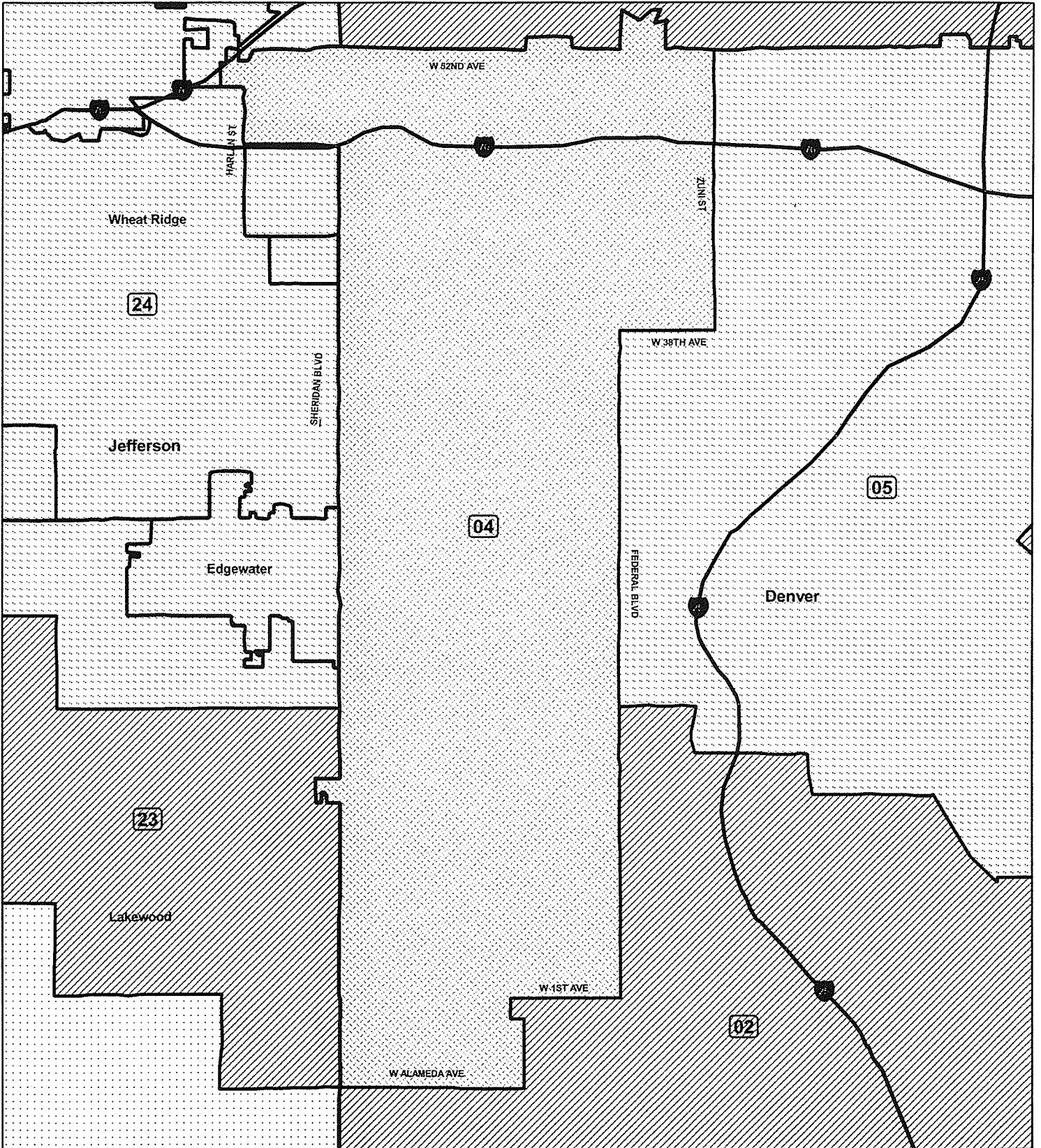


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House District 4

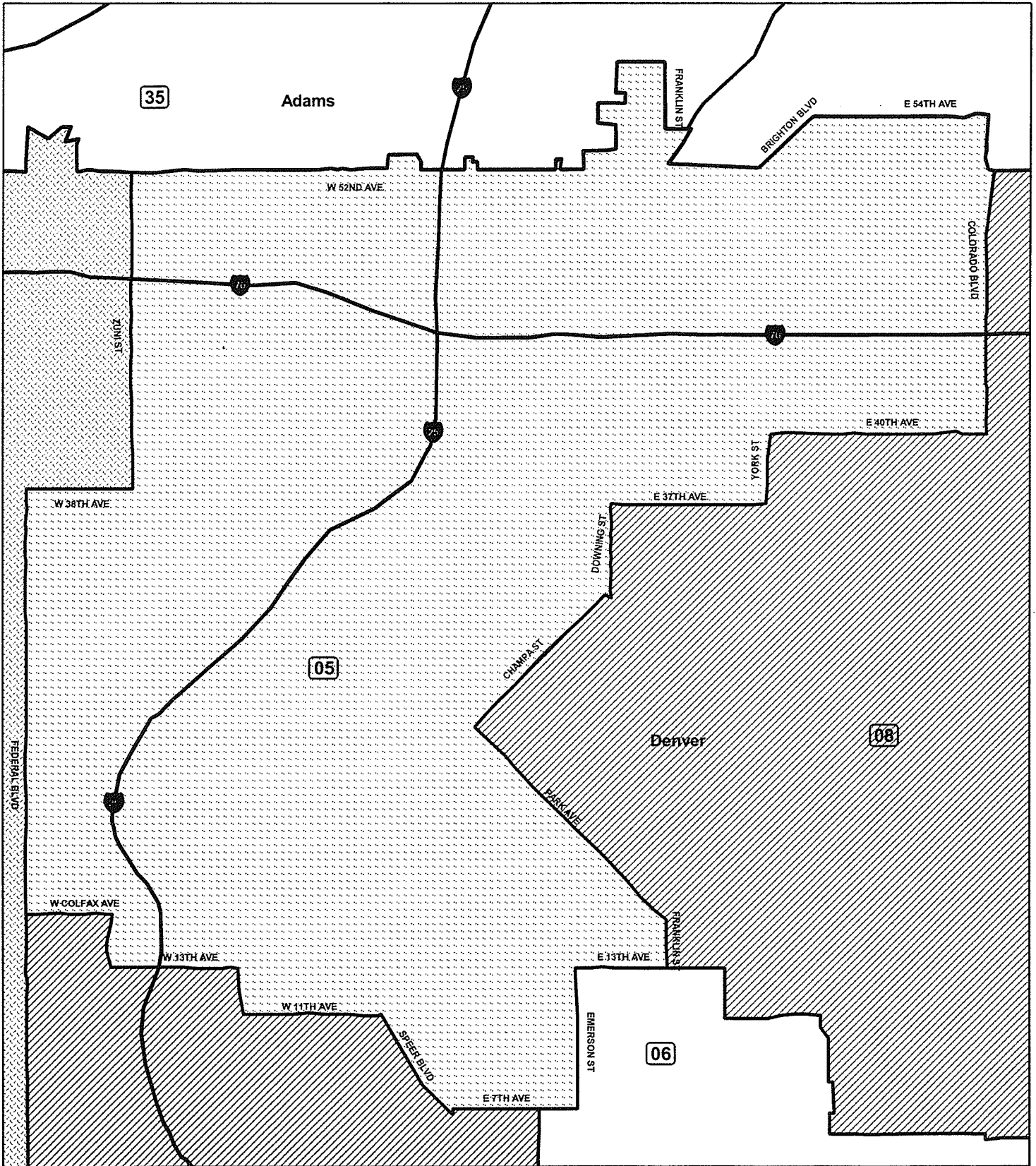


February 2002

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House District 5

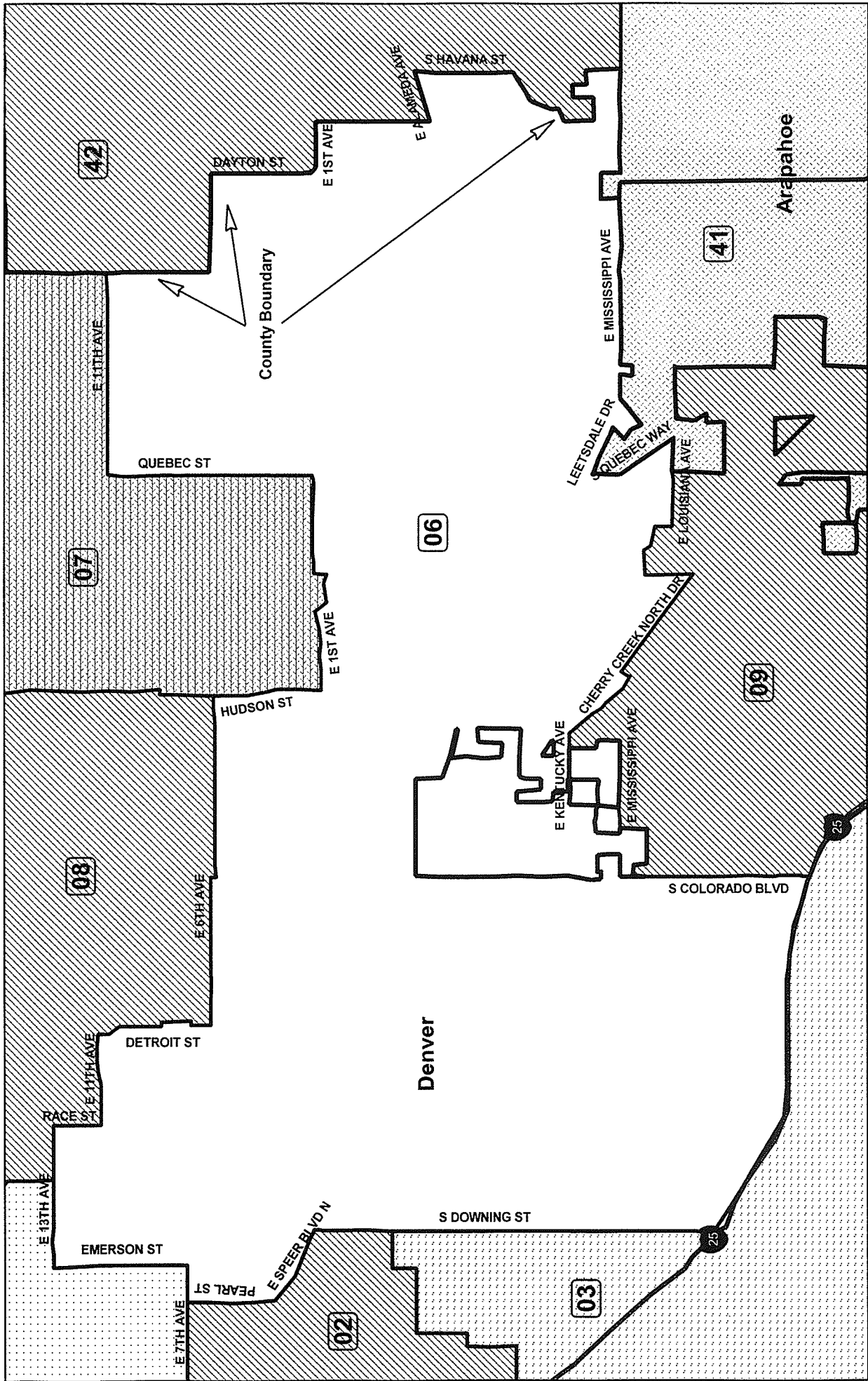


February 2002

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House District 6

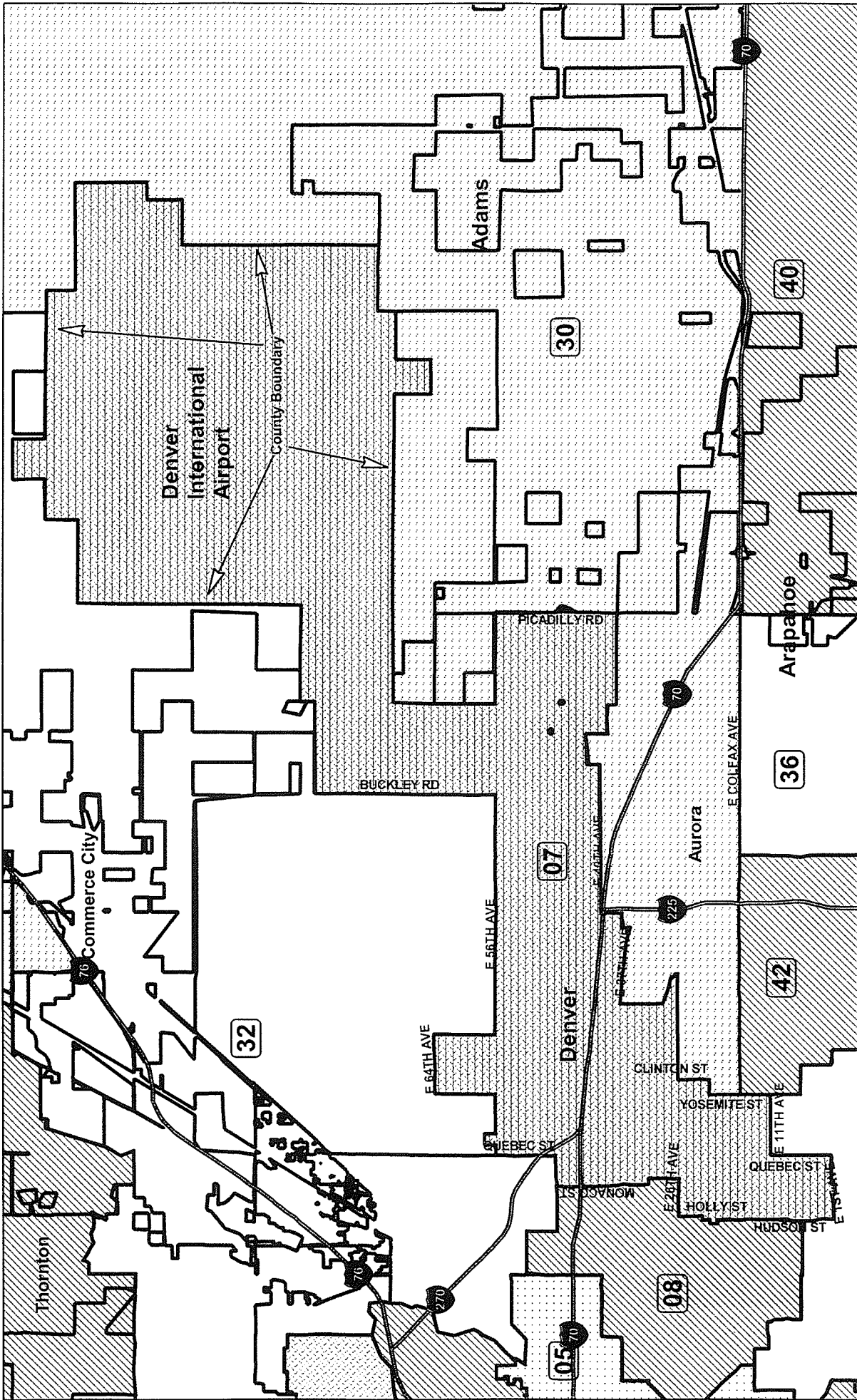


February 2002

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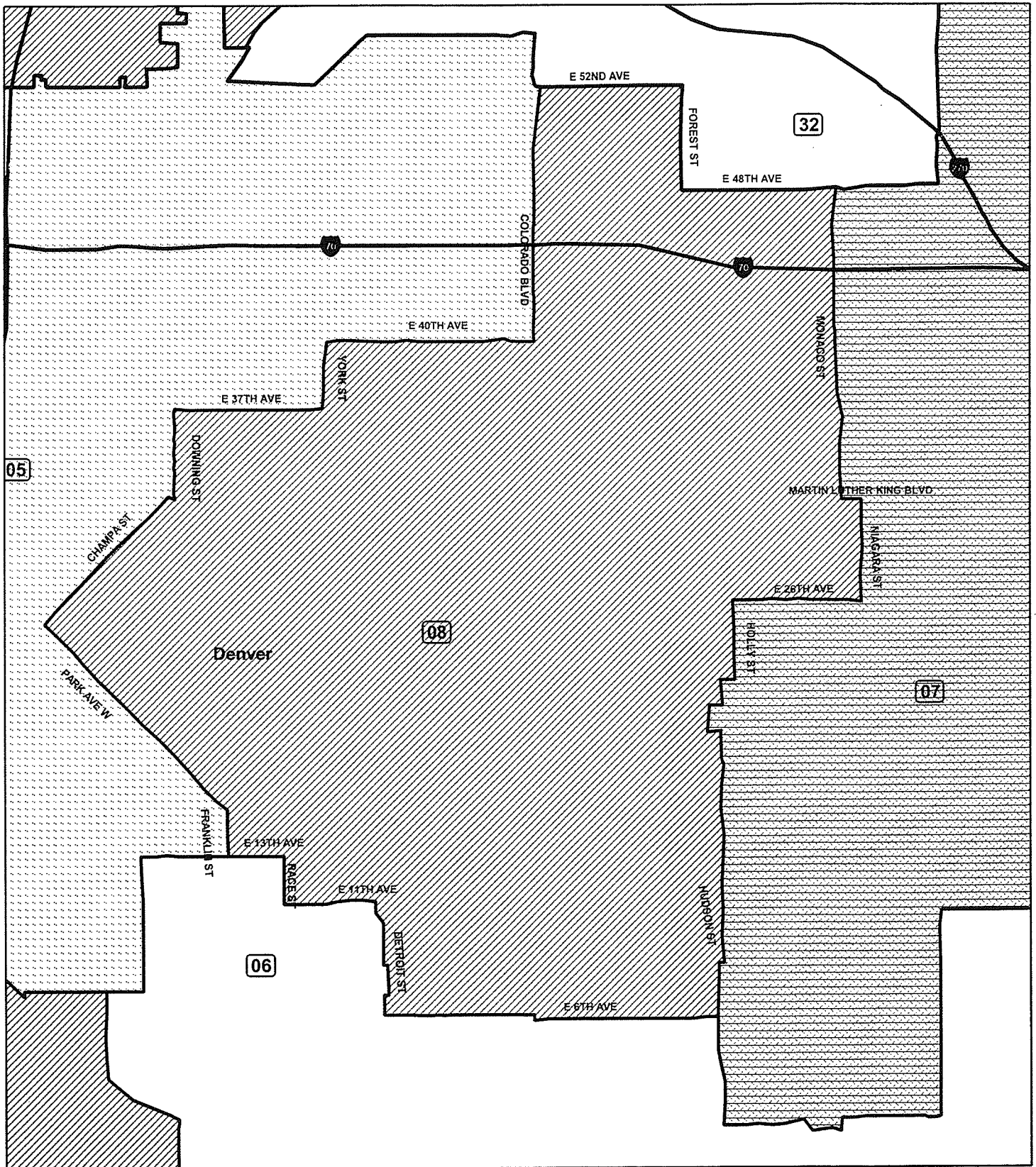
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House District 7



Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

House District 8

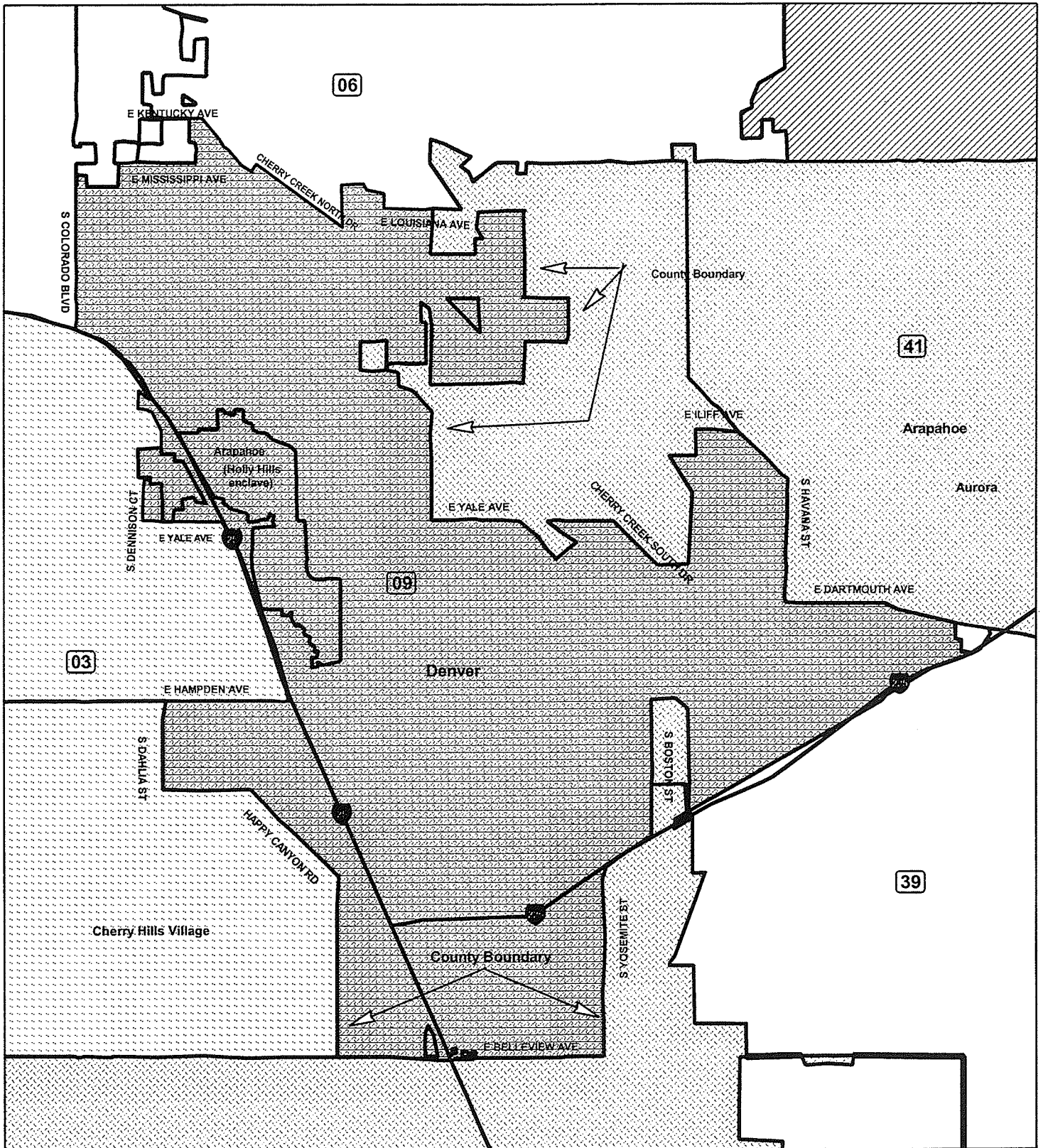


February 2002

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Colorado Reapportionment Commission
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House District 9

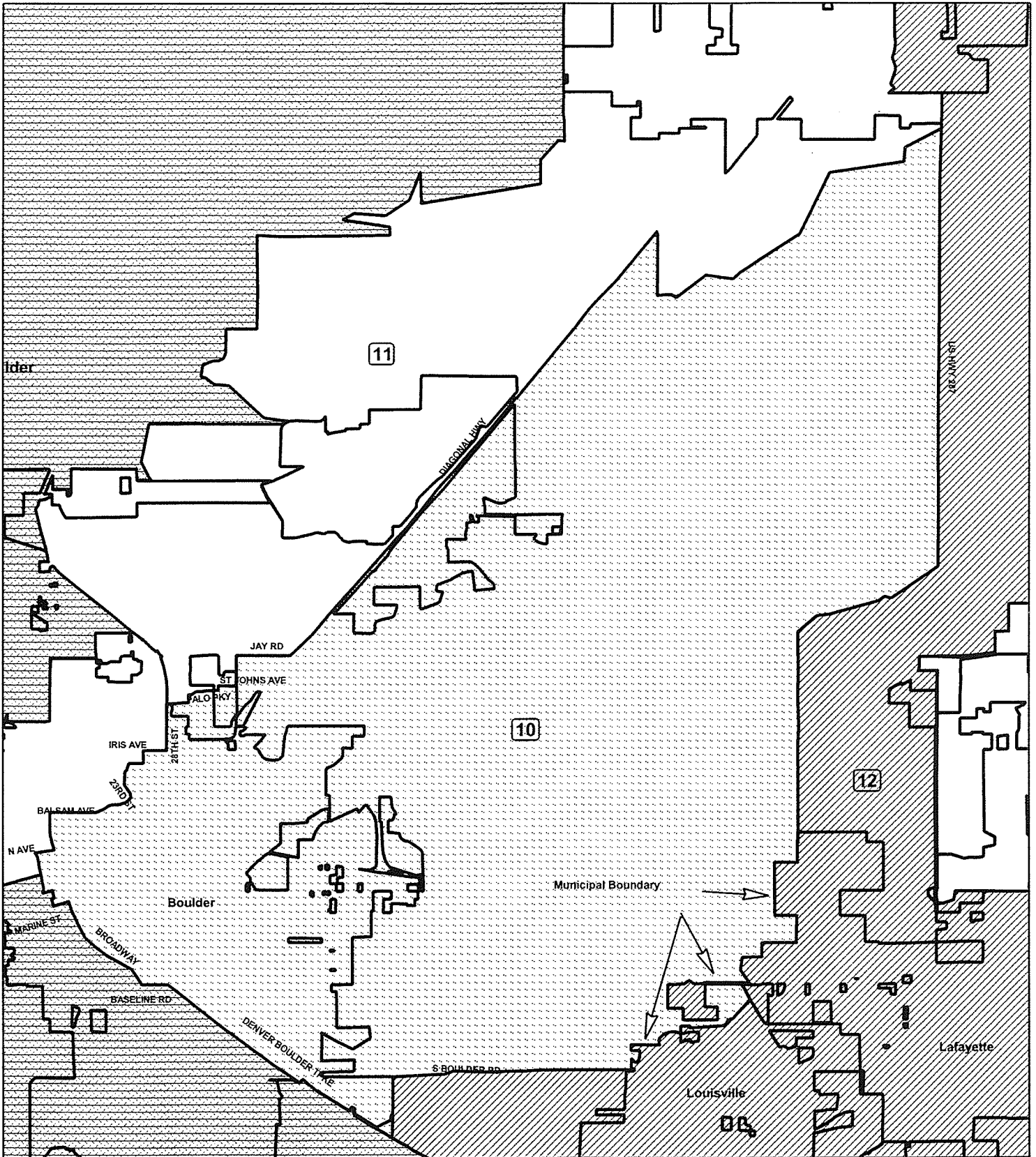


February 2002

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House District 10

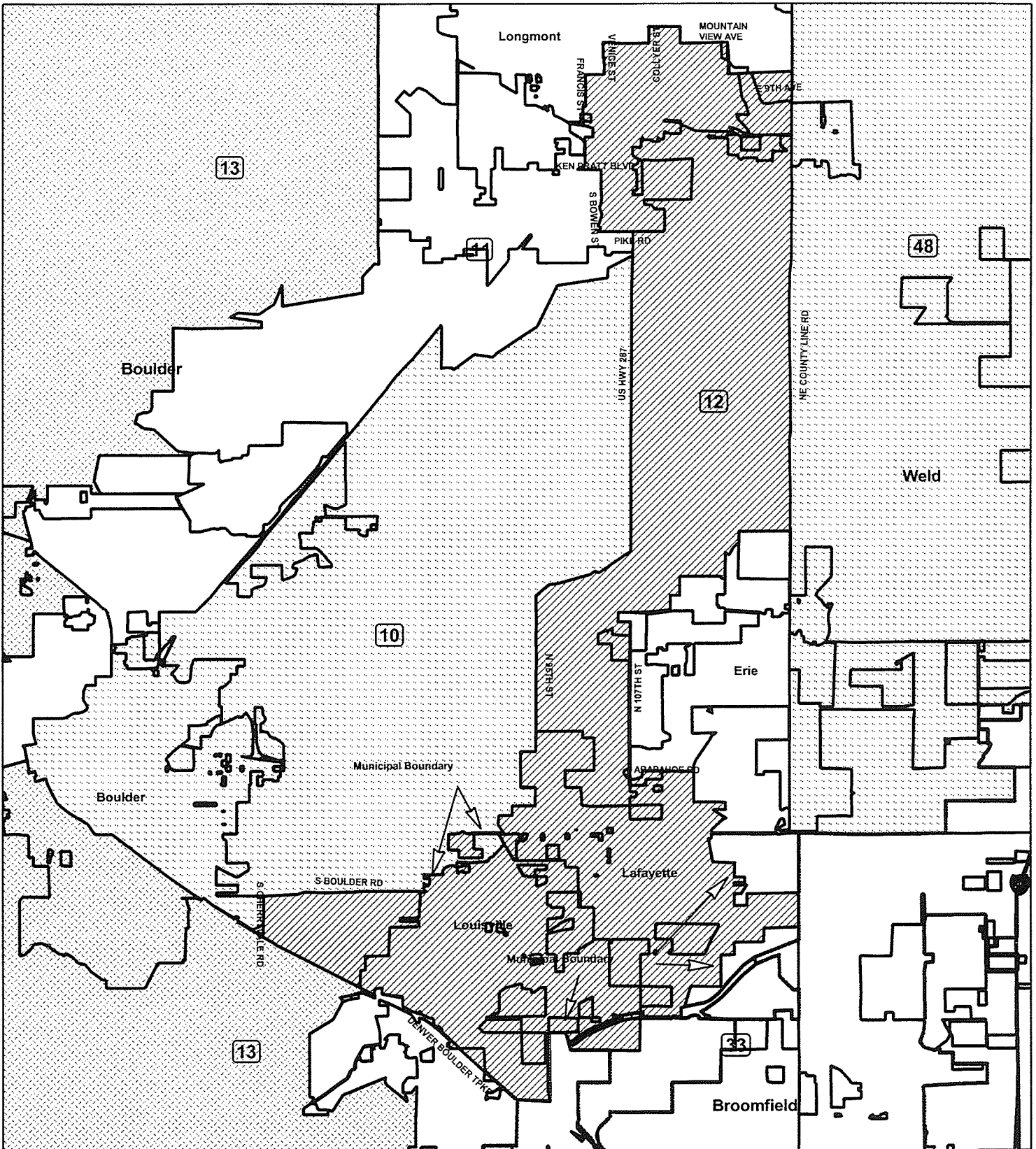


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House District 12

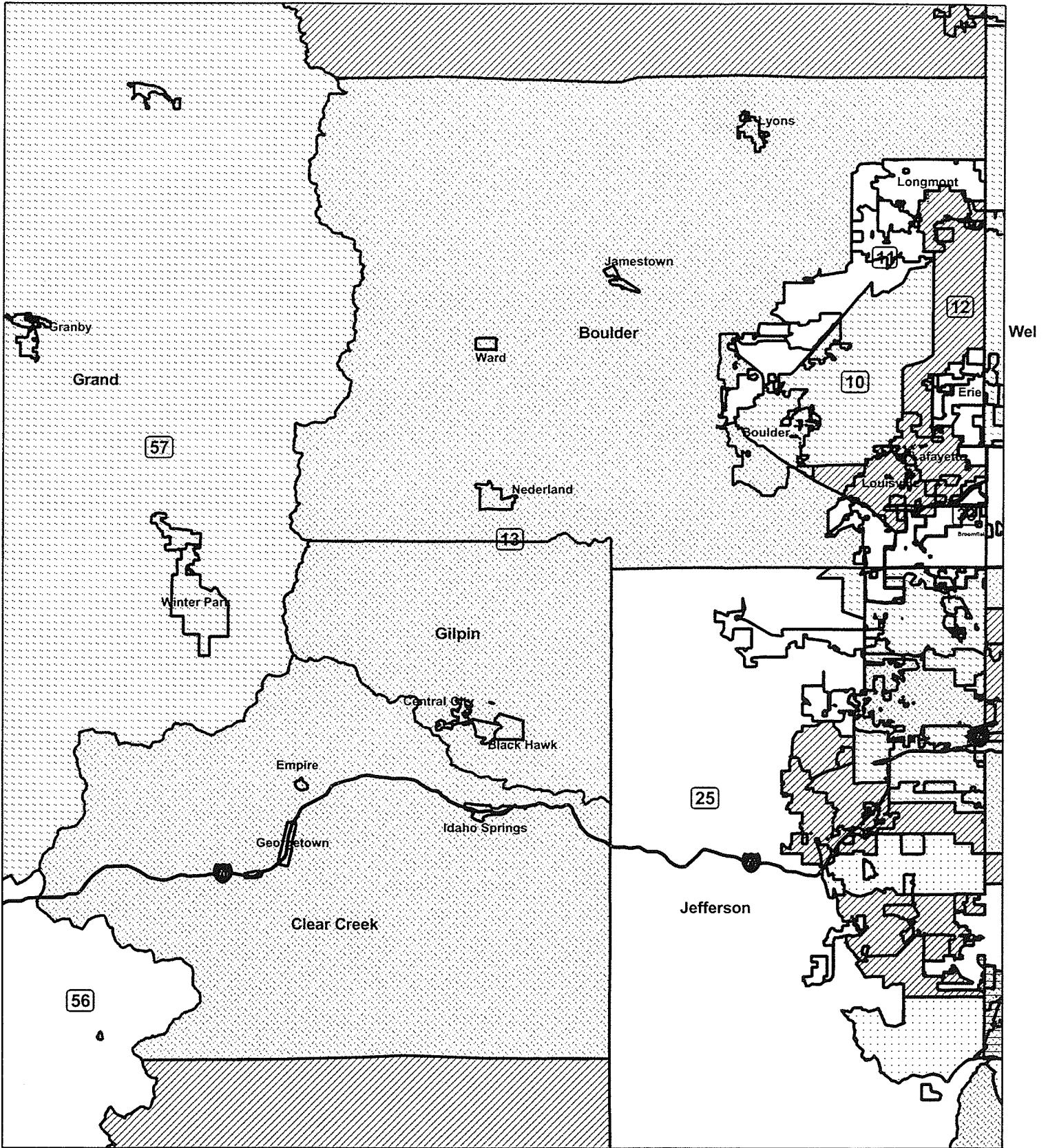


February 2002

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House District 13

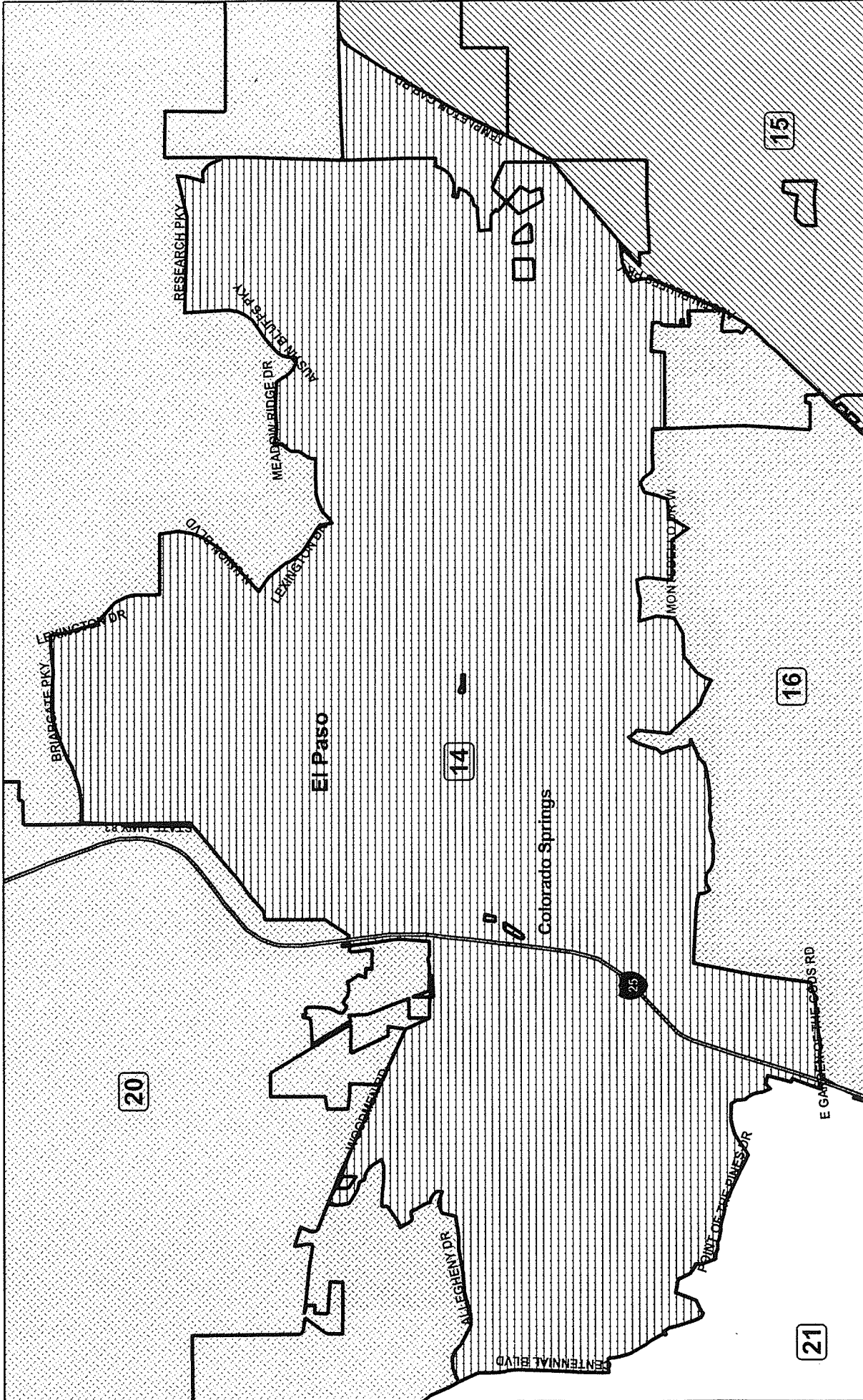


February 2002

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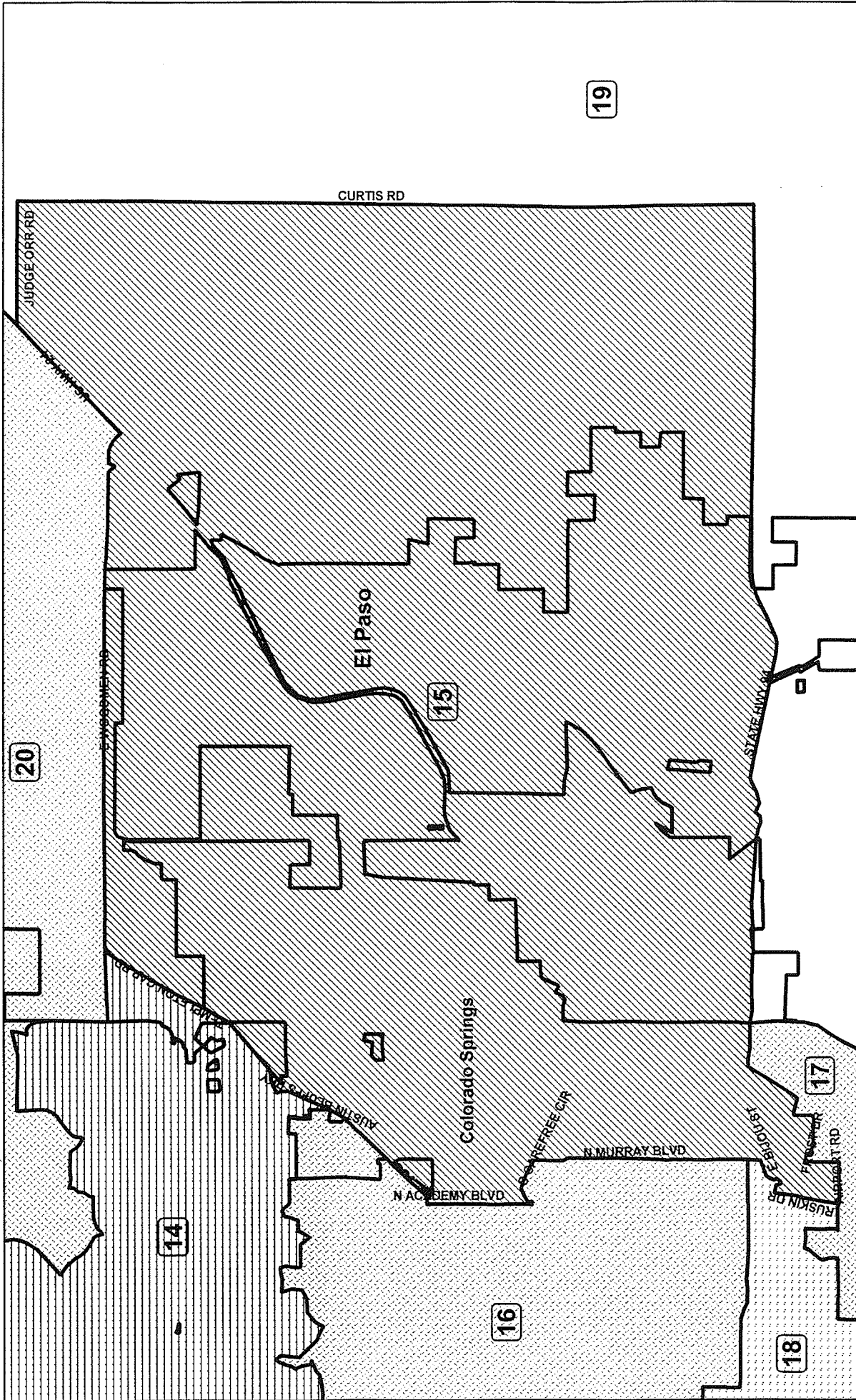
House District 14



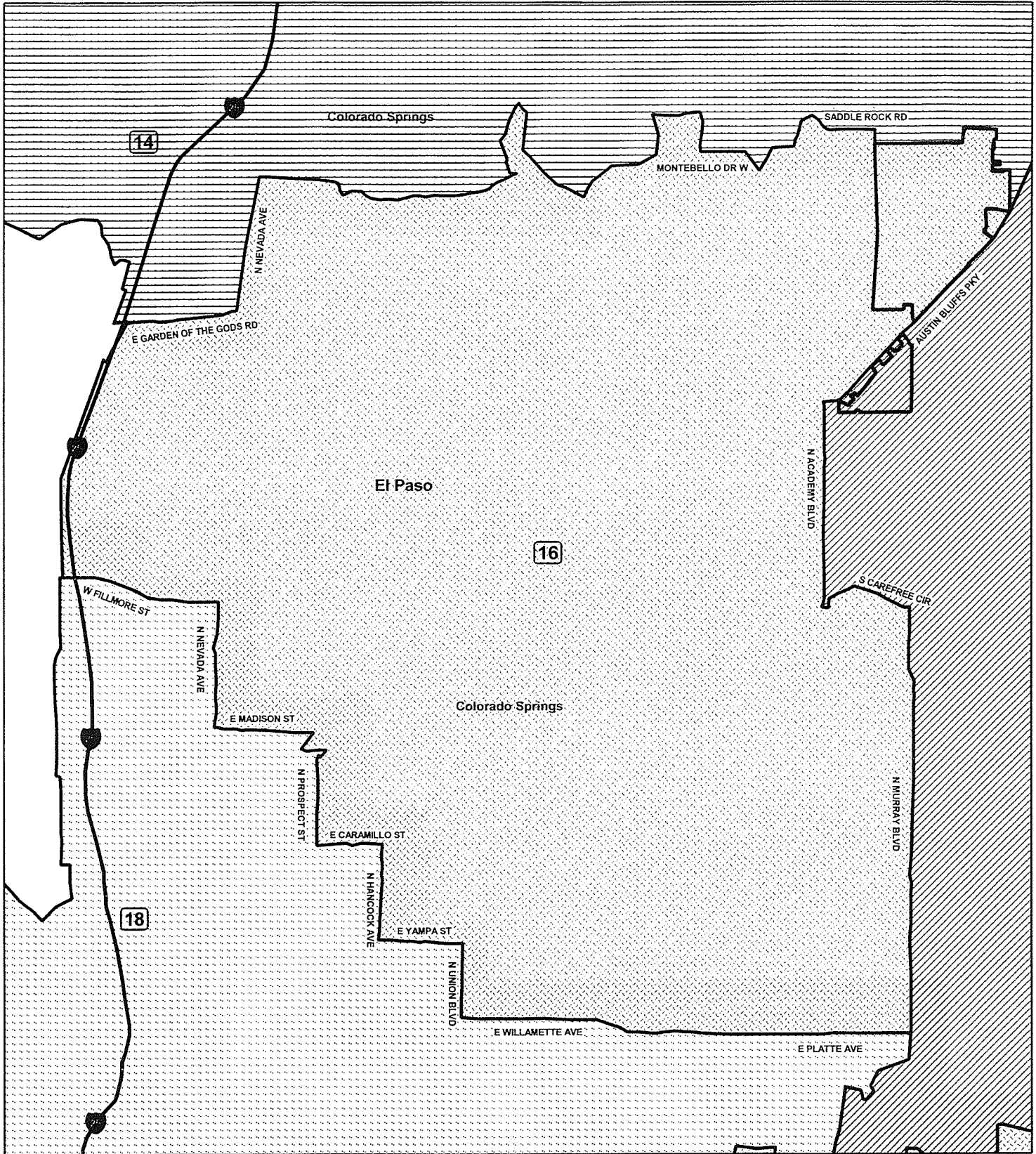
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House District 15



House District 16

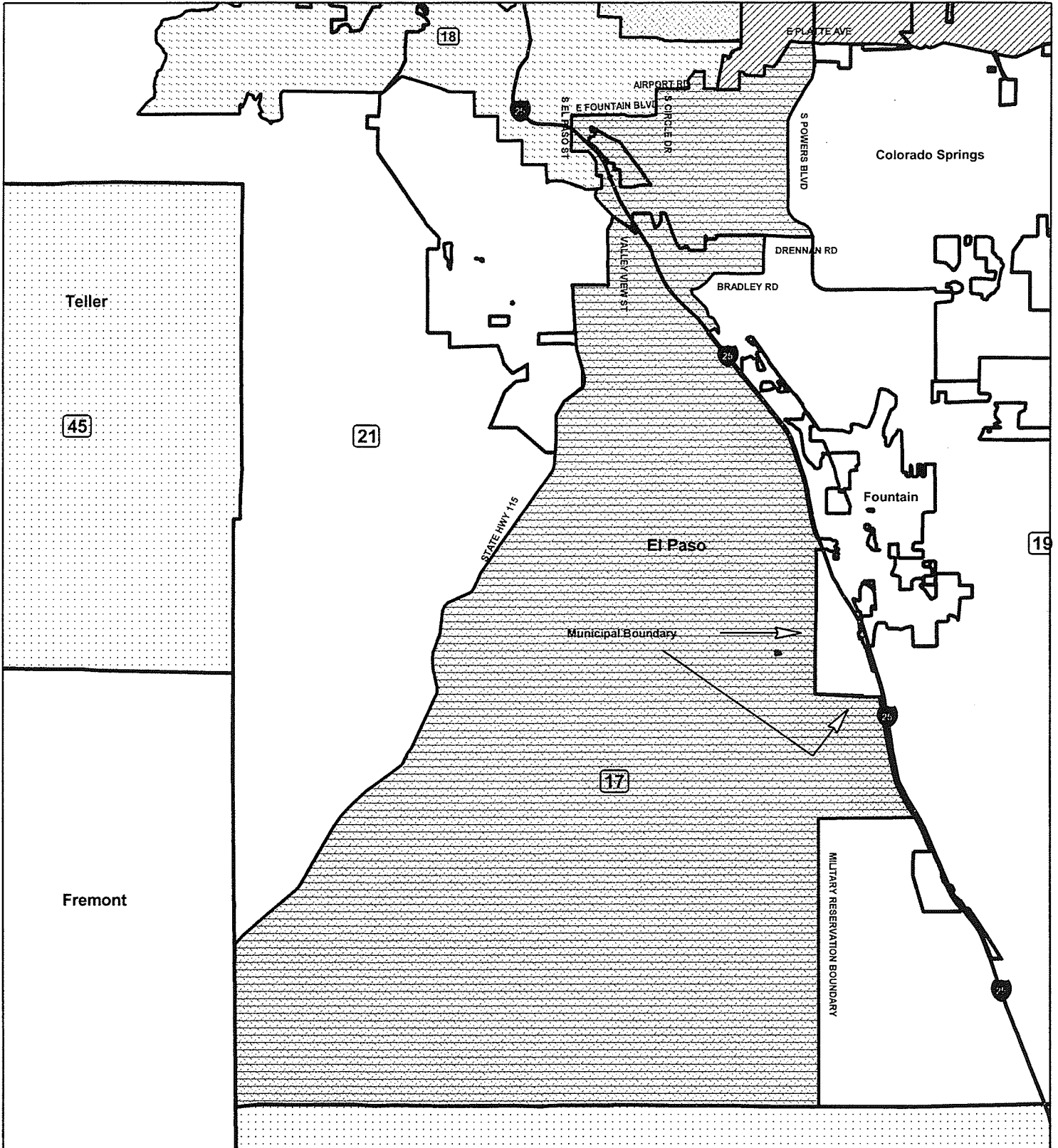


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Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 17

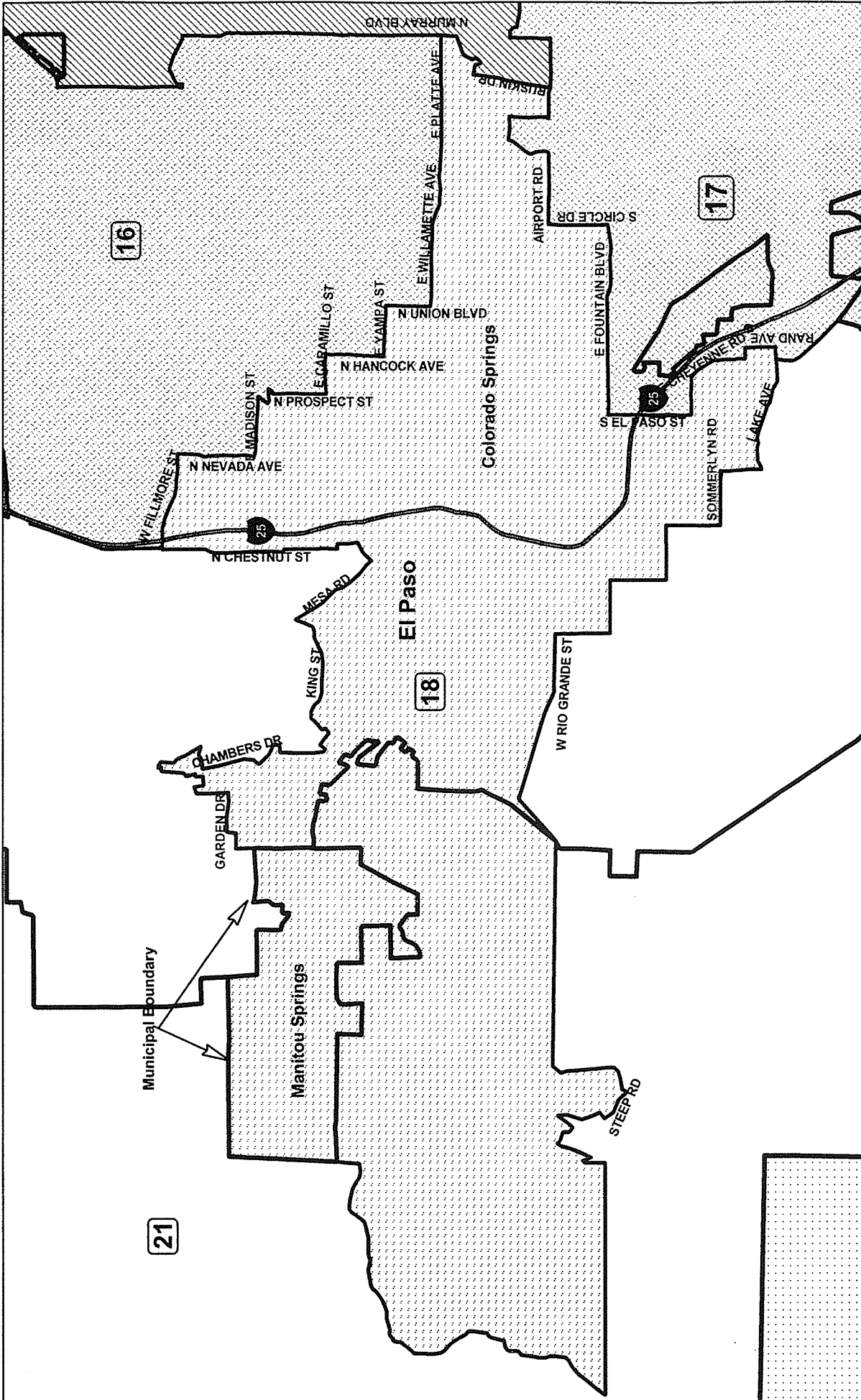


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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 18

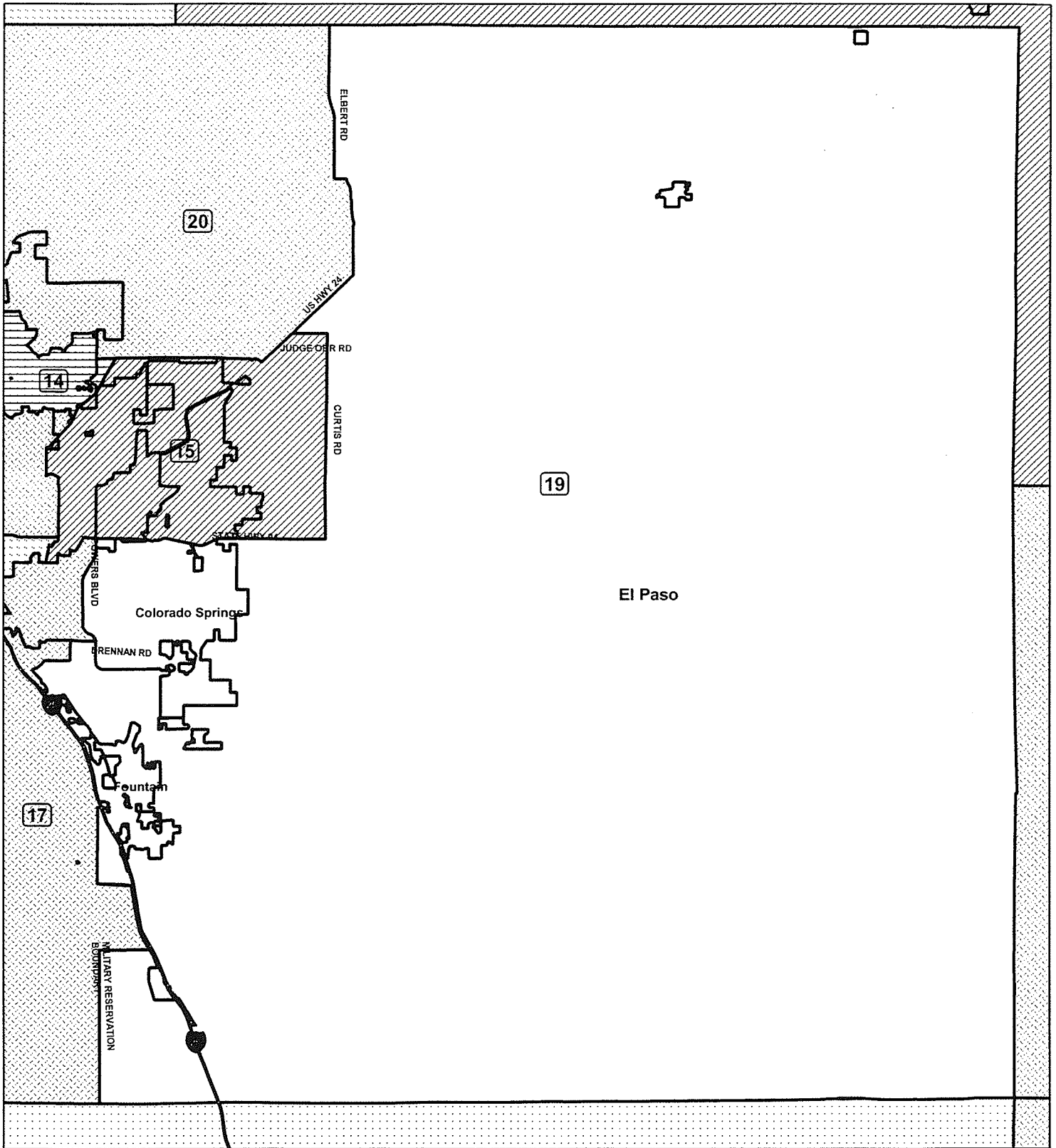


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Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

House District 19

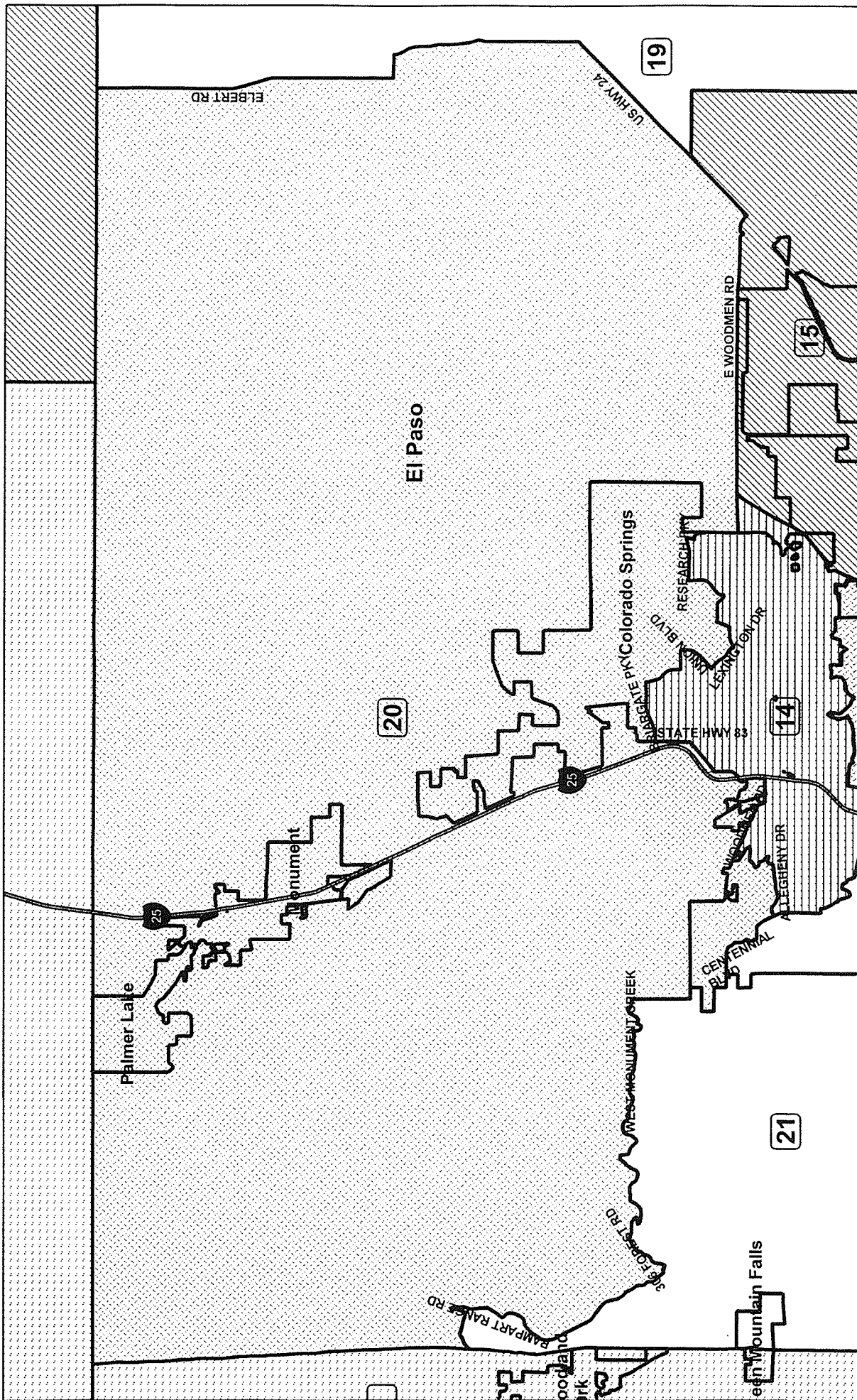


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Phone (303) 866-6466
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House District 20

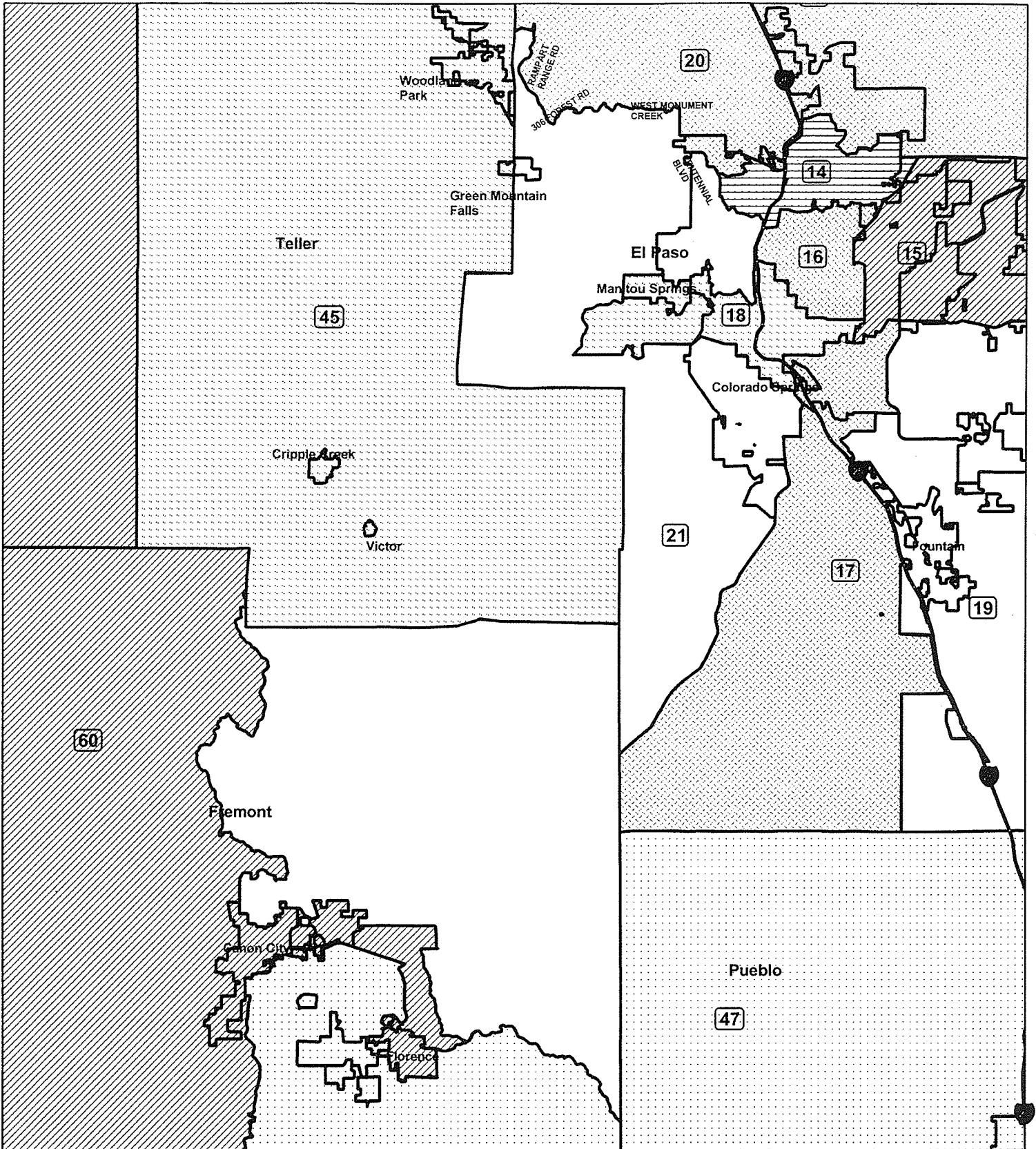


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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

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House District 21

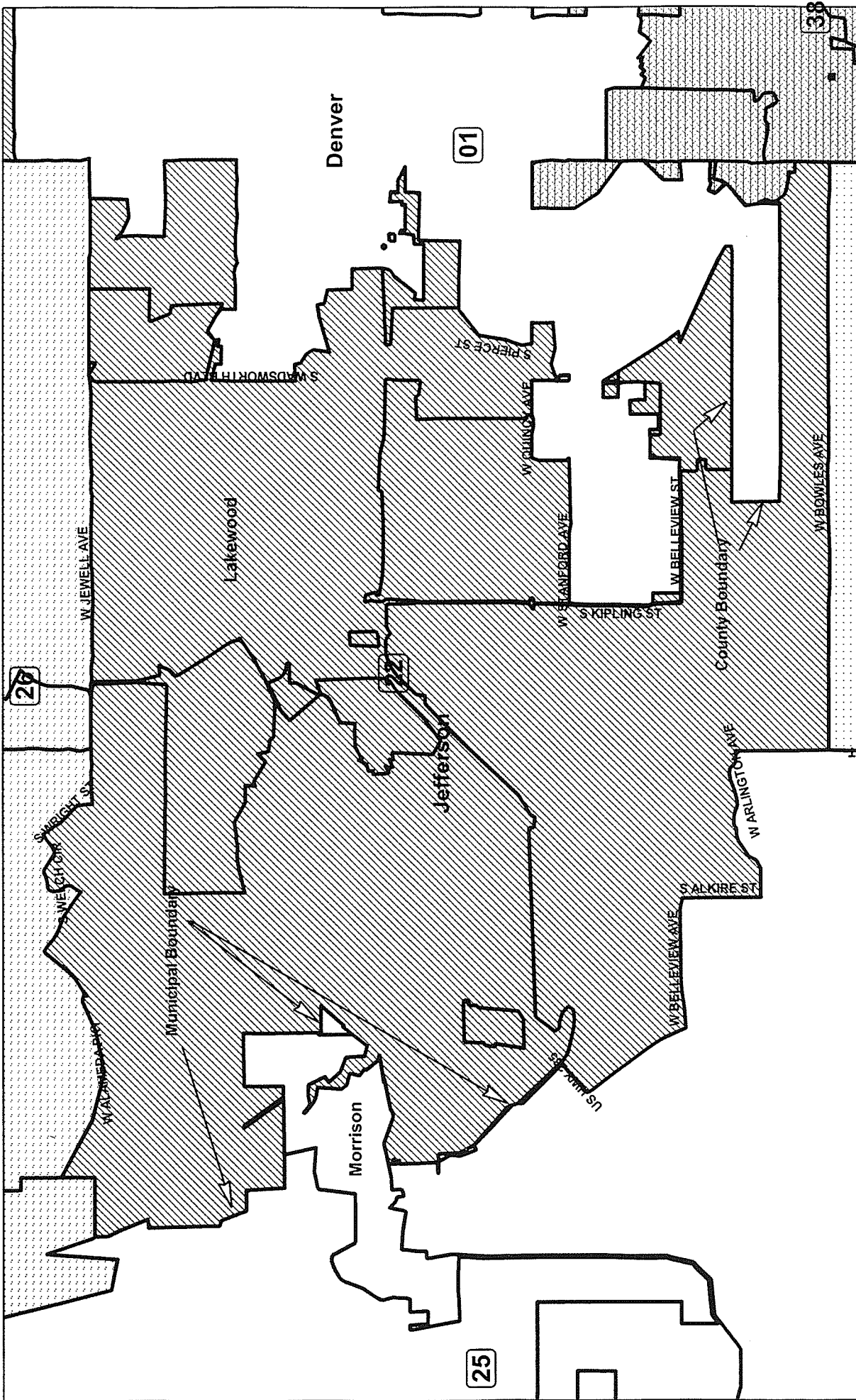


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www.state.co.us/gov_dir/stateleg.html

House District 22

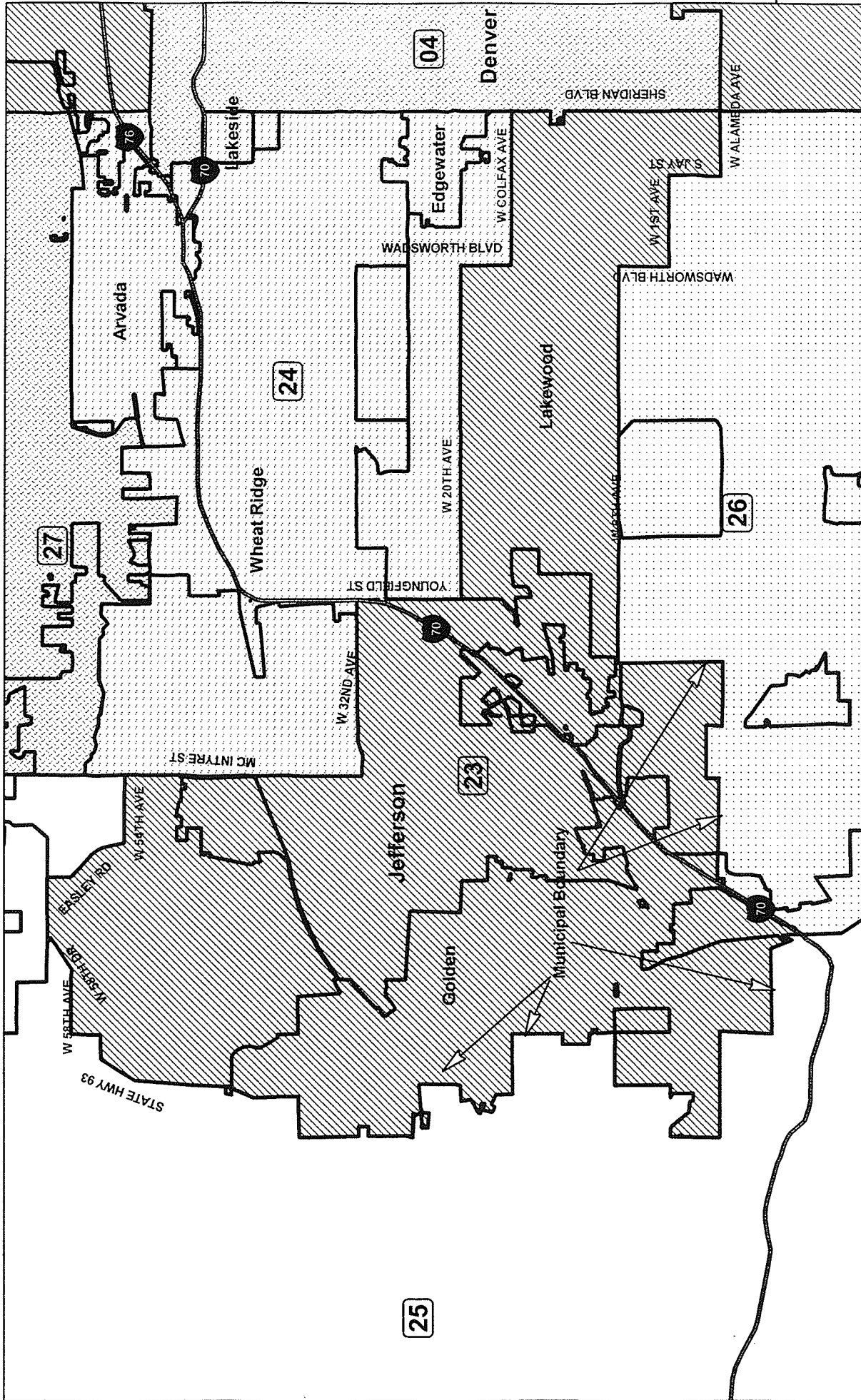


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Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

House District 23

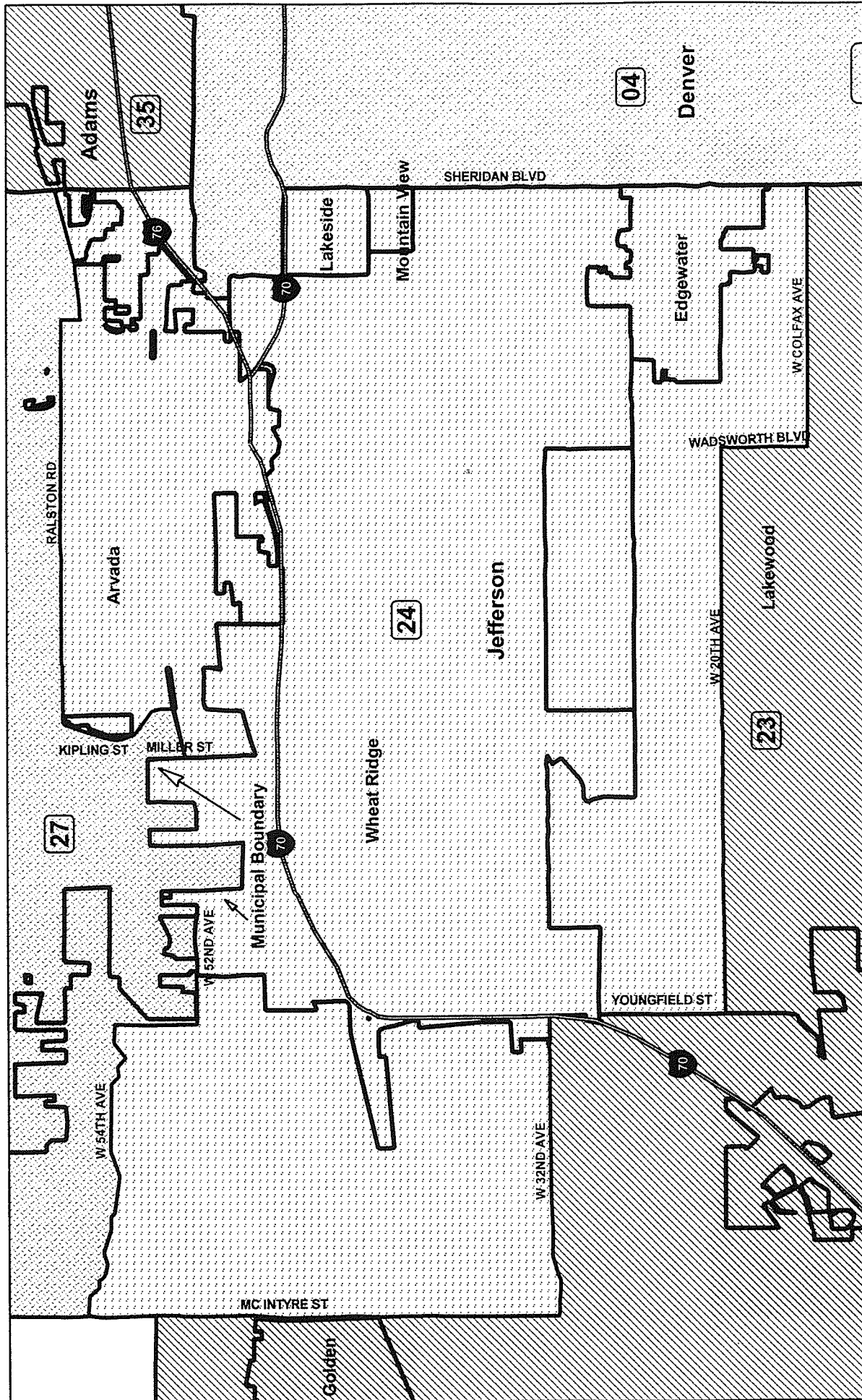


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House District 24

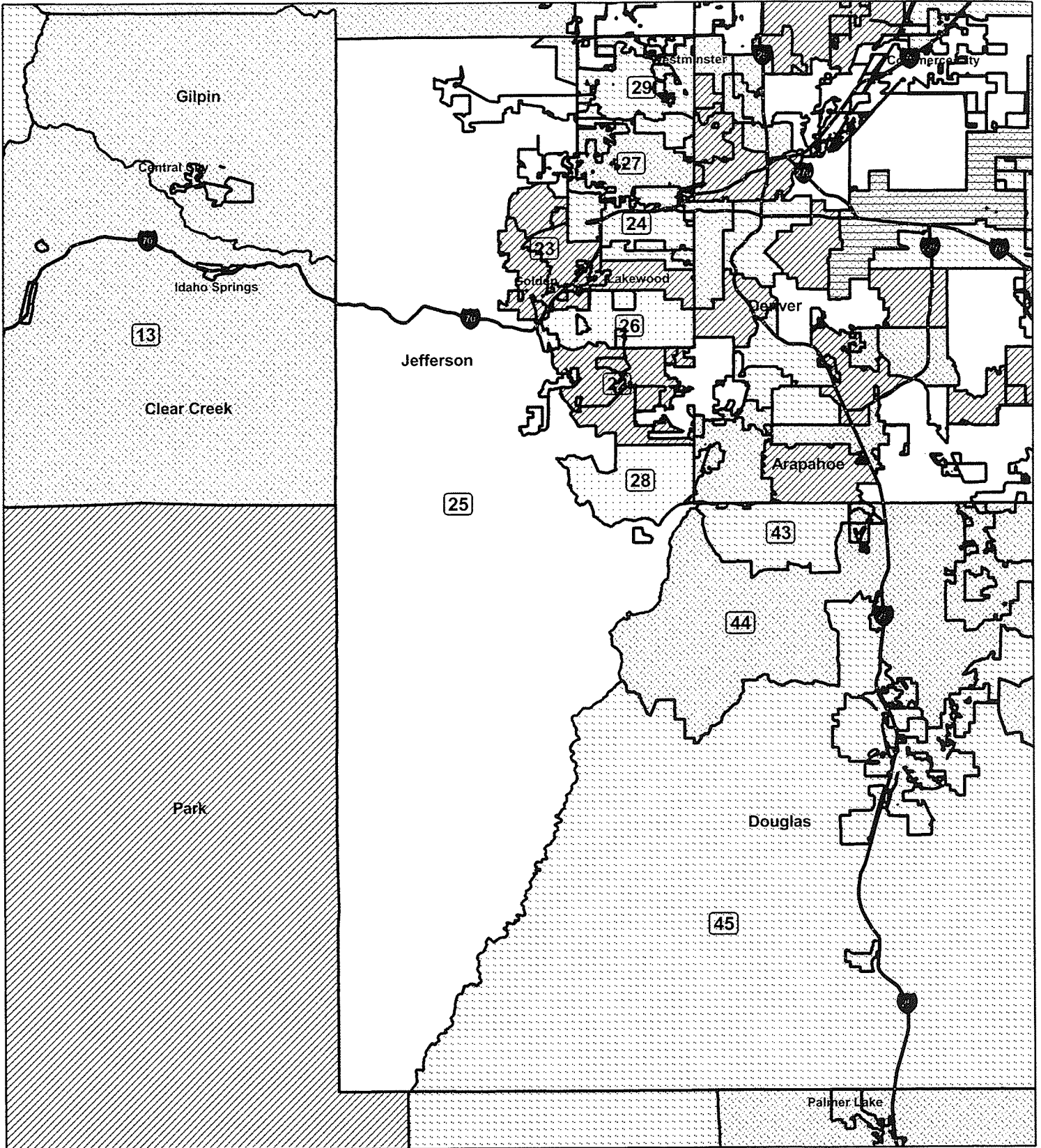


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House District 25

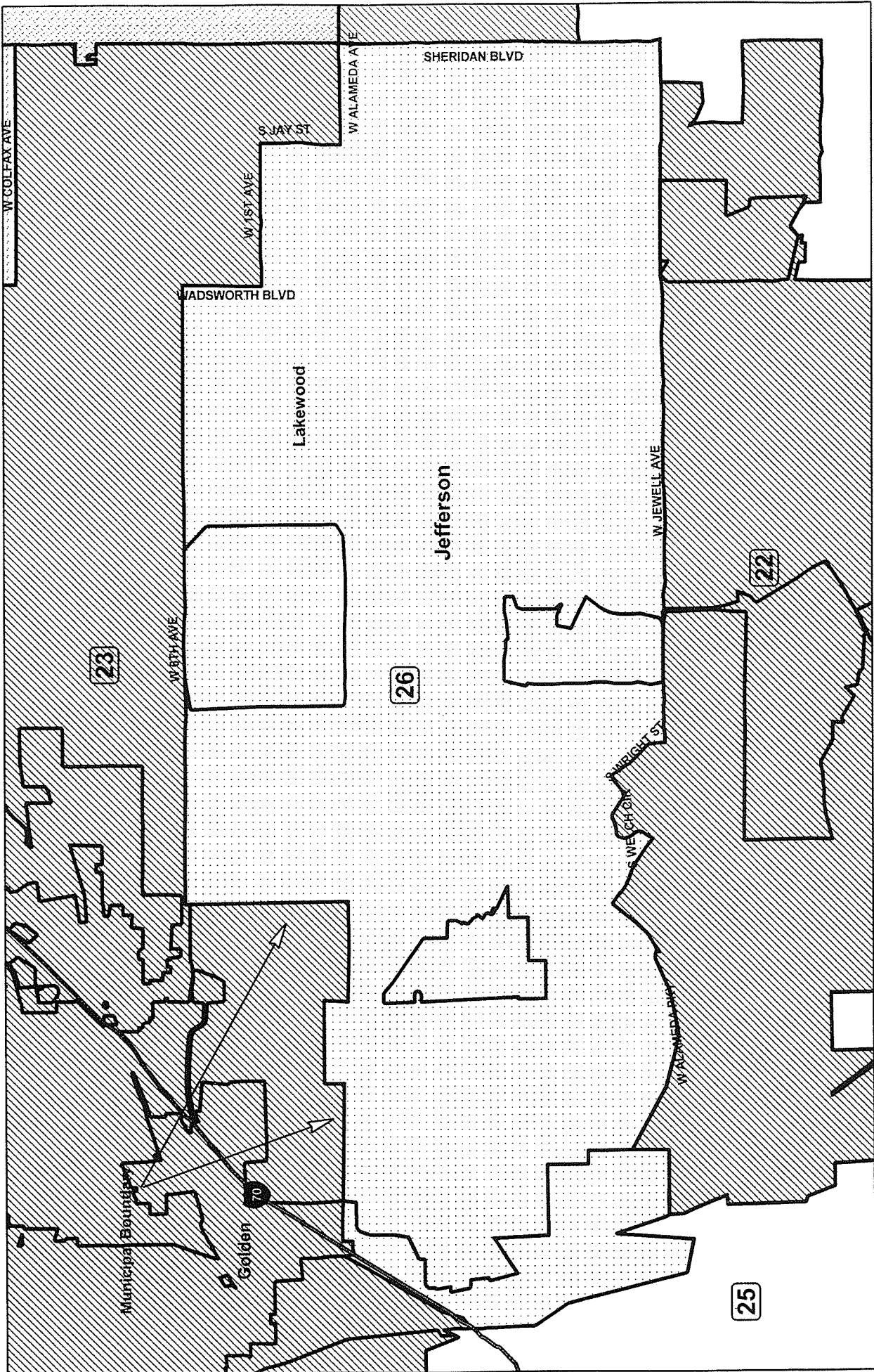


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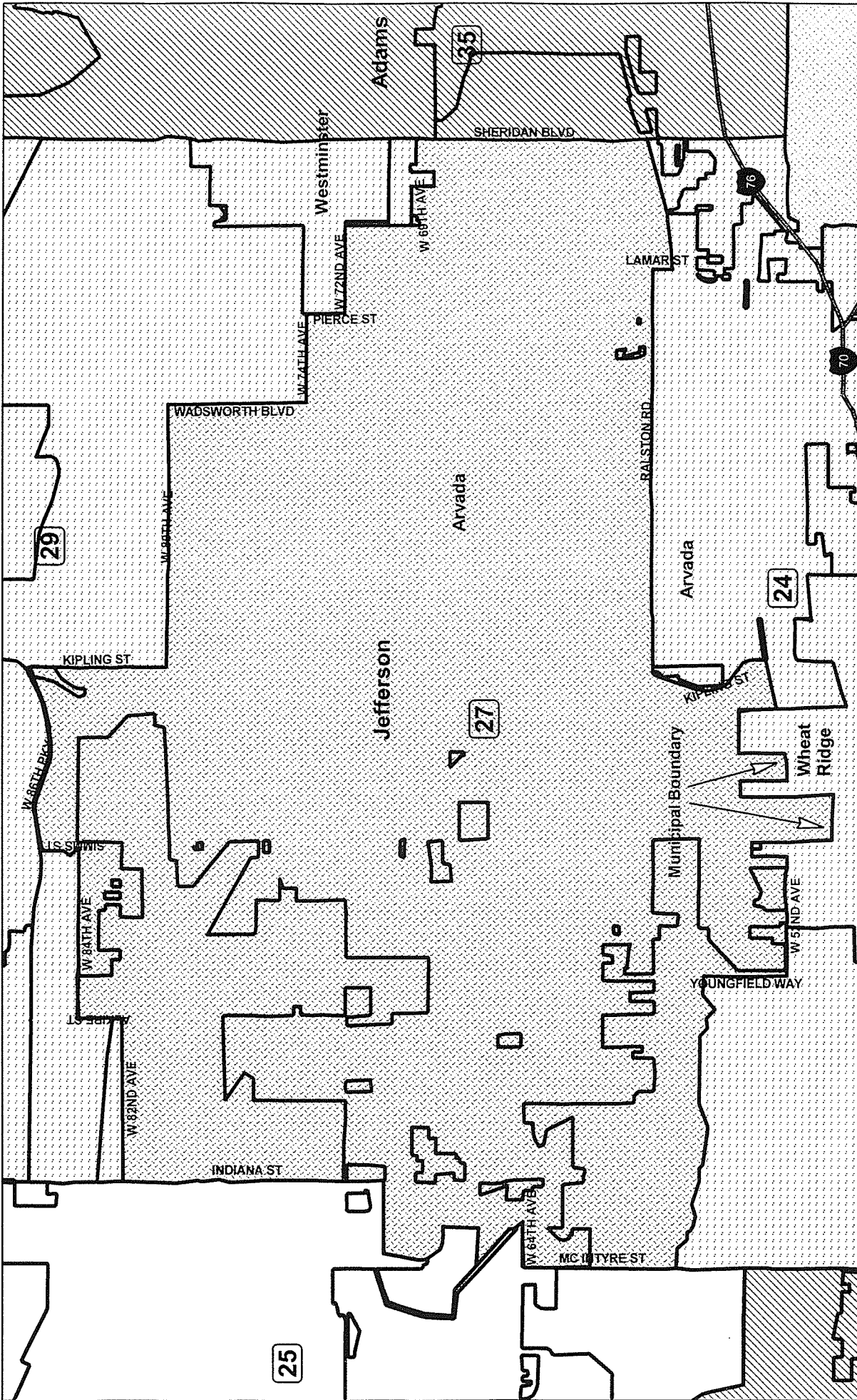
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Colorado Reapportionment Commission
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 26



House District 27

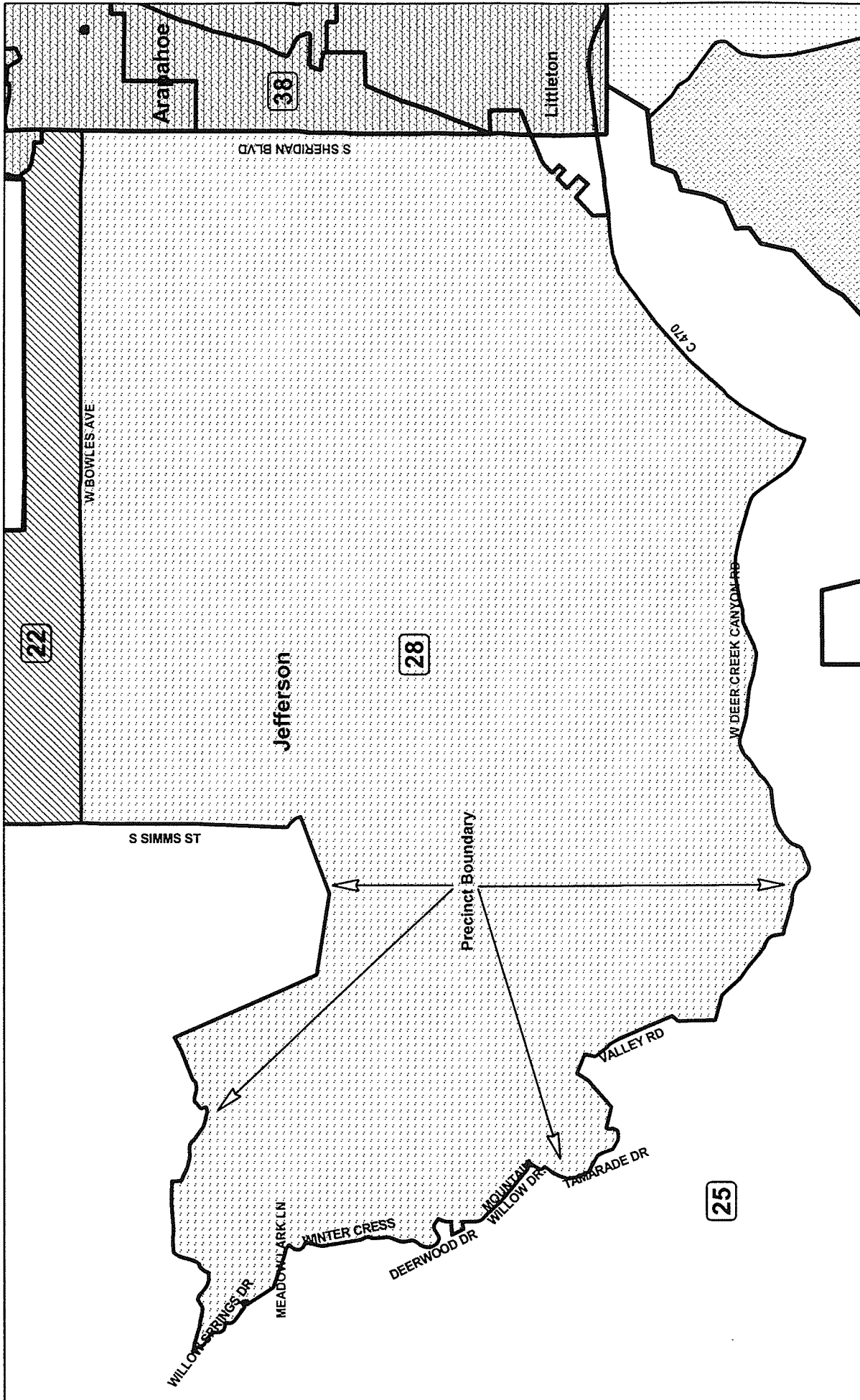


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Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

House District 28

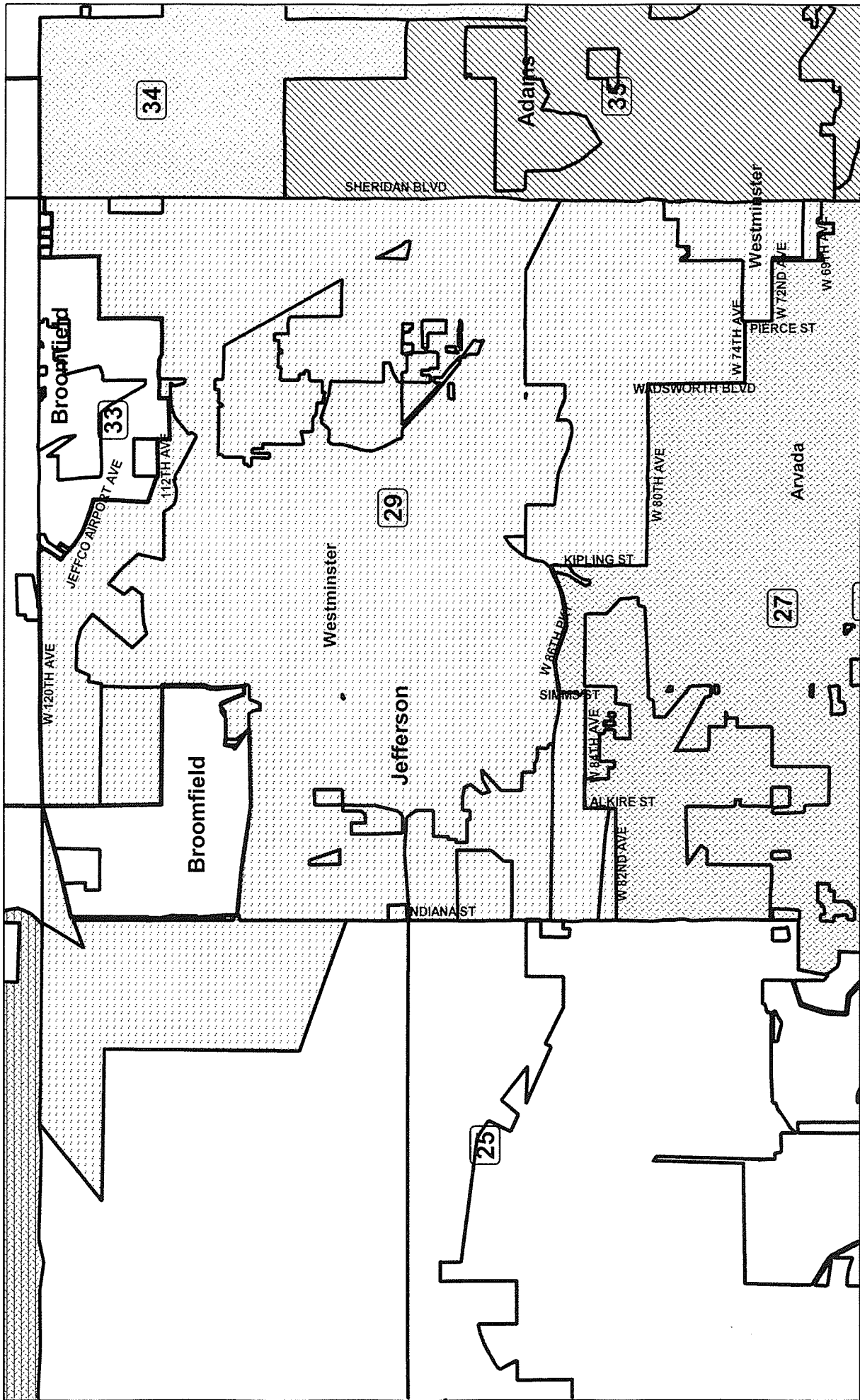


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Colorado Reapportionment Commission
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House District 29

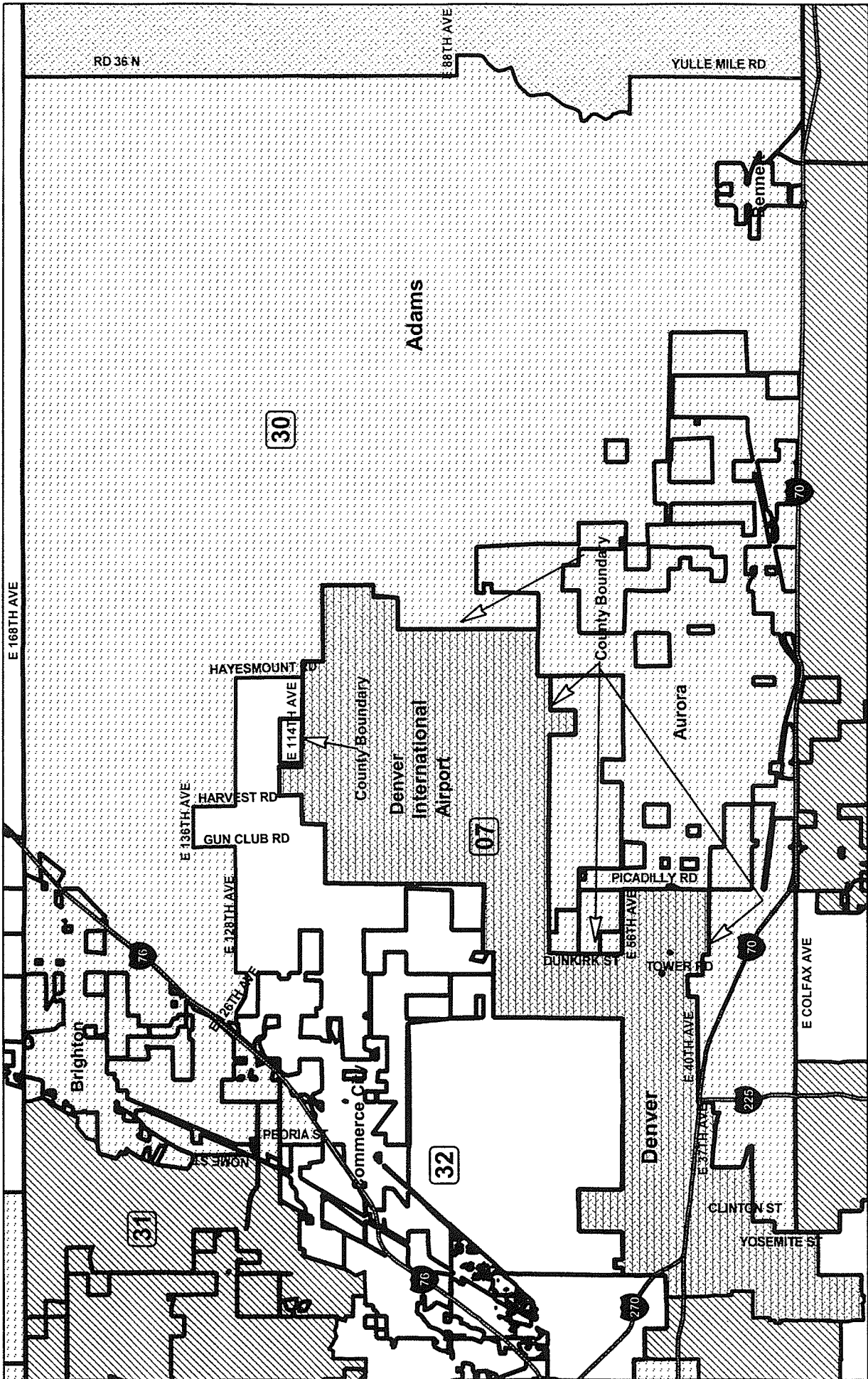


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Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

House District 30

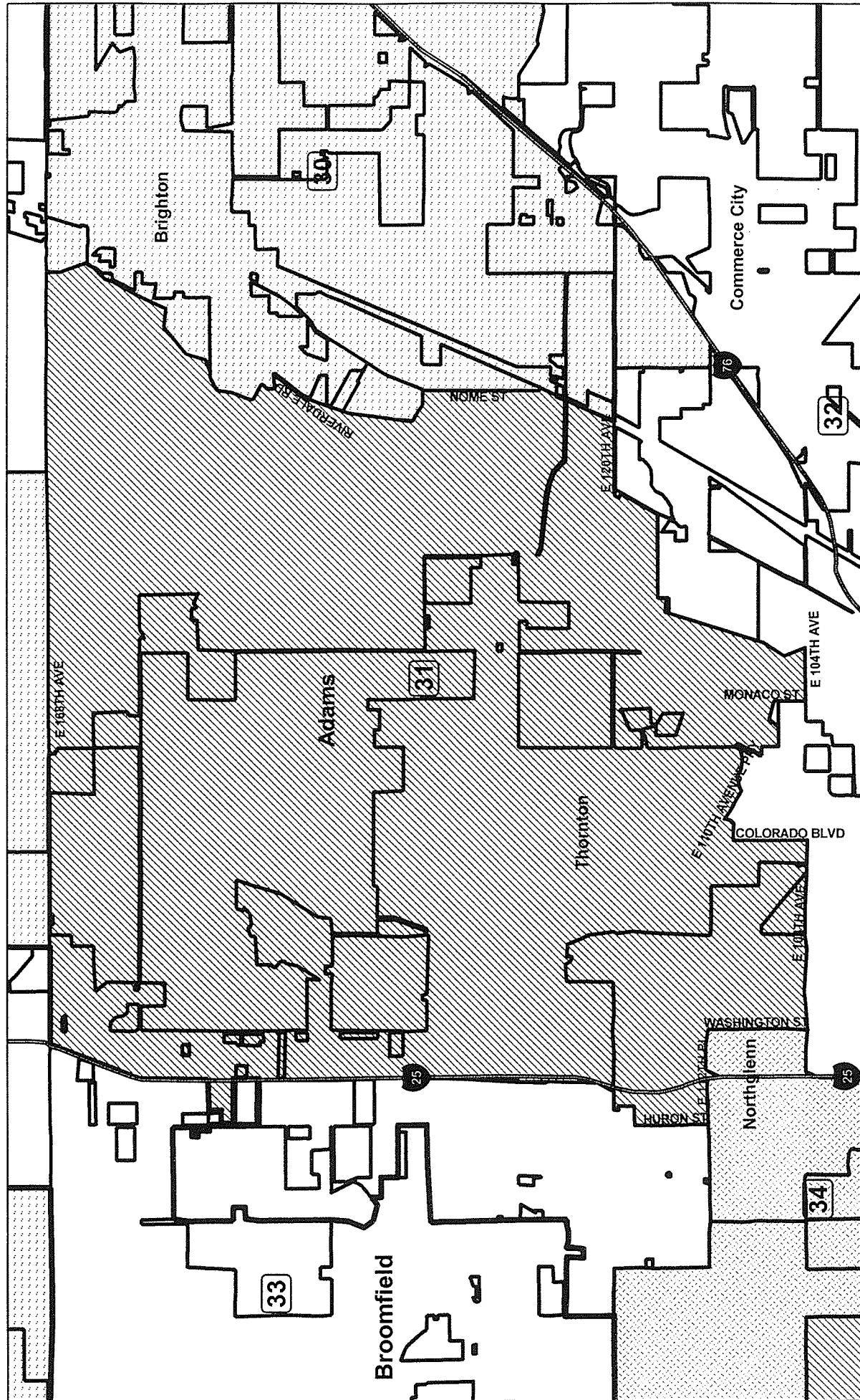


February 2002

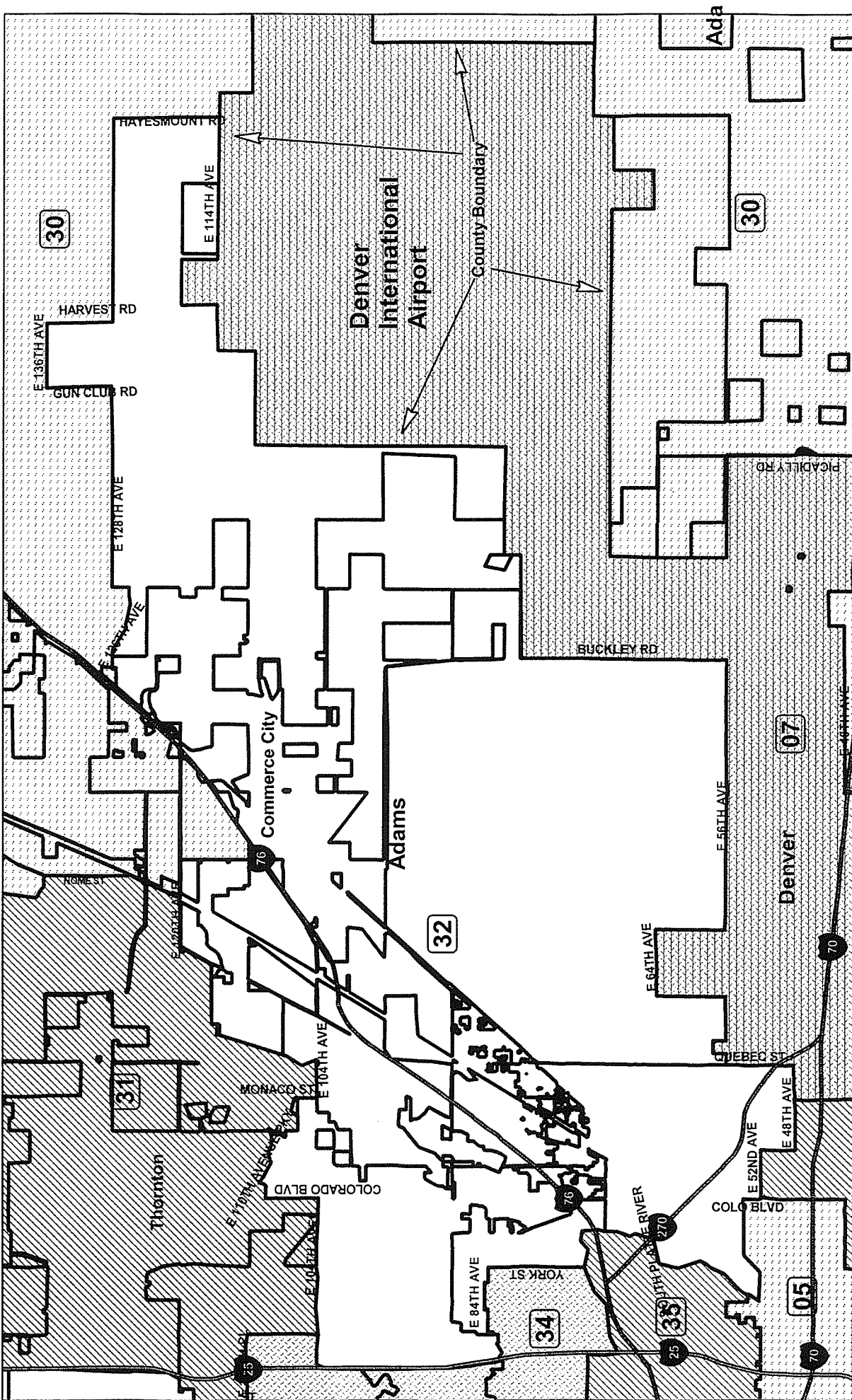
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Colorado Reapportionment Commission
 1600 Broadway, Suite 1020
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 Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 31

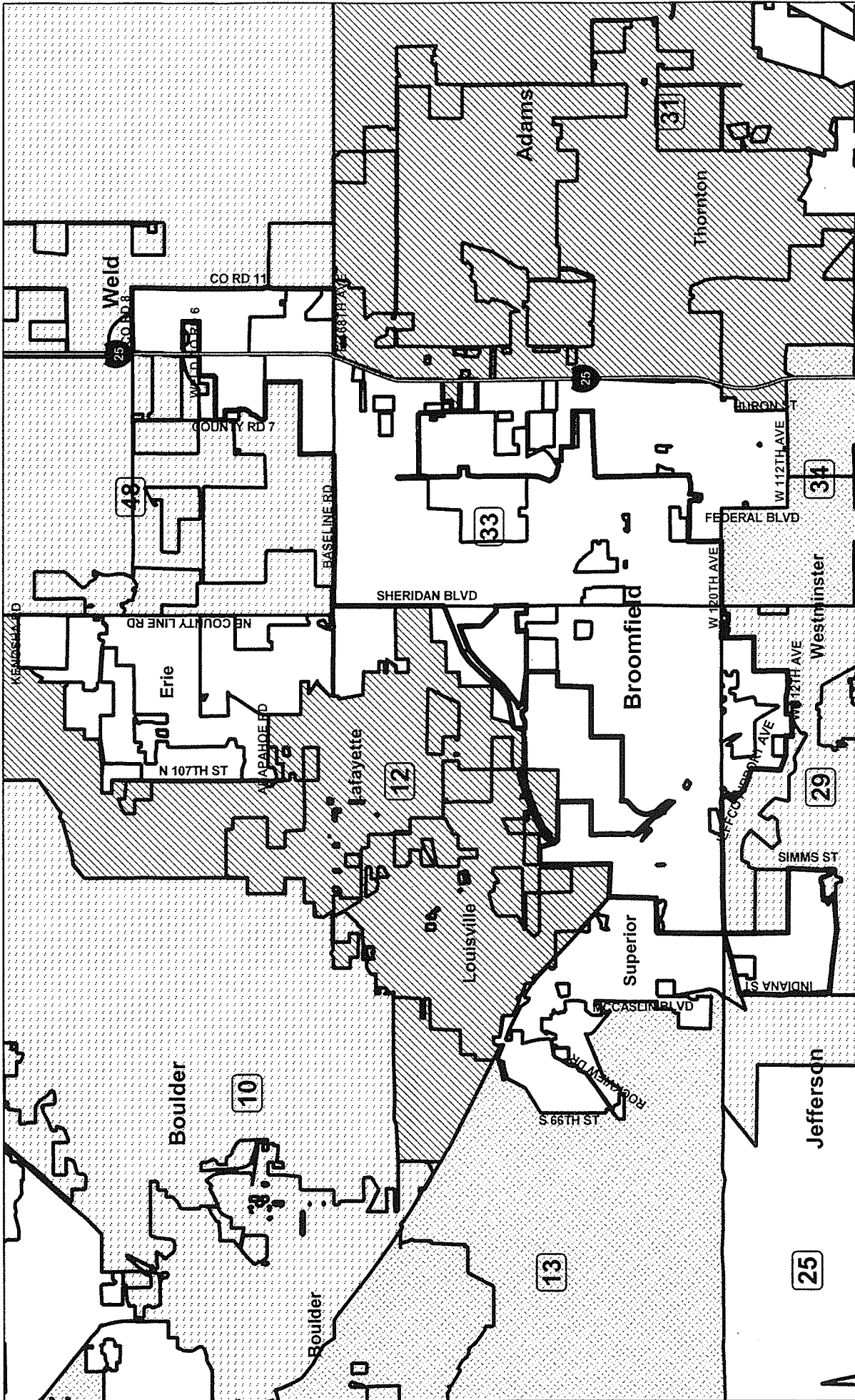


House District 32



Colorado Reapportionment Commission
1600 Broadway, Suite 1020
Denver, CO 80202
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www.state.co.us/gov_dir/stateleg.html

House District 33

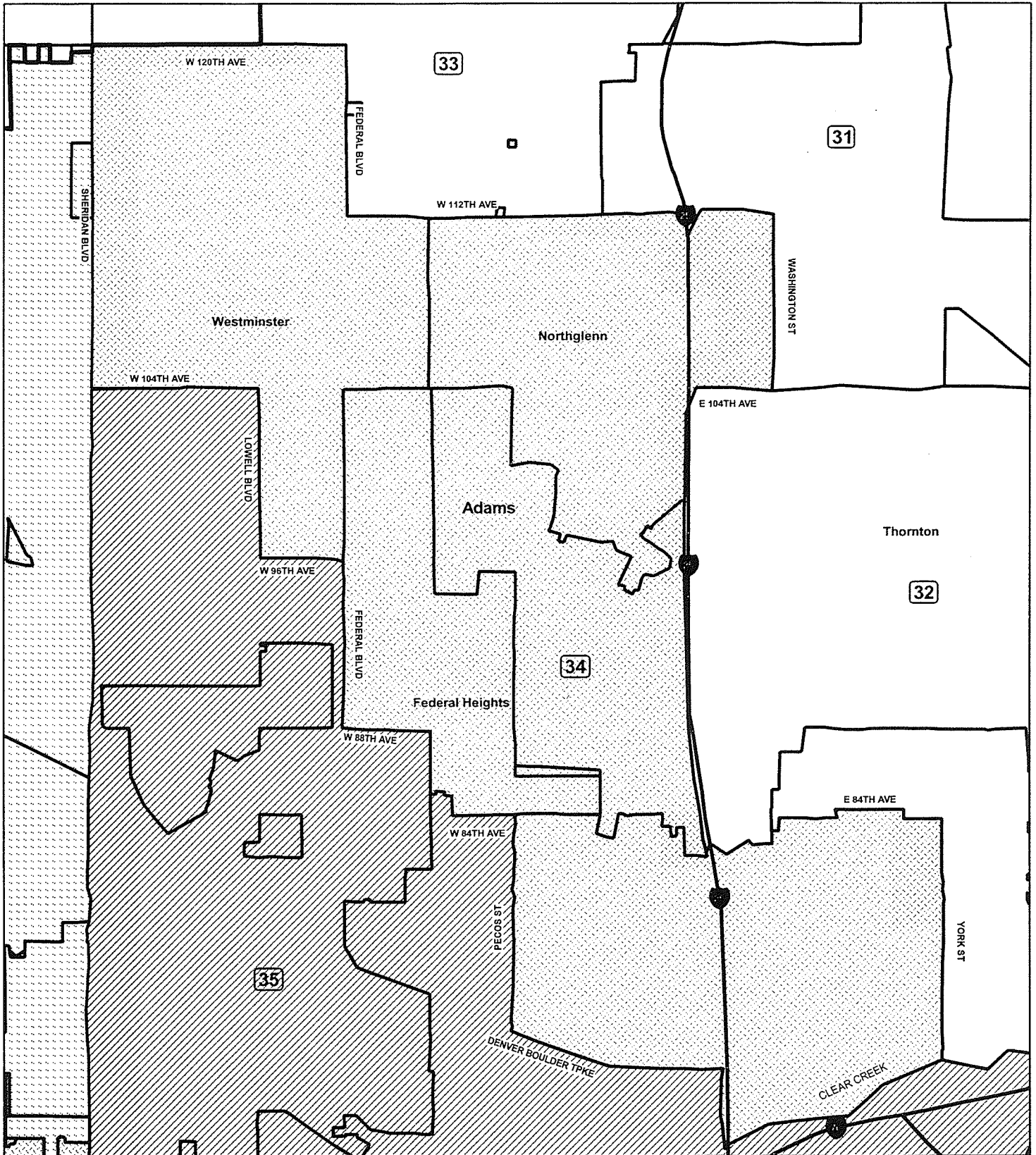


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House District 34

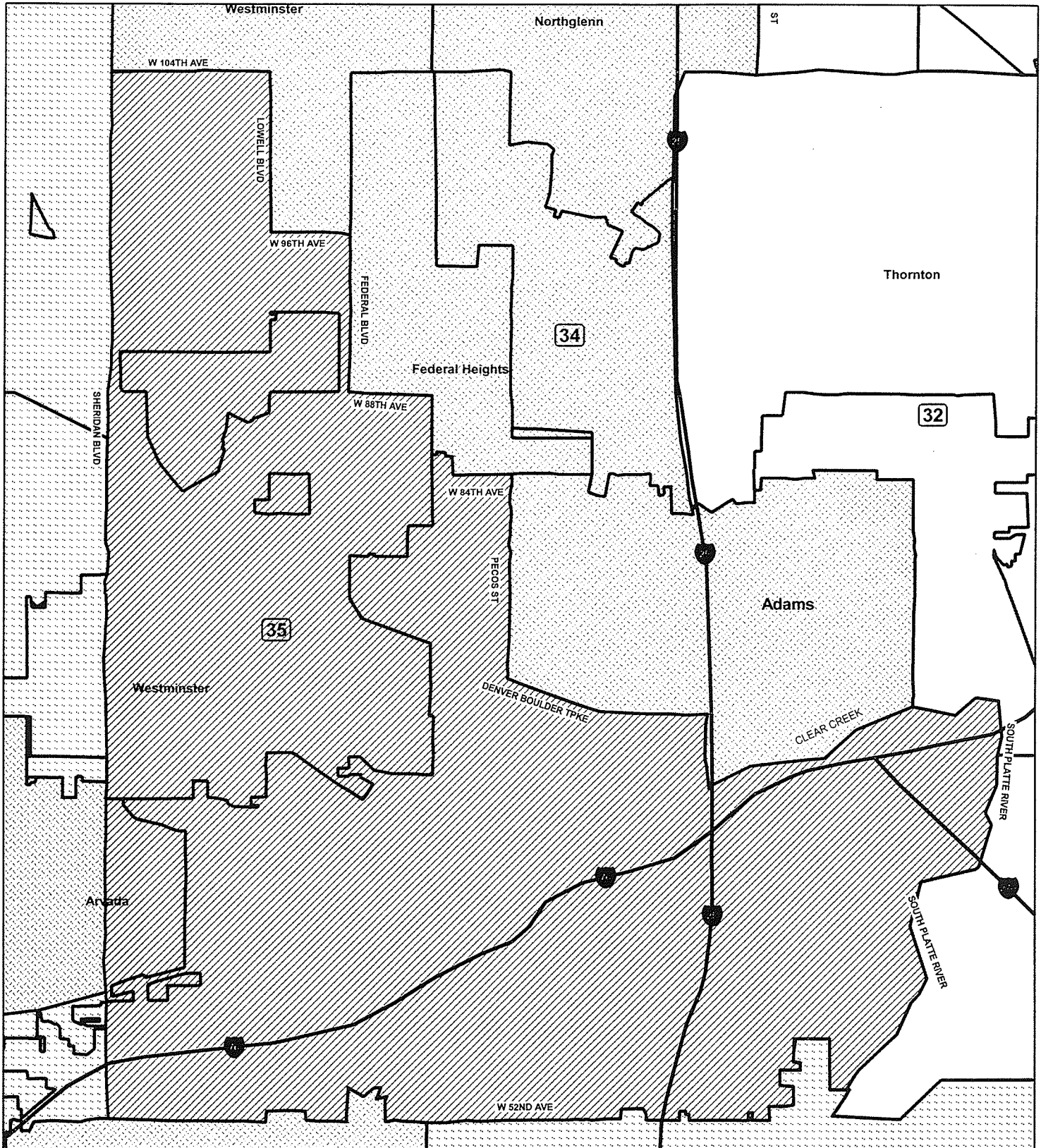


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Colorado Reapportionment Commission
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House District 35

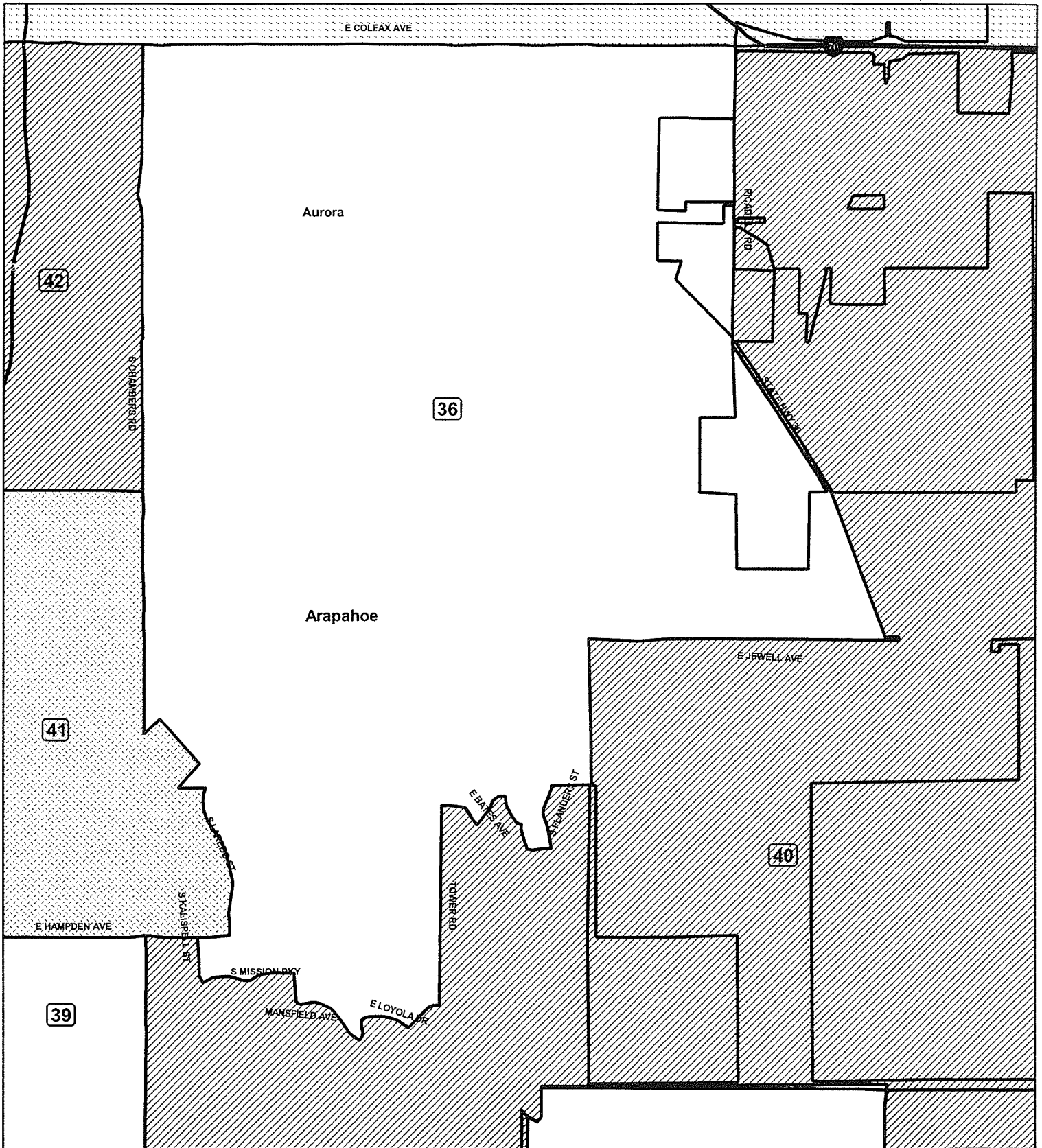


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Colorado Reapportionment Commission
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House District 36

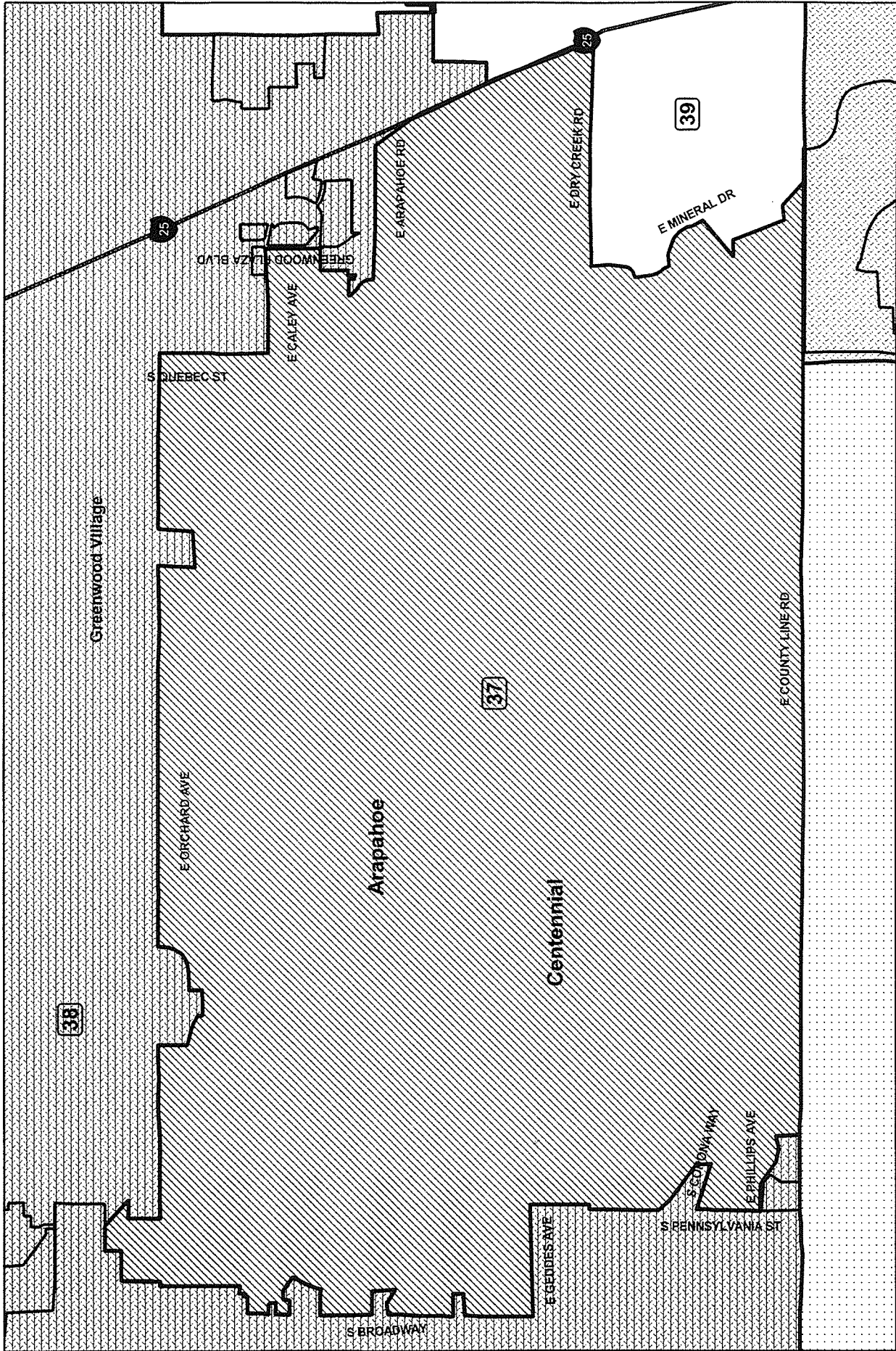


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Colorado Reapportionment Commission
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www.state.co.us/gov_dir/stateleg.html

House District 37

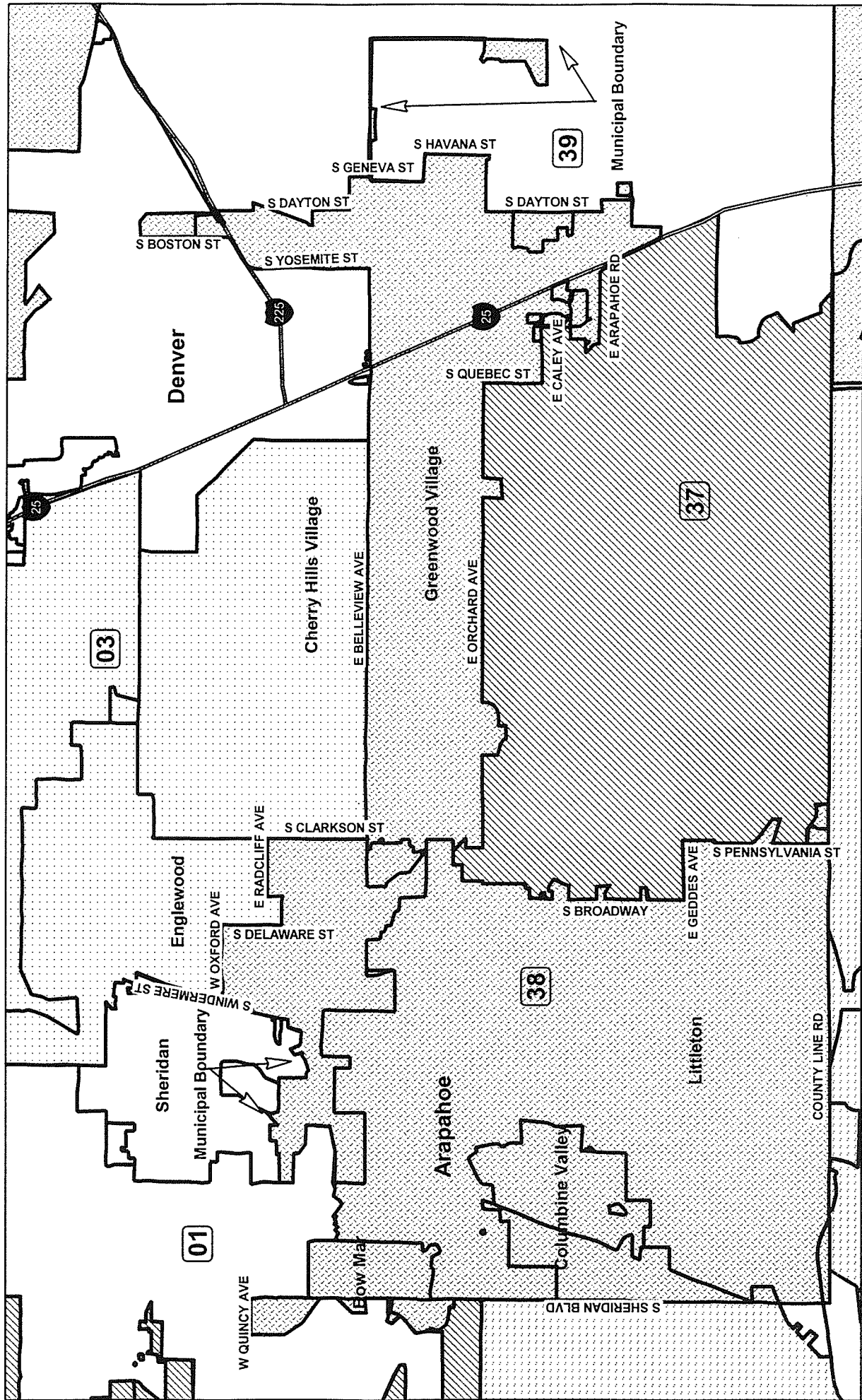


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Colorado Reapportionment Commission
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 38

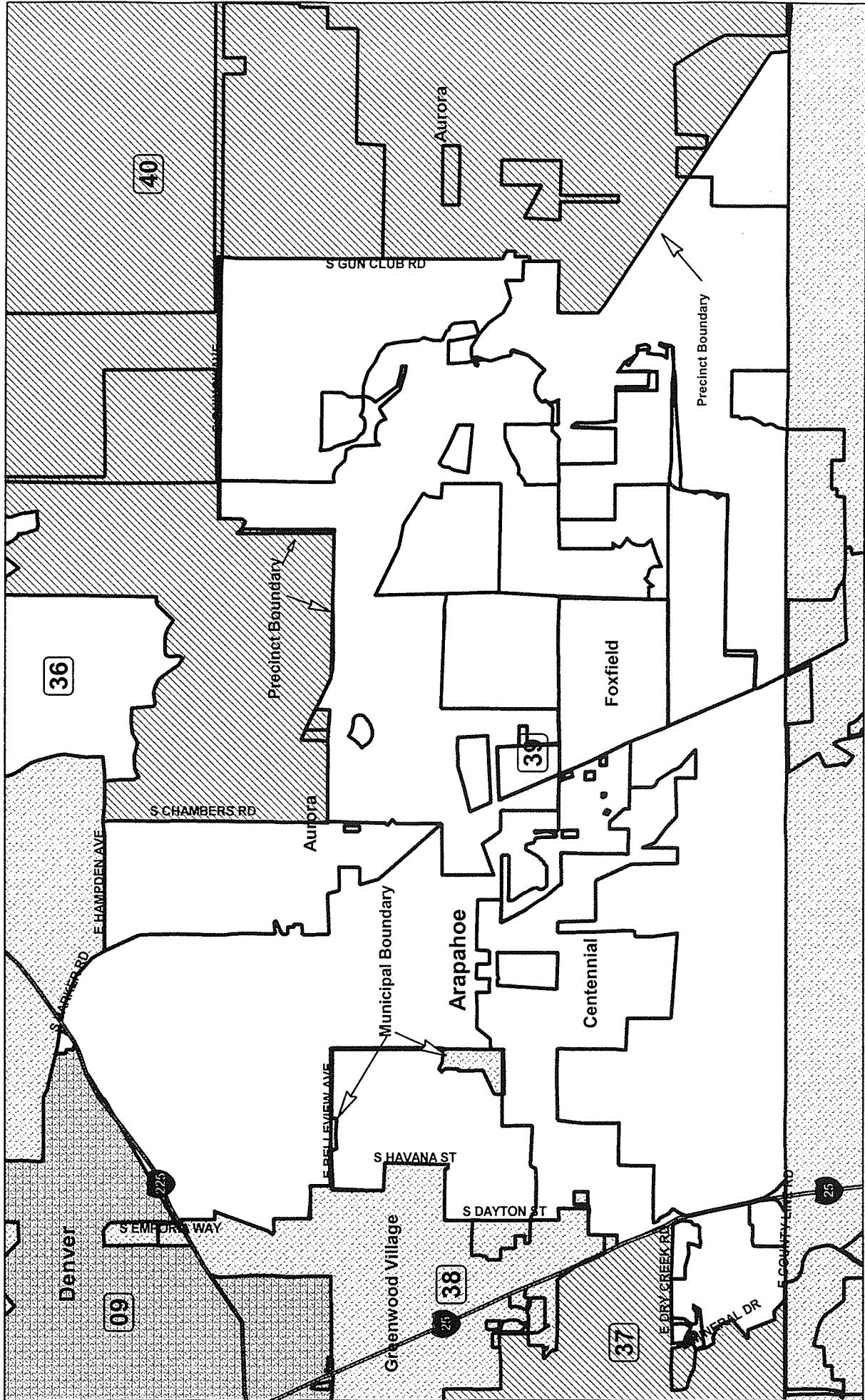


Colorado Reapportionment Commission
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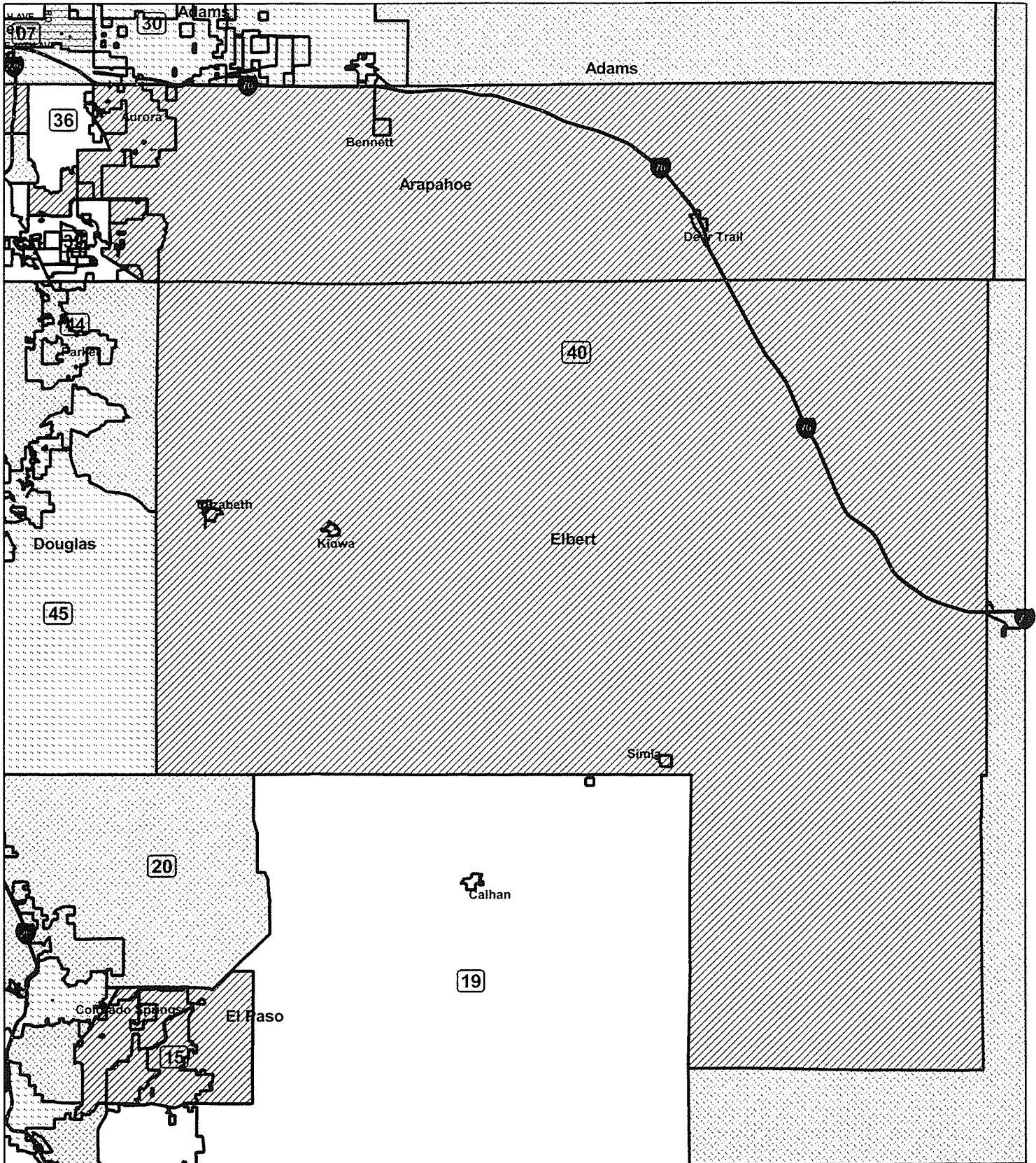
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House District 39



House District 40

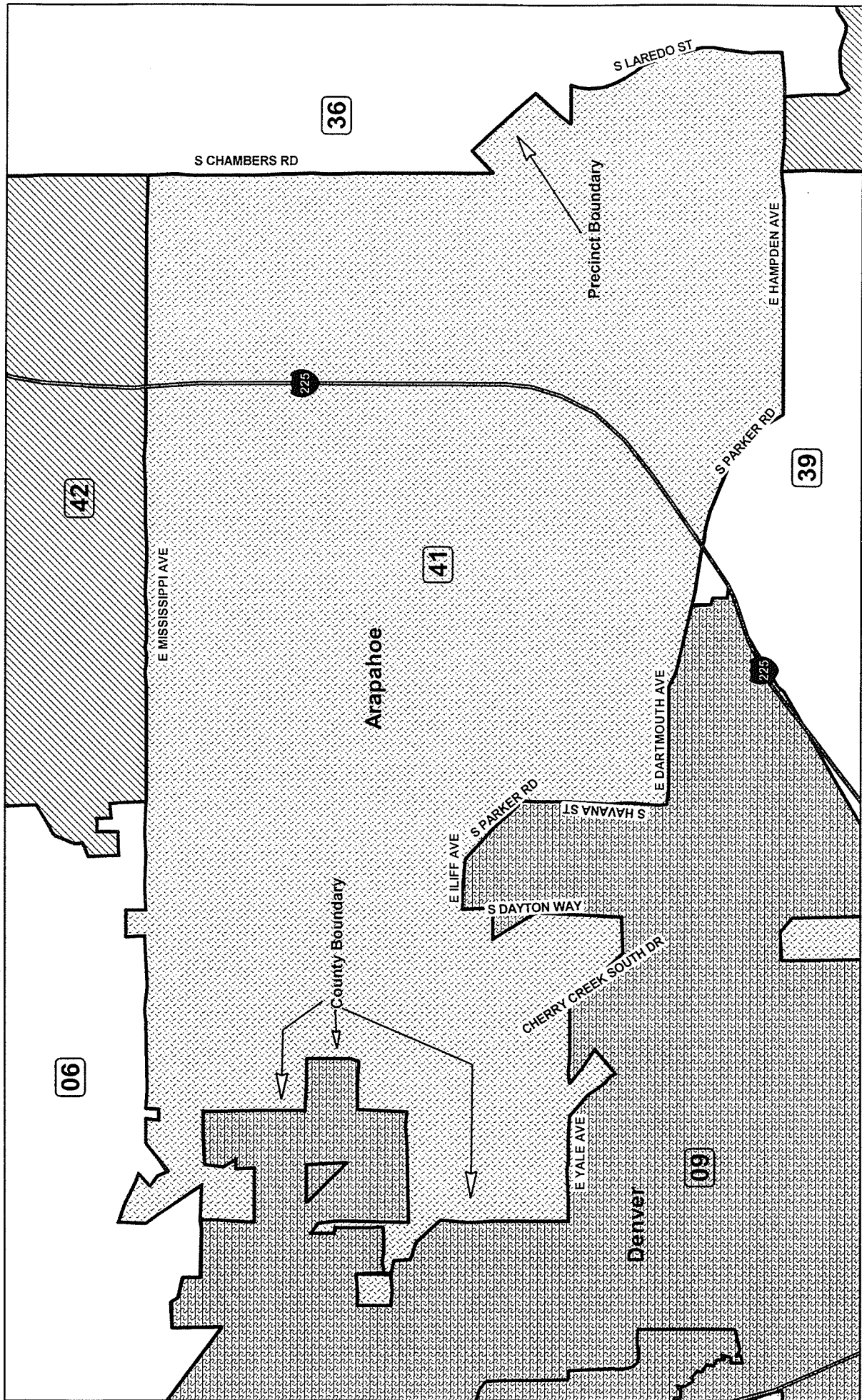


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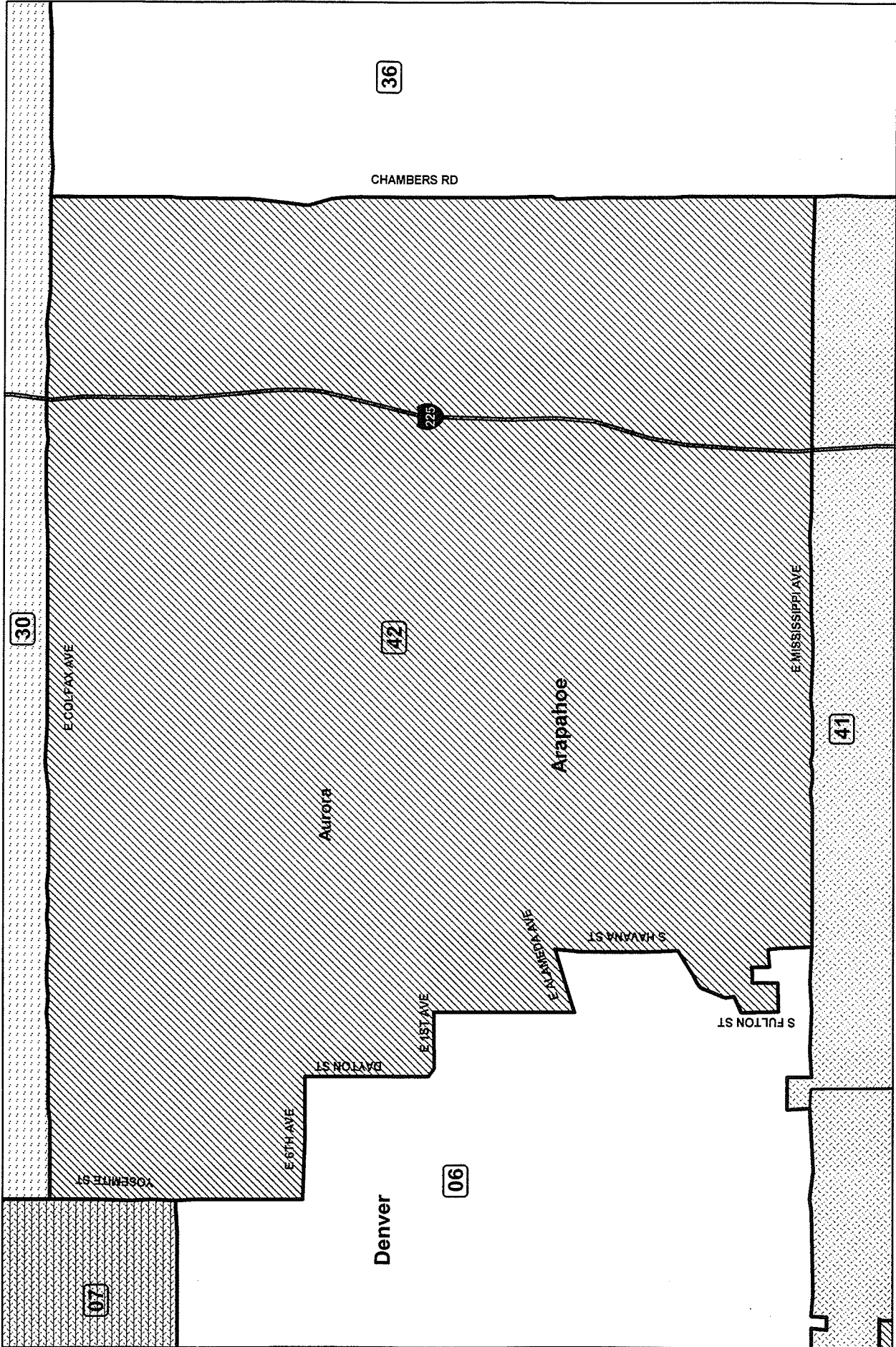
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Colorado Reapportionment Commission
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 41



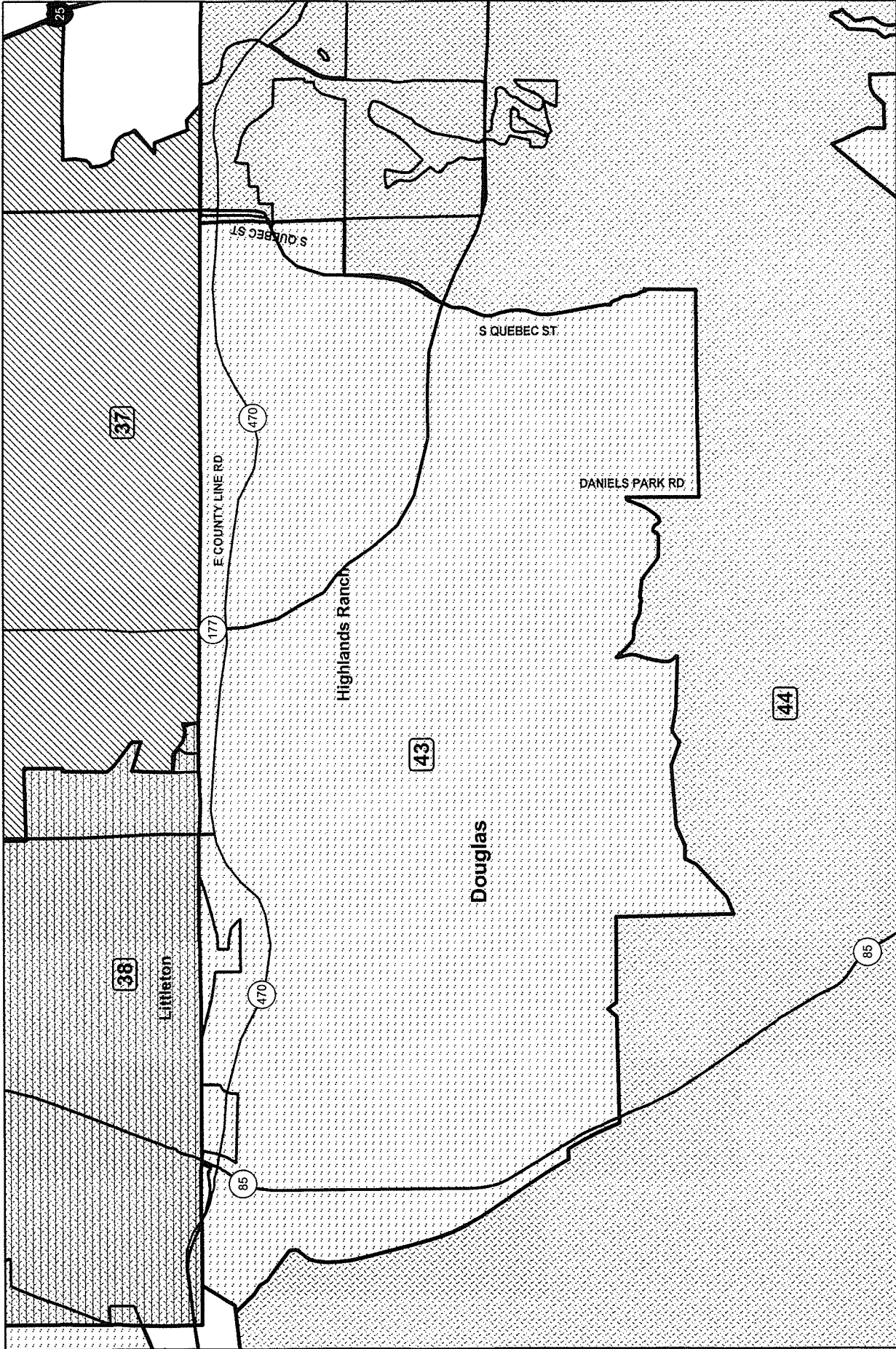
House District 42



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House District 43

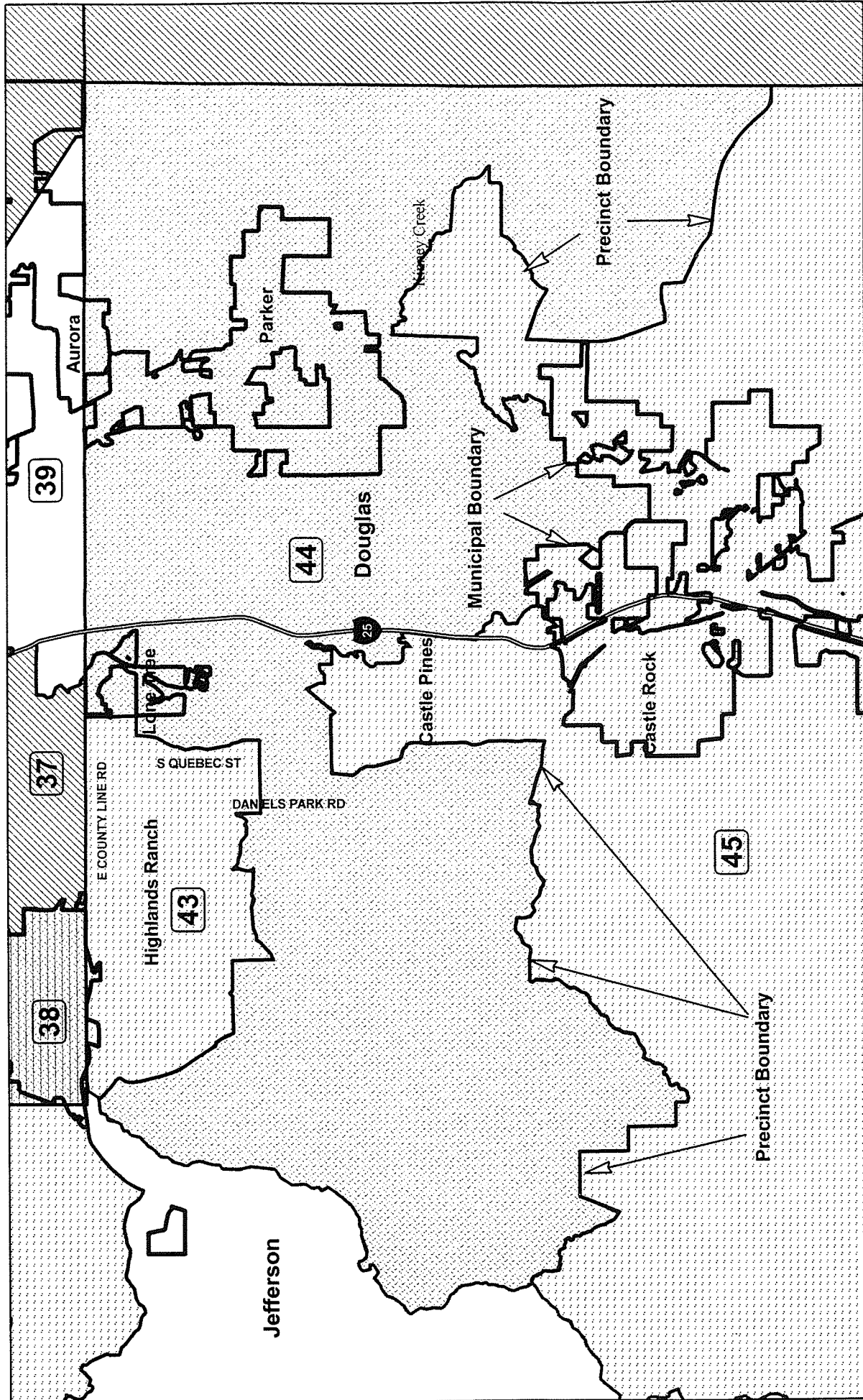


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Colorado Reapportionment Commission
1600 Broadway, Suite 1020
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 44

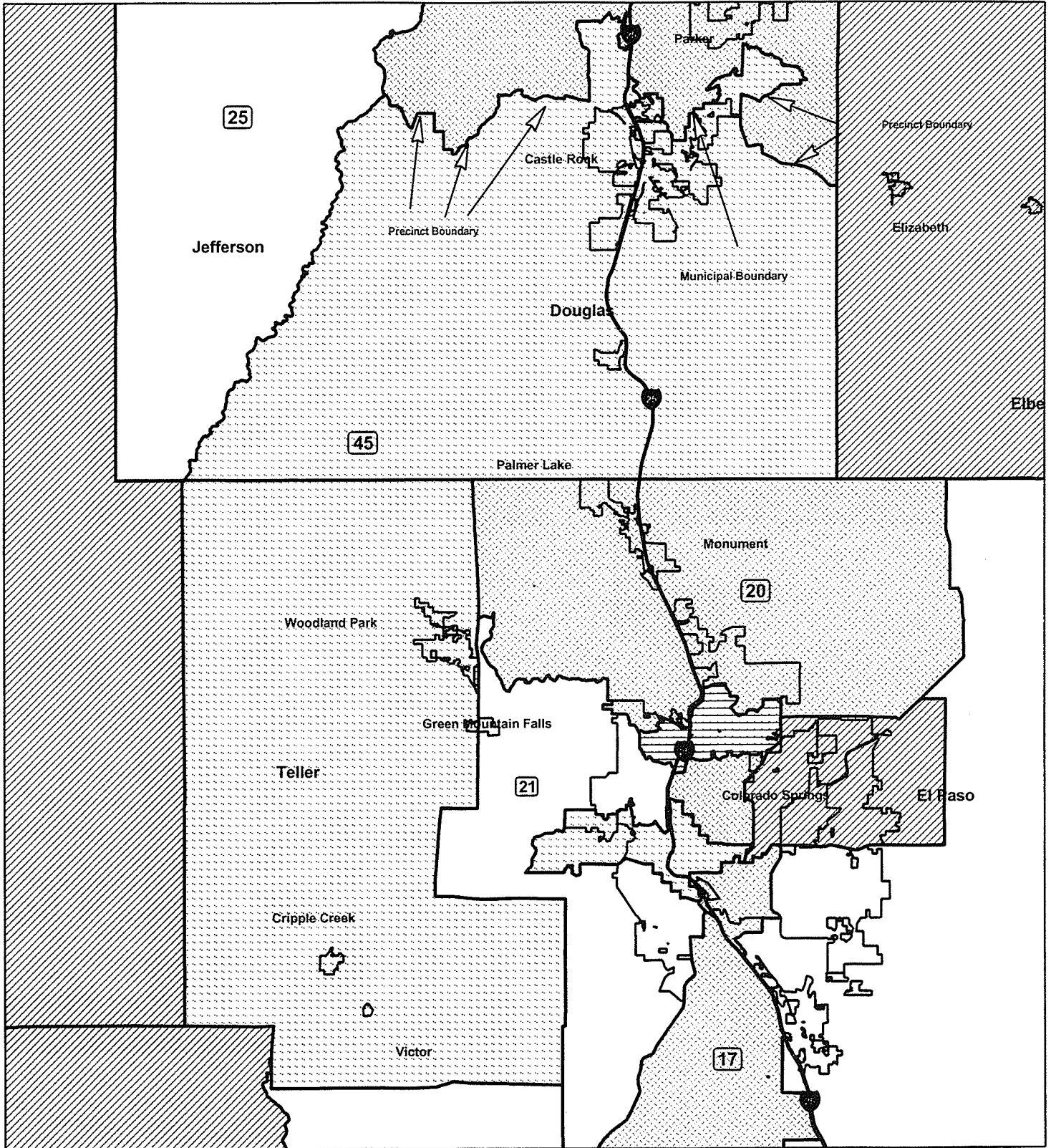


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House District 45

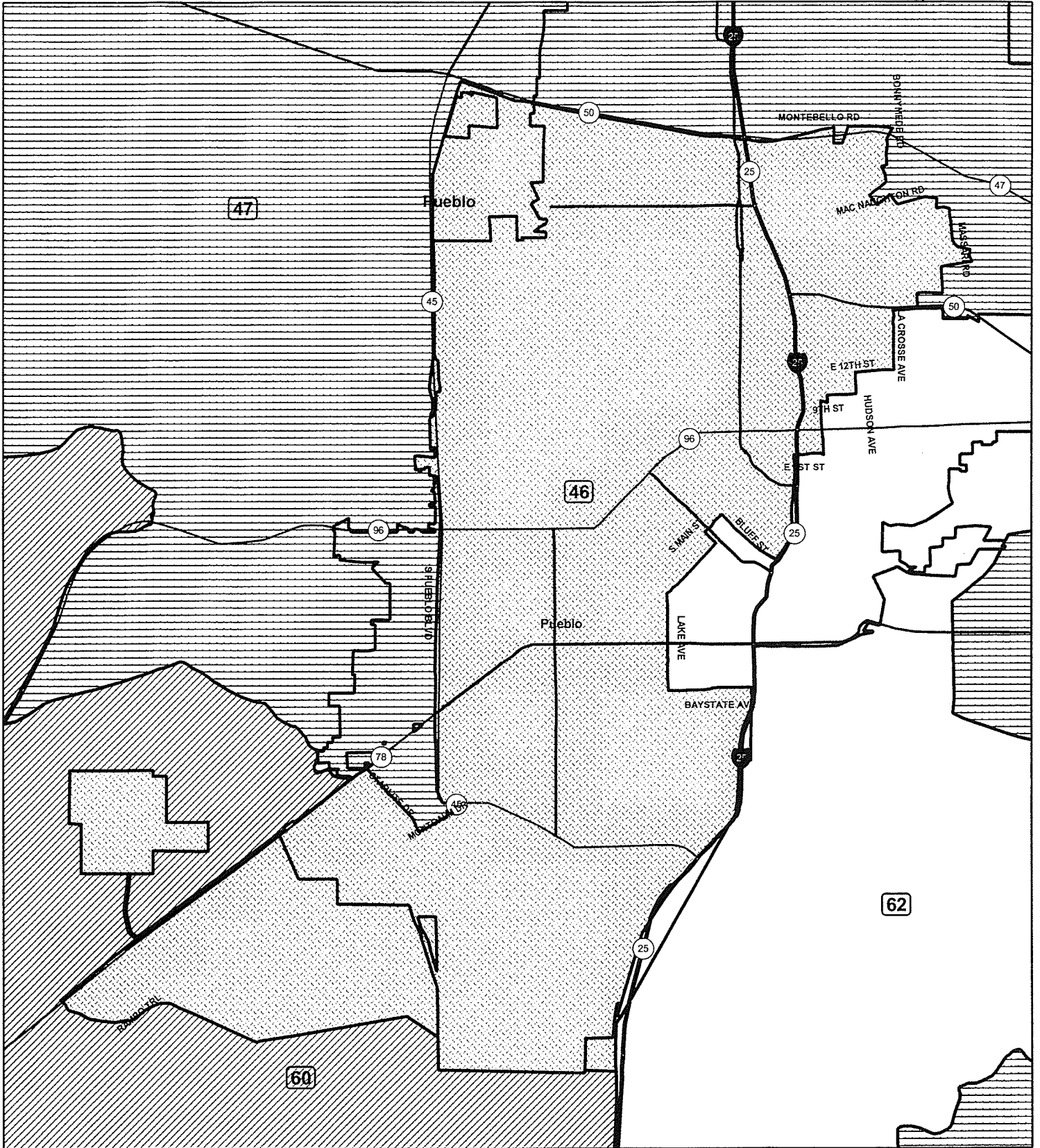


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Colorado Reapportionment Commission
1600 Broadway, Suite 1020
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 46

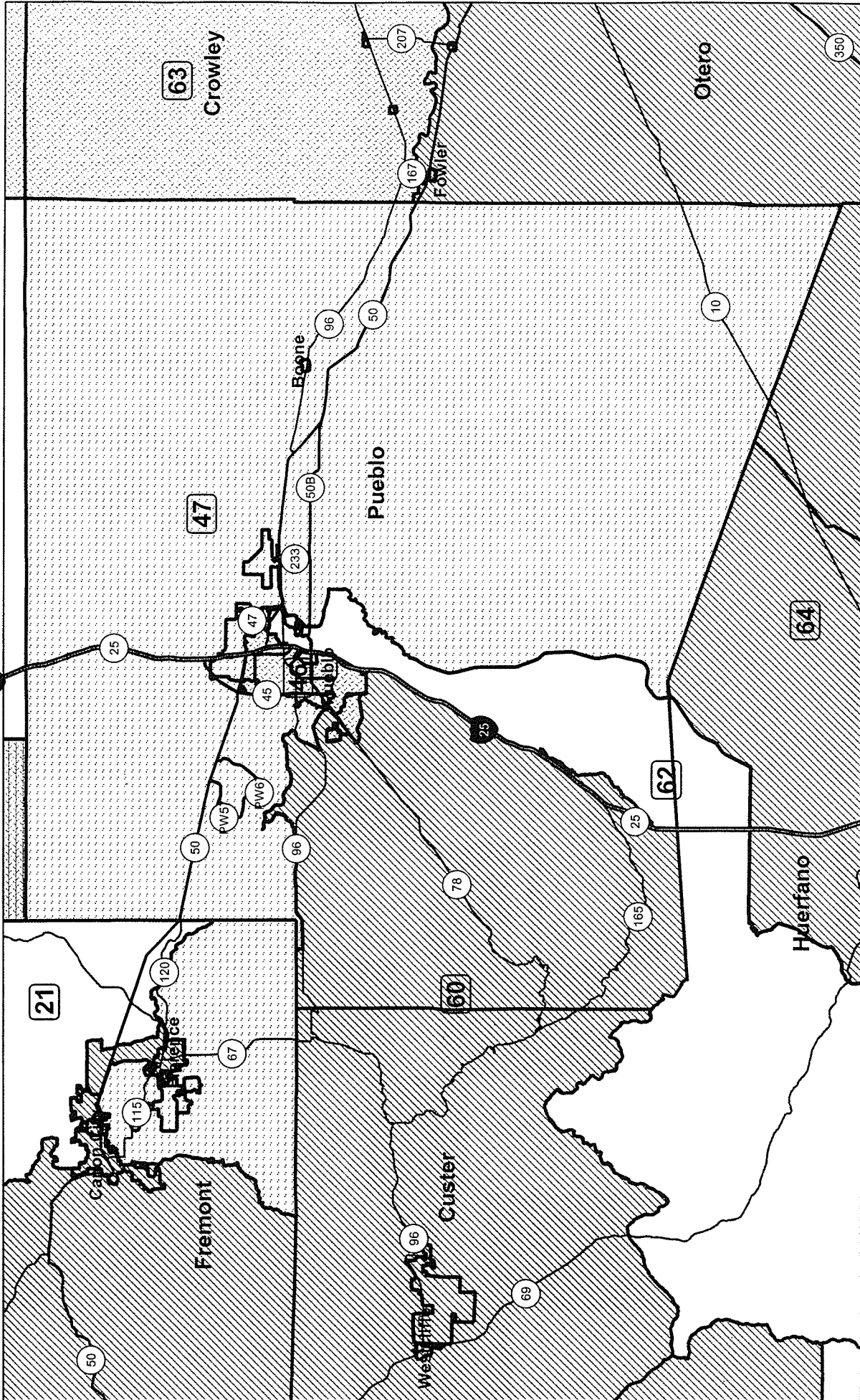


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Colorado Reapportionment Commission
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Phone (303) 866-6466
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House District 47

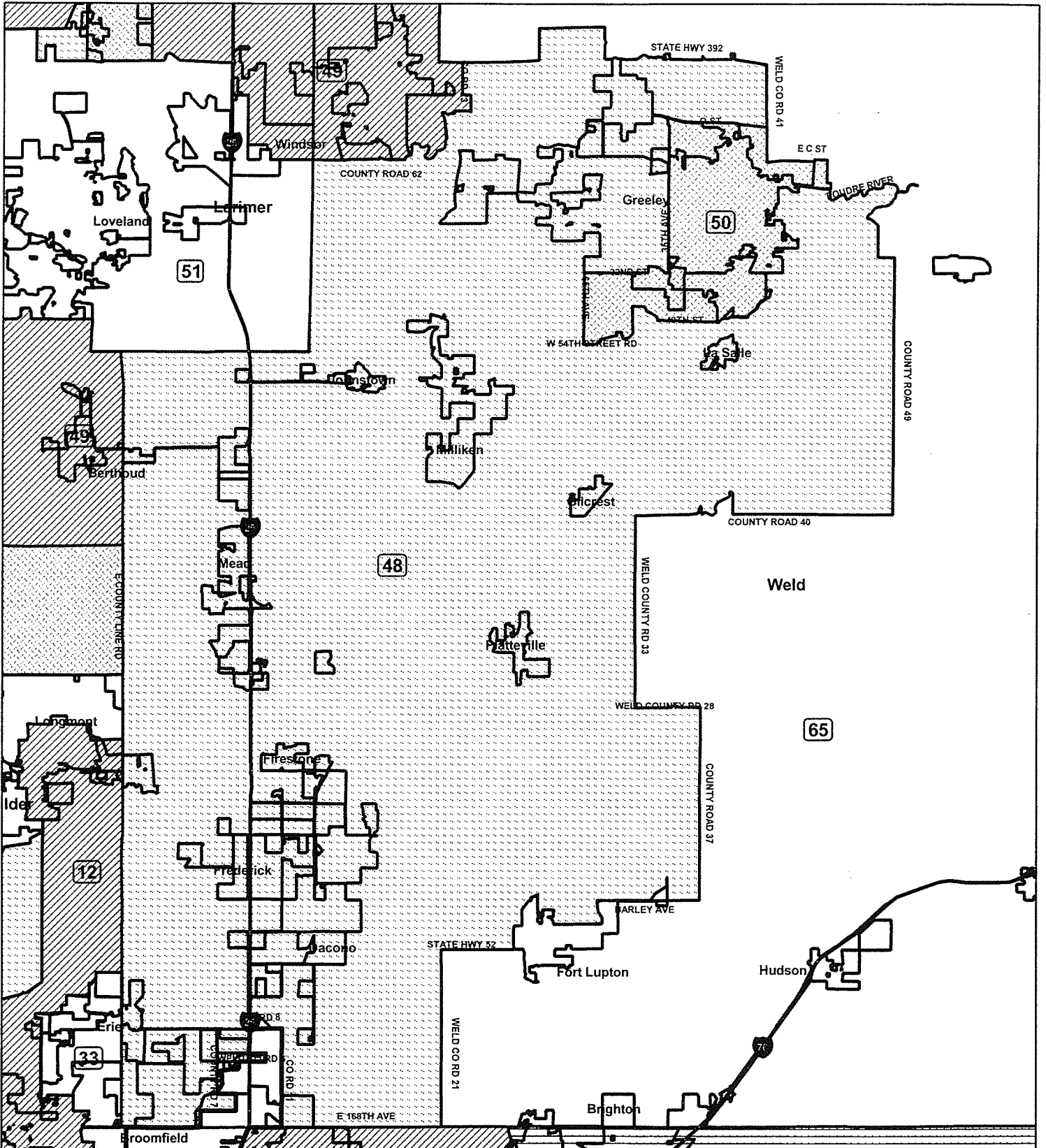


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Colorado Reapportionment Commission
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 48

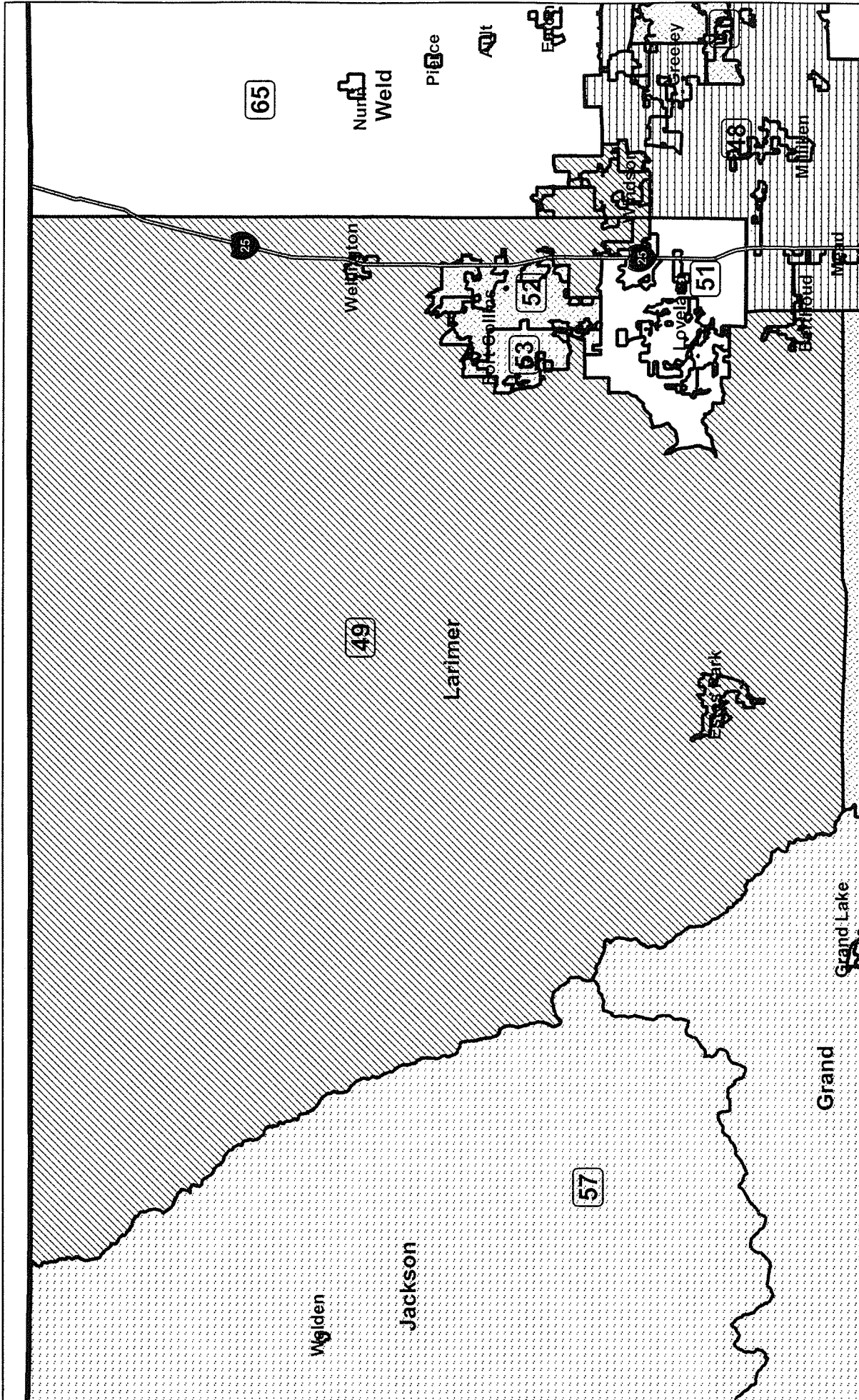


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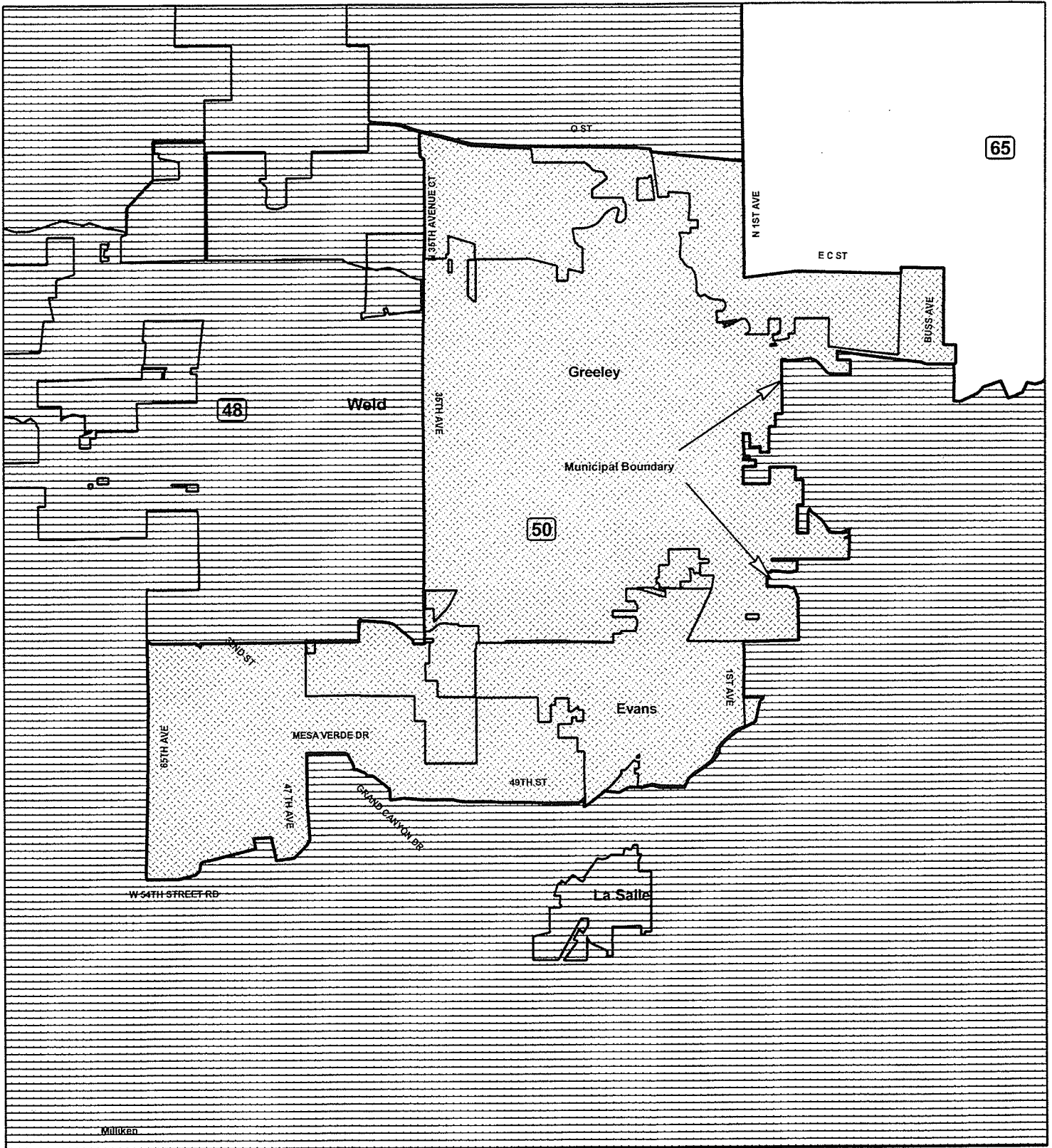
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1600 Broadway, Suite 1020
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Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 49



House District 50

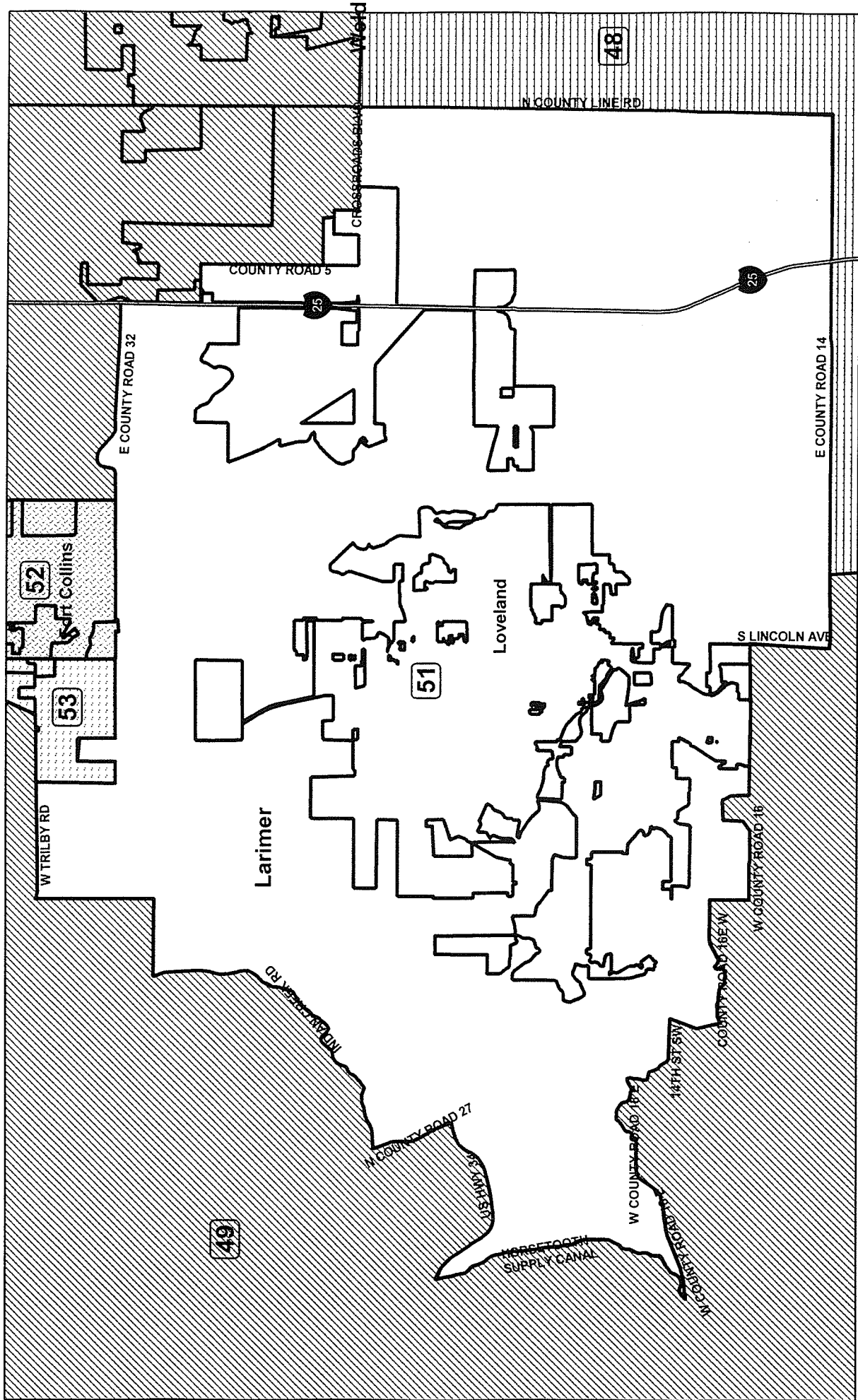


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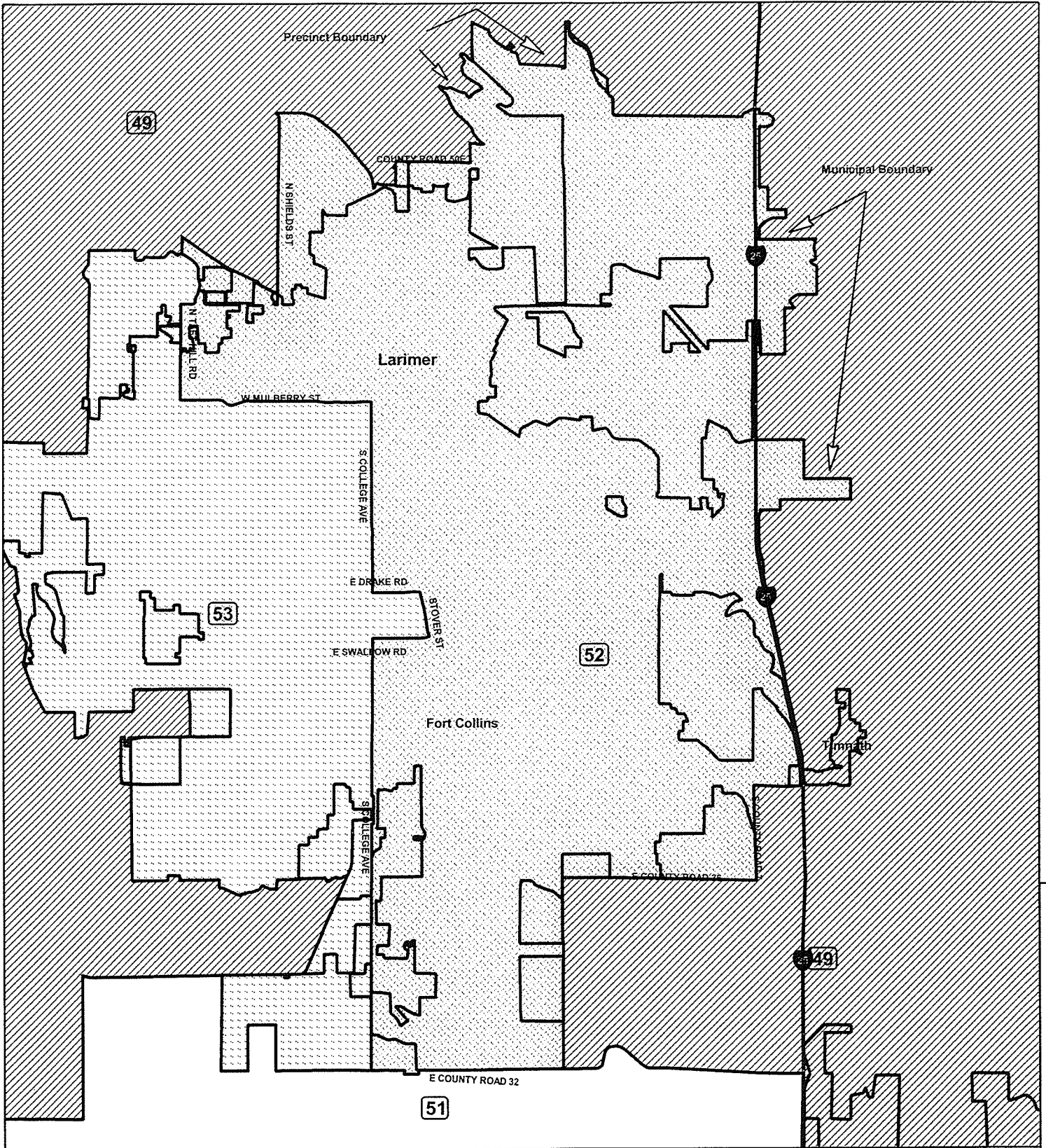
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House District 51



House District 52

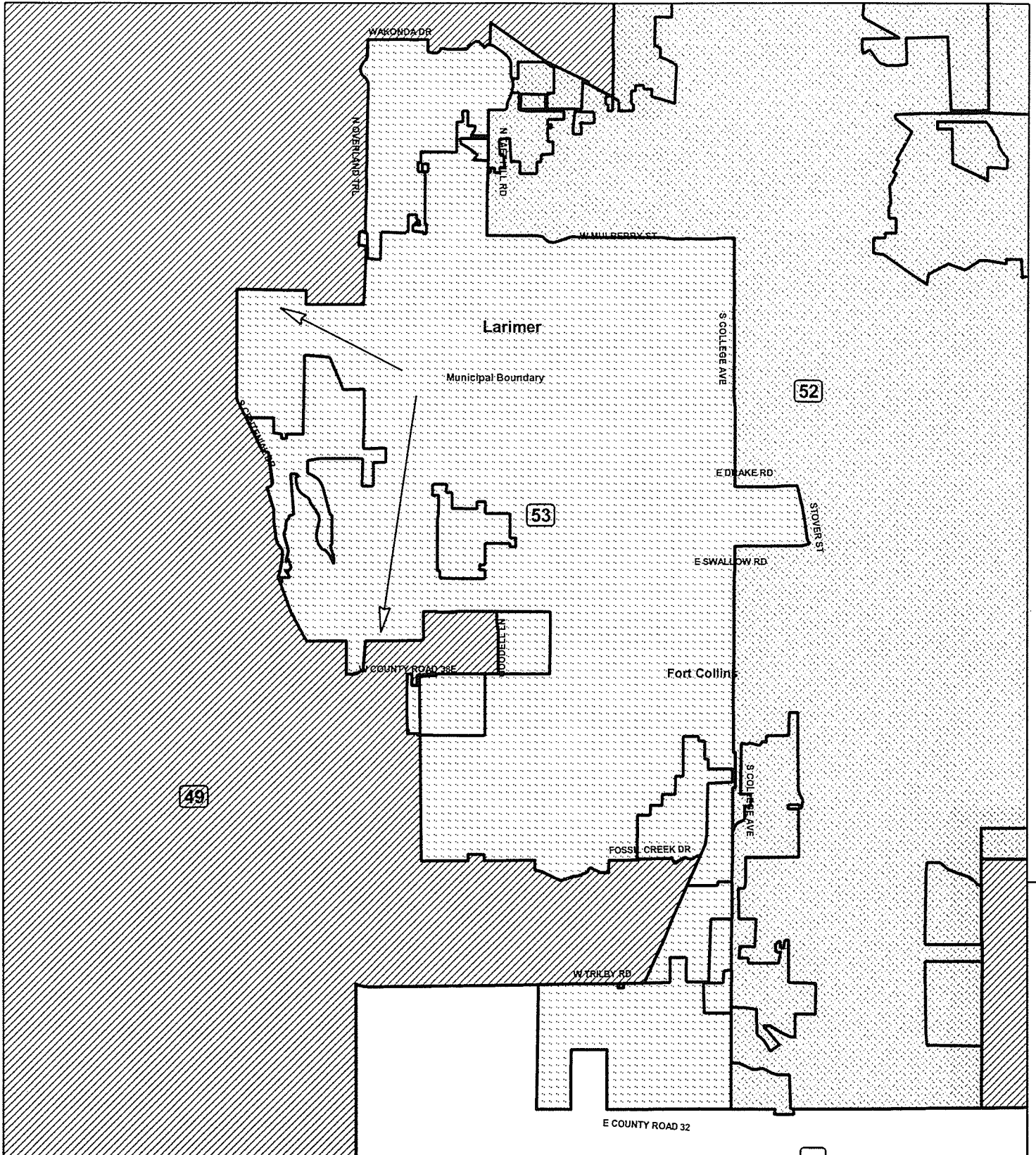


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Colorado Reapportionment Commission
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House District 53

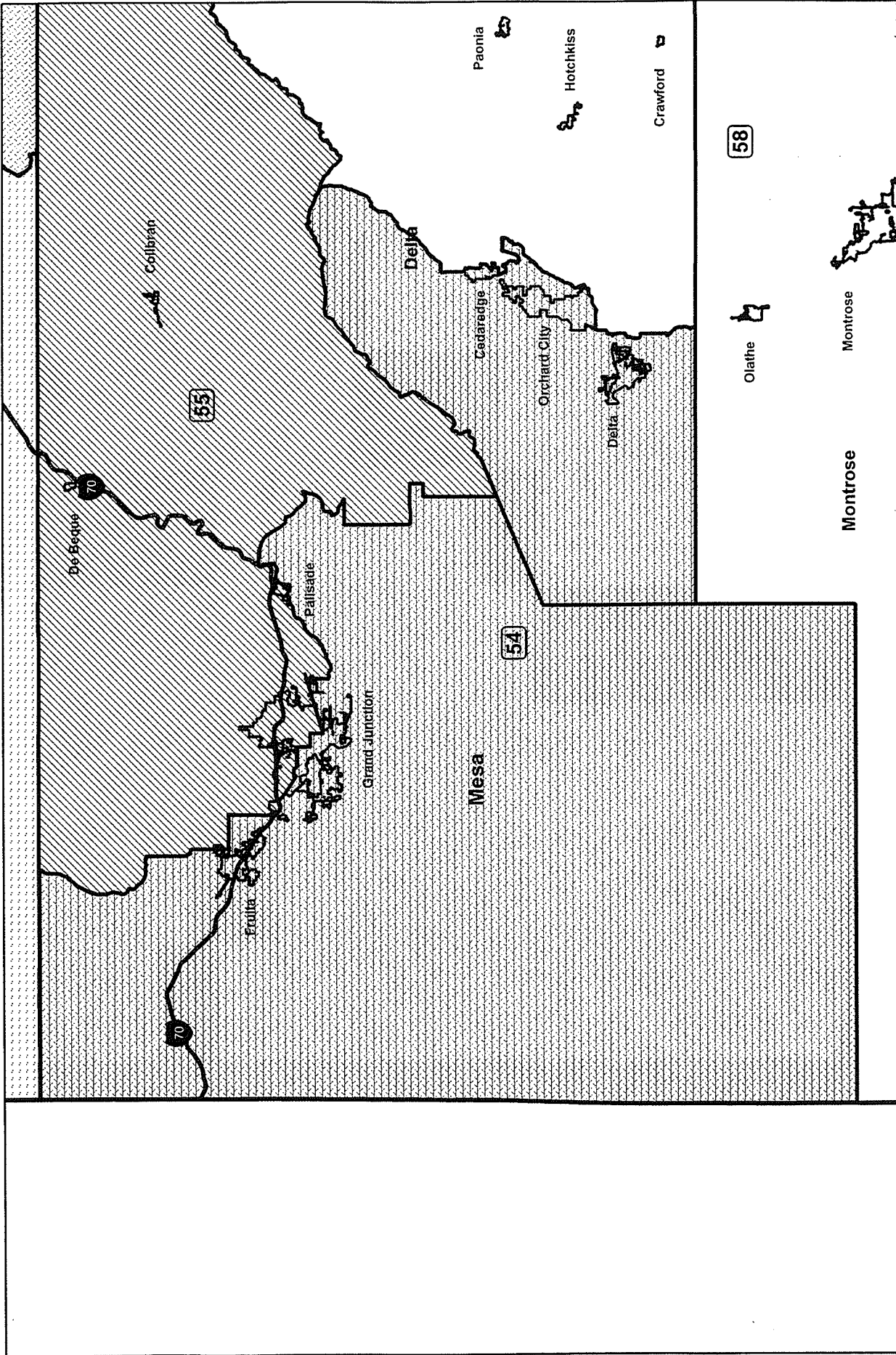


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House District 54

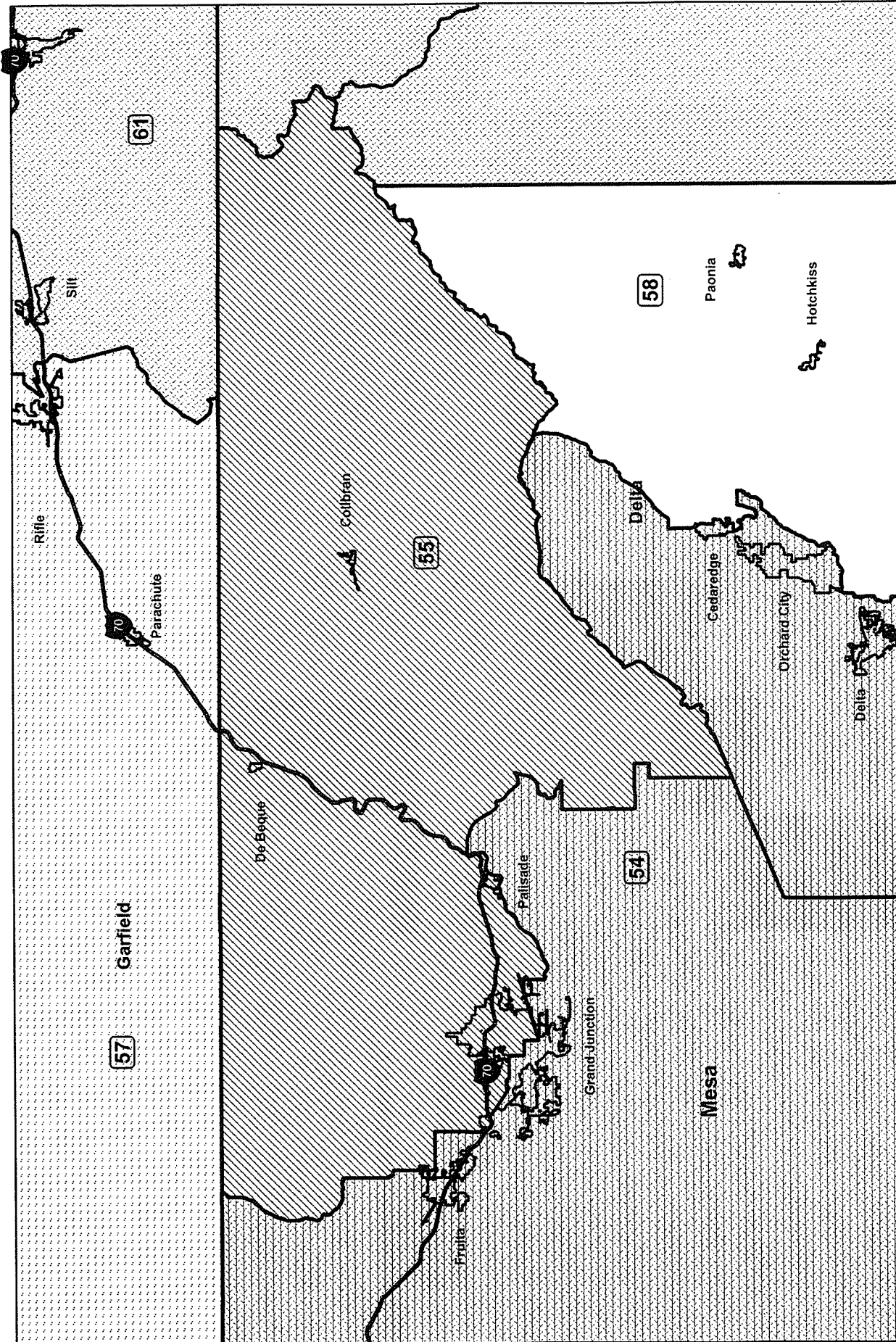


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House District 55

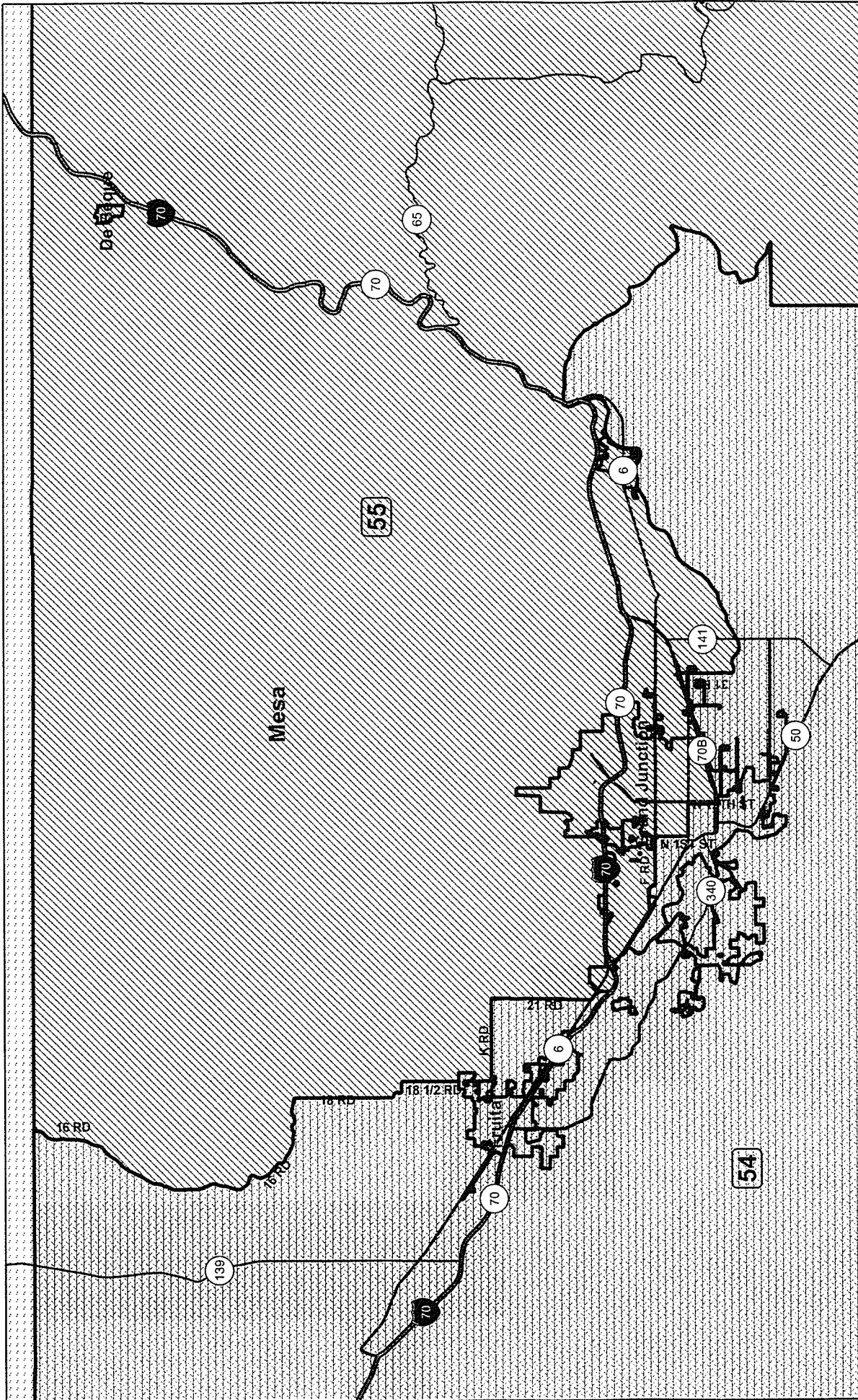


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House Districts 54 and 55

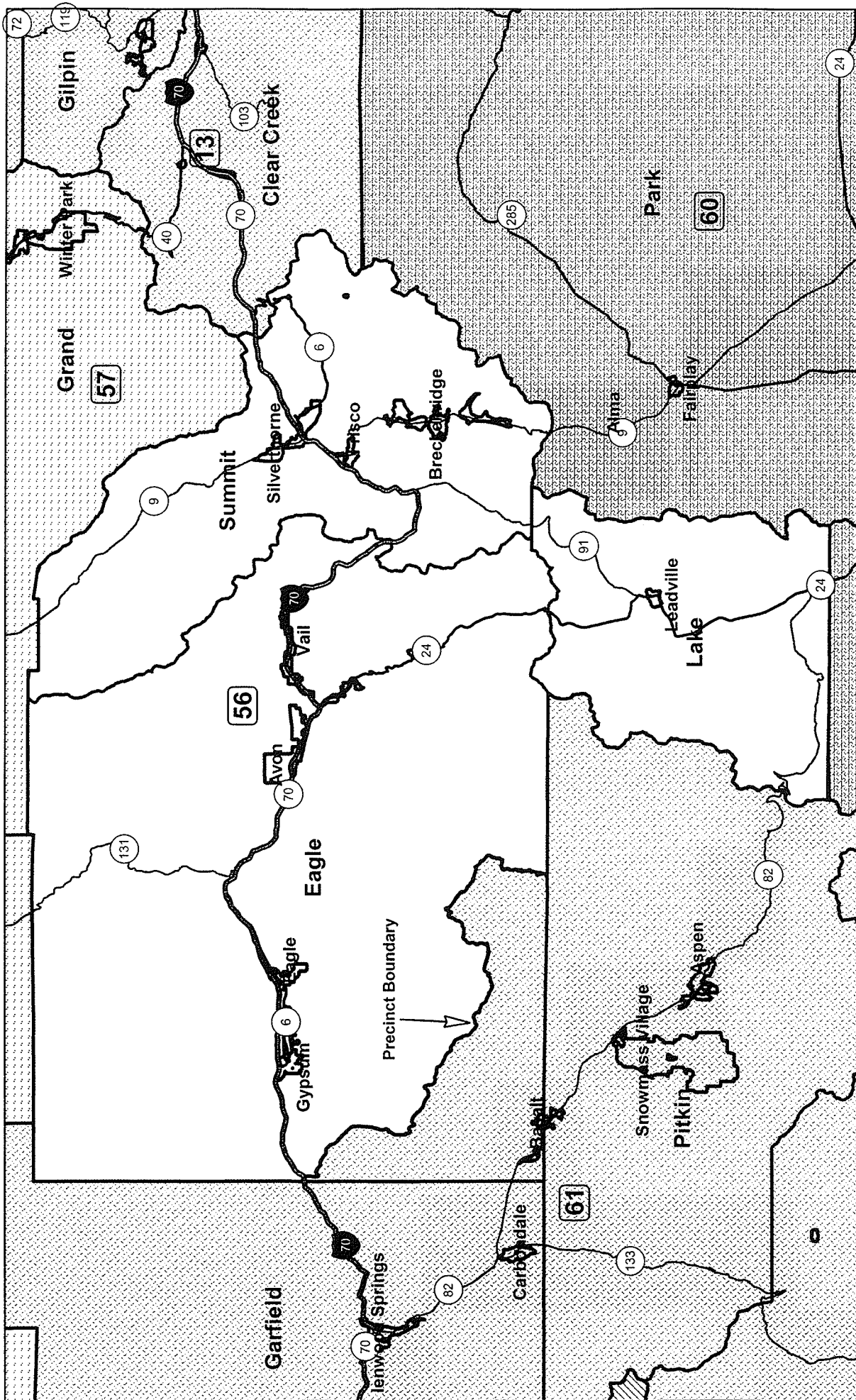


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House District 56

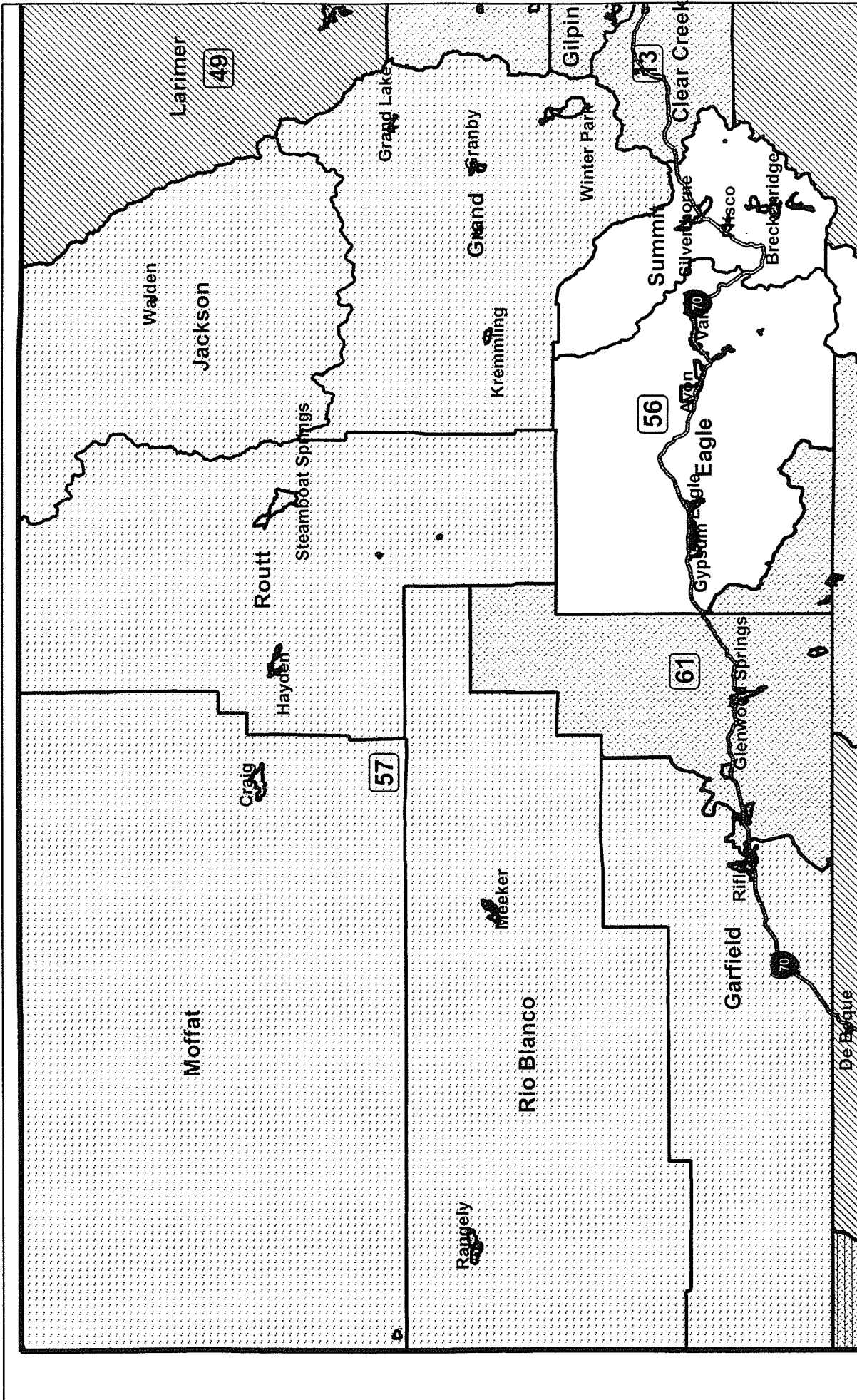


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House District 57

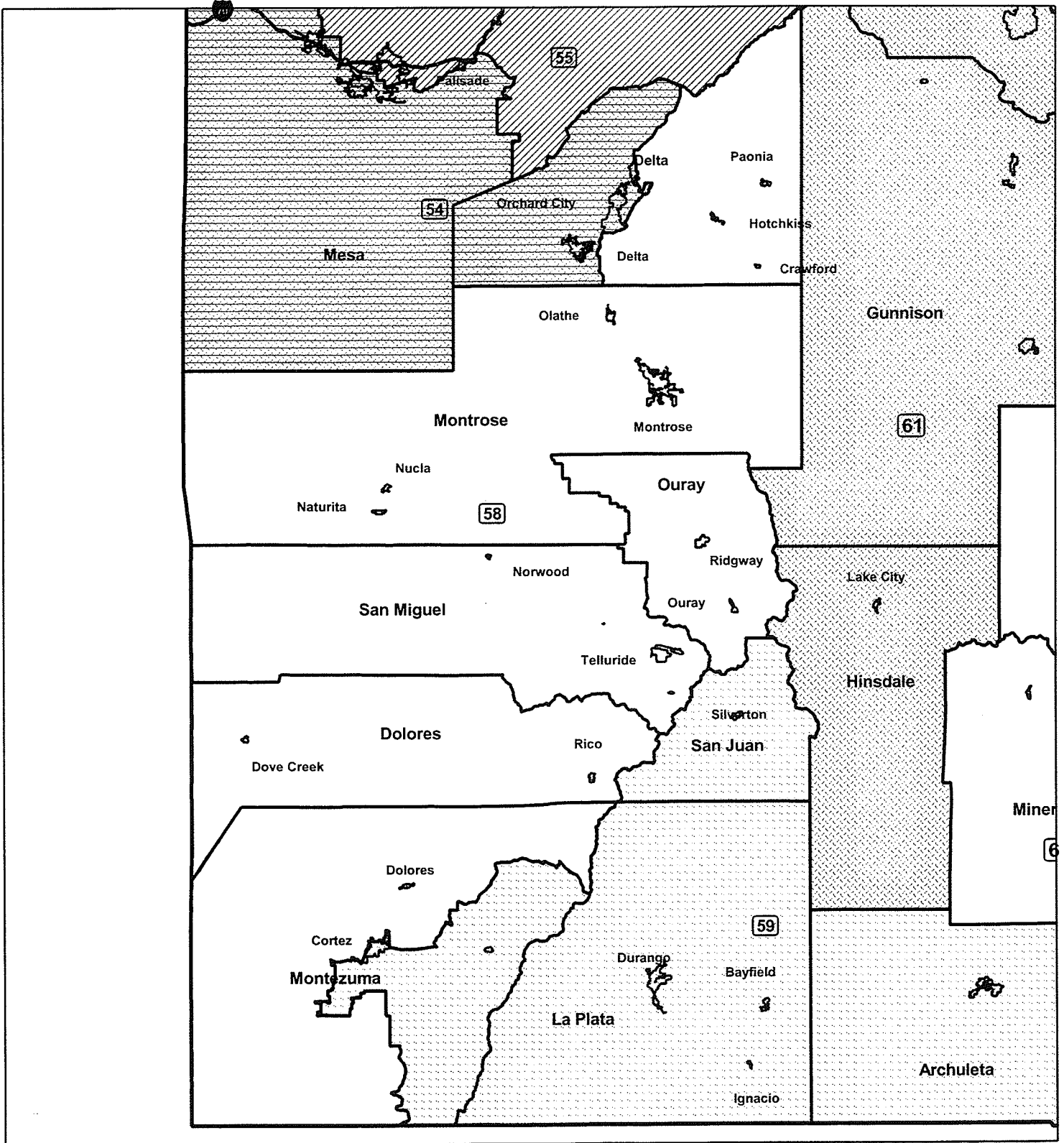


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www.state.co.us/gov_dir/stateleg.html

House District 58

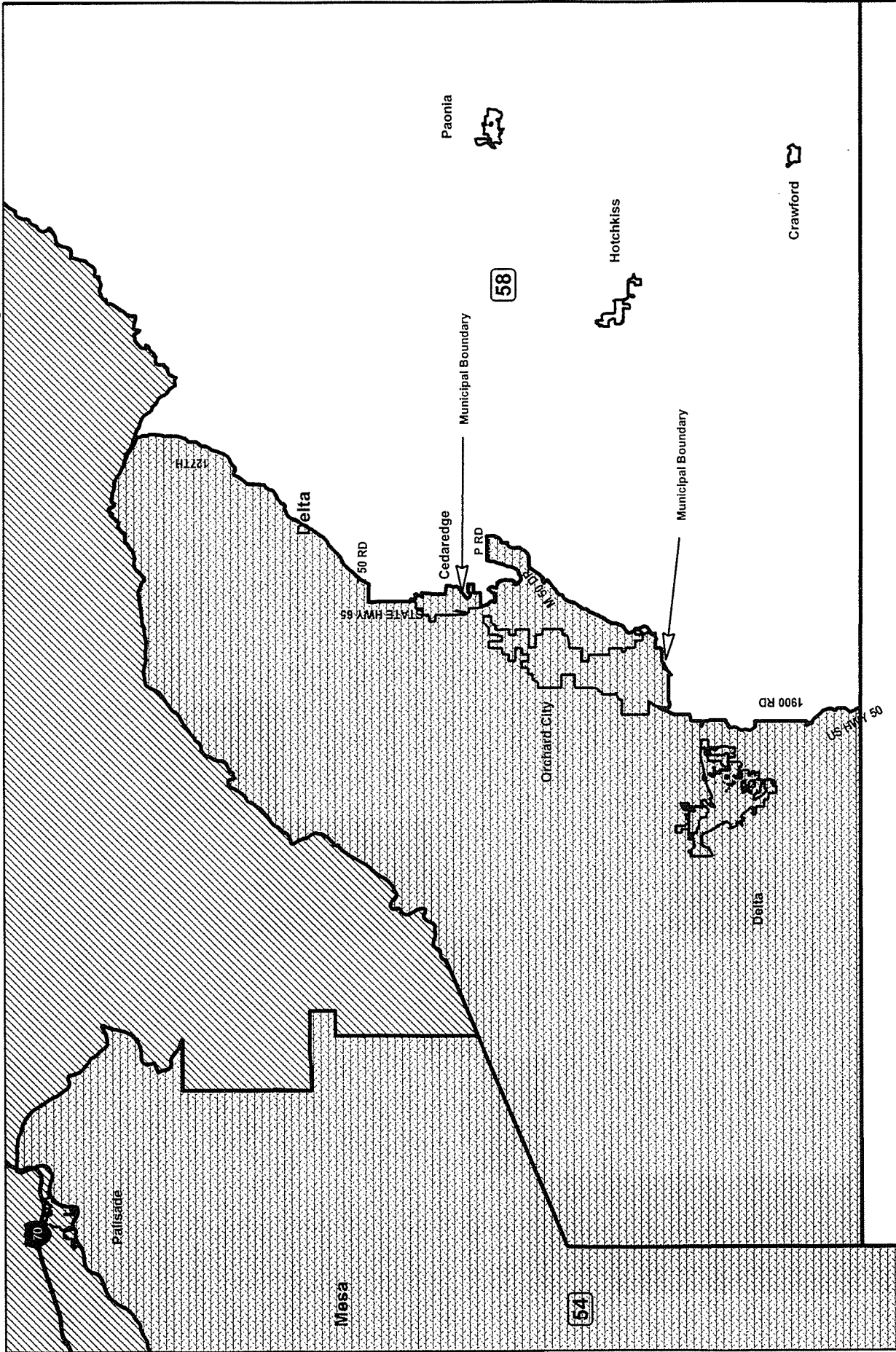


January 10, 2002

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Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House Districts 54 and 58 - Delta County

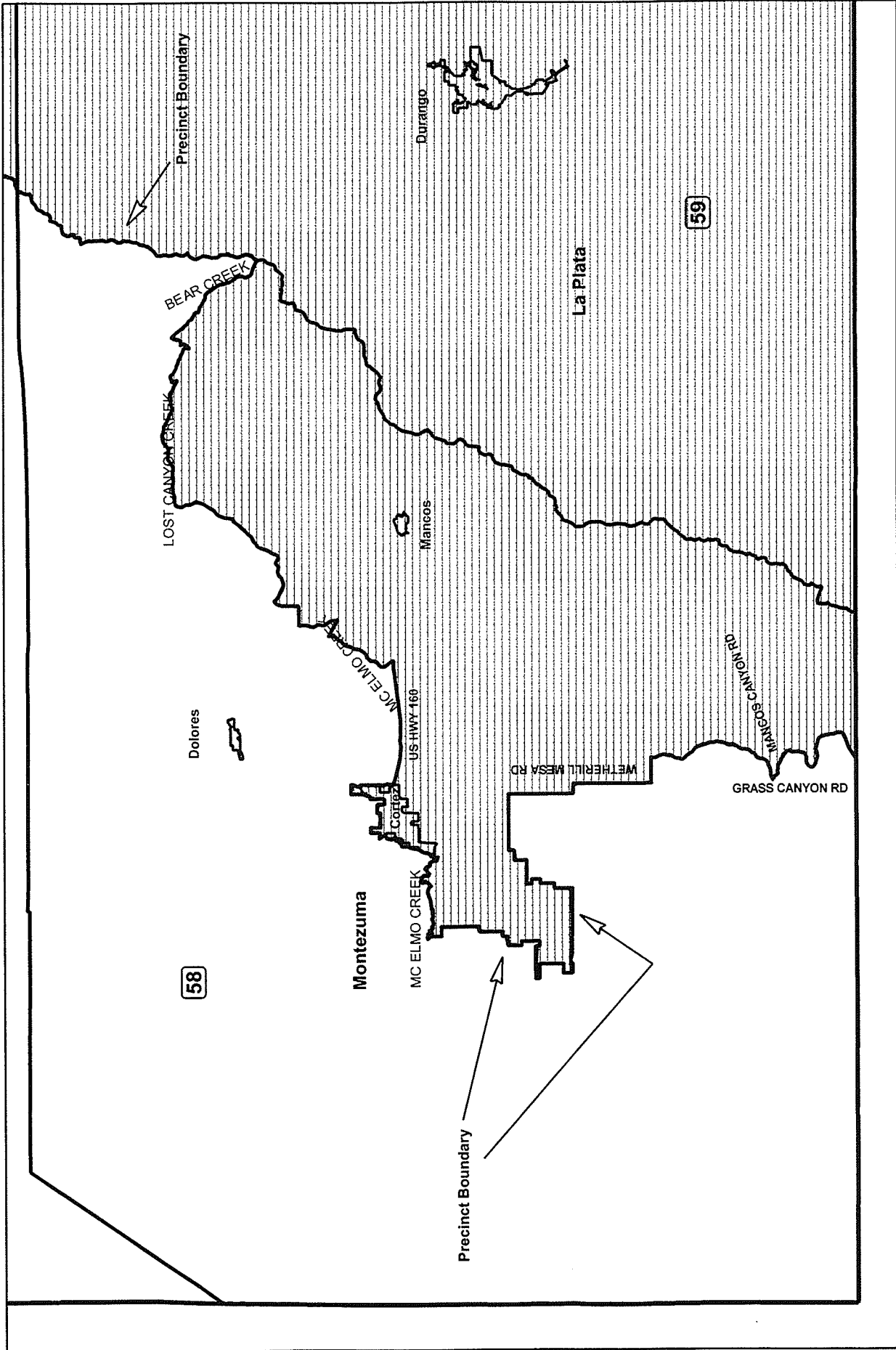


February 2002

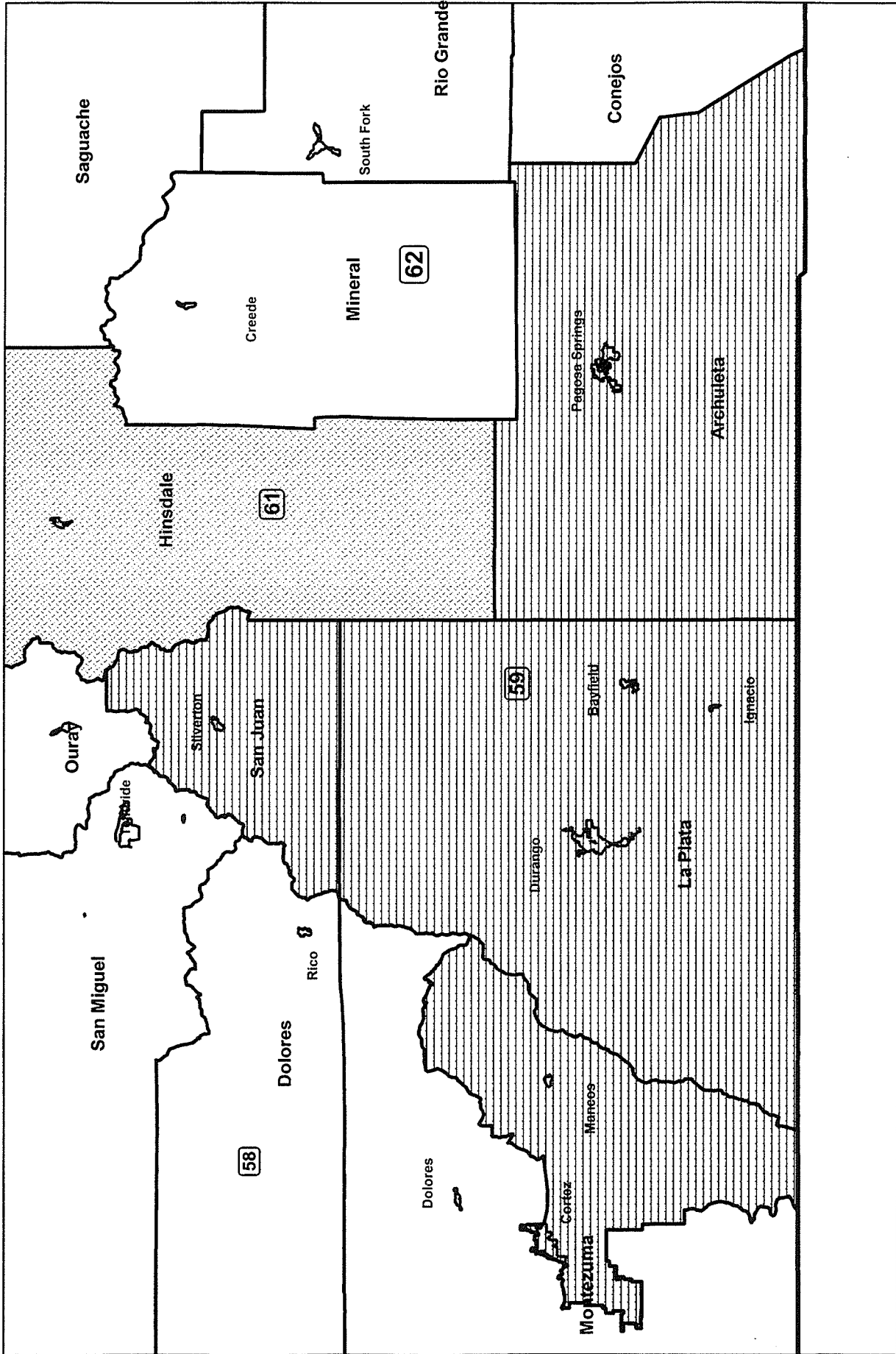
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Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House Districts 58 and 59 - Montezuma County



House District 59

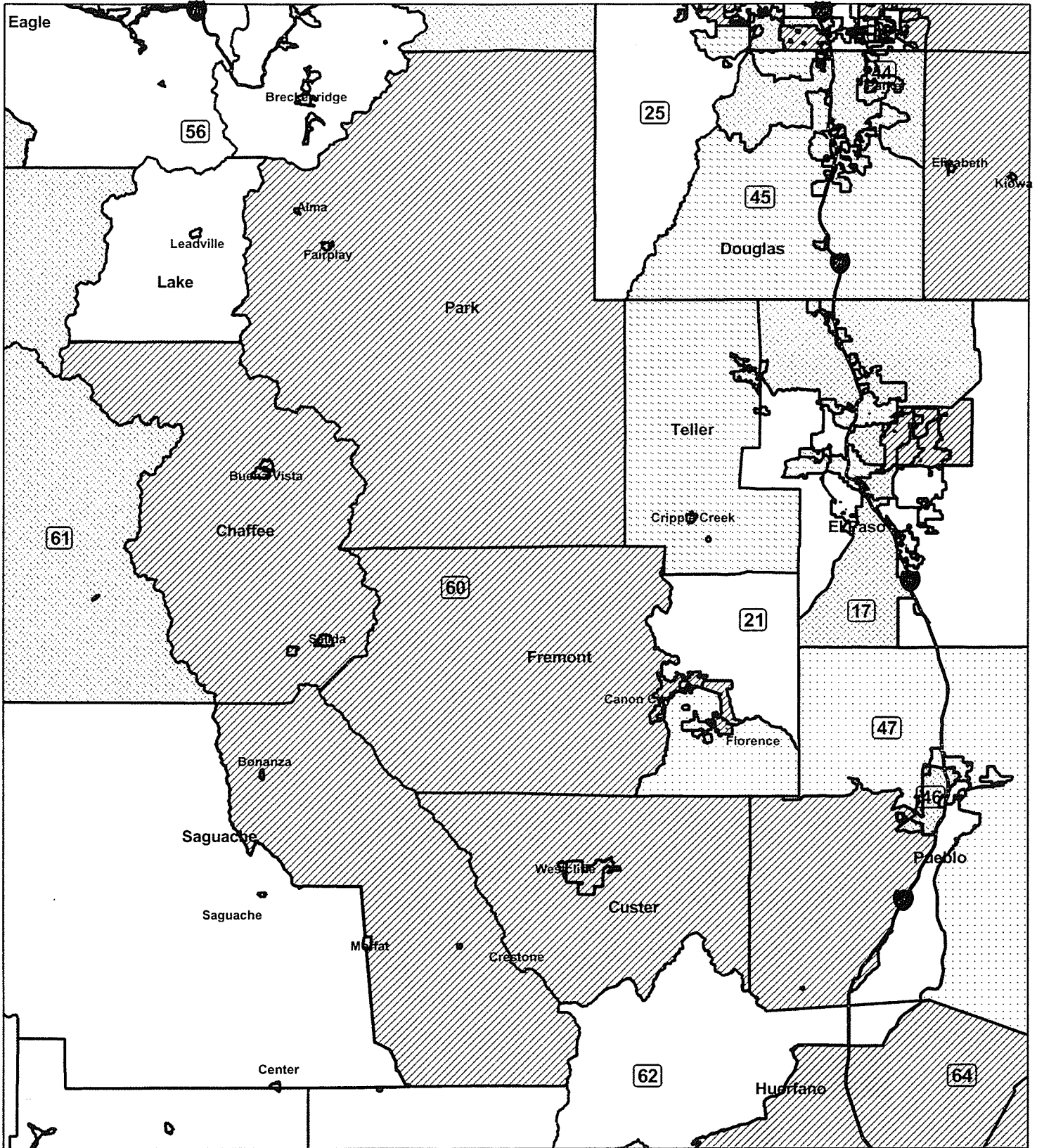


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Colorado Reapportionment Commission
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 Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House District 60

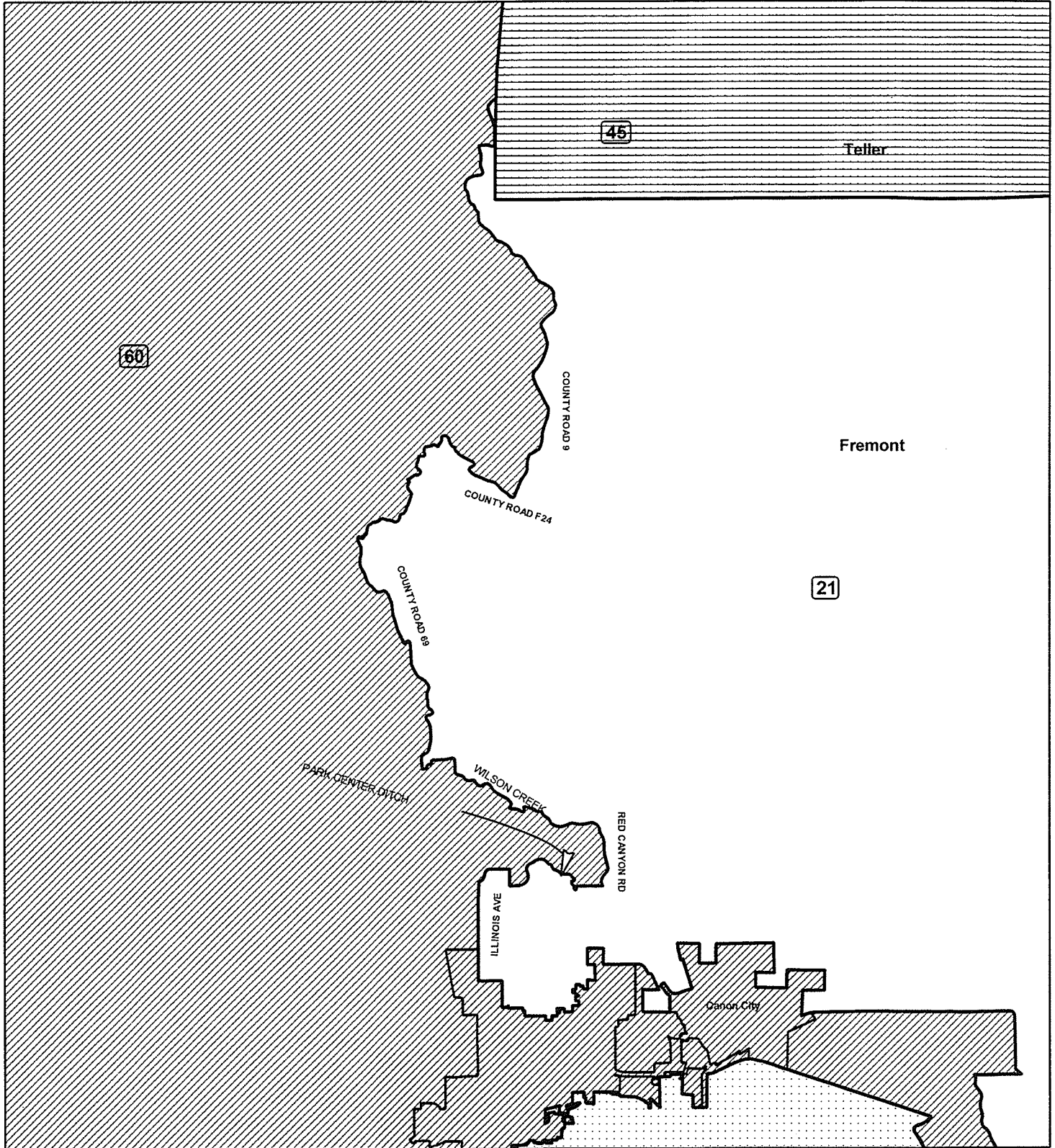


January 10, 2002

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Denver, CO 80202
Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

House Districts 21 and 60 - Fremont County

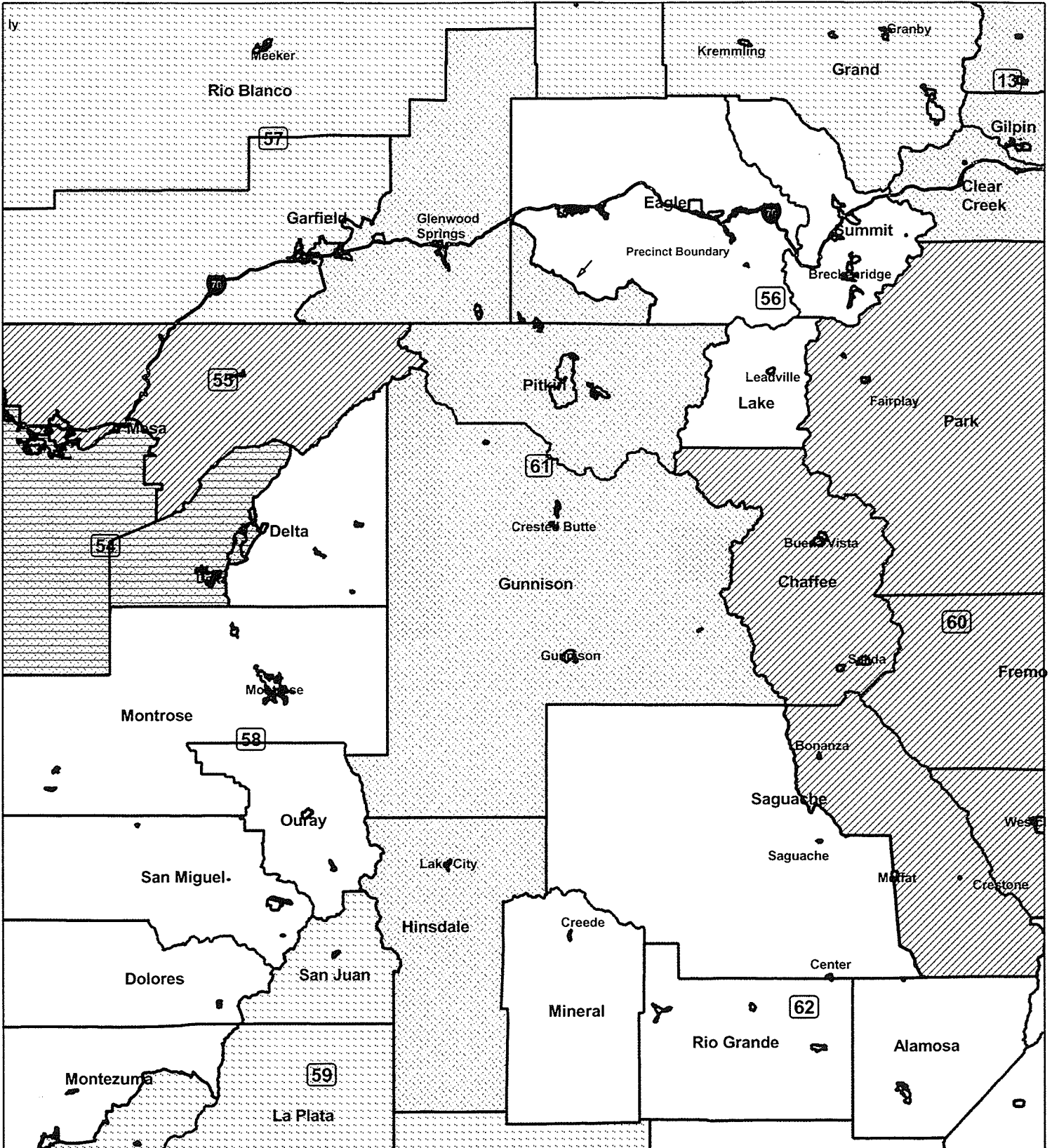


January 10, 2002

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Phone (303) 866-6466
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House District 61

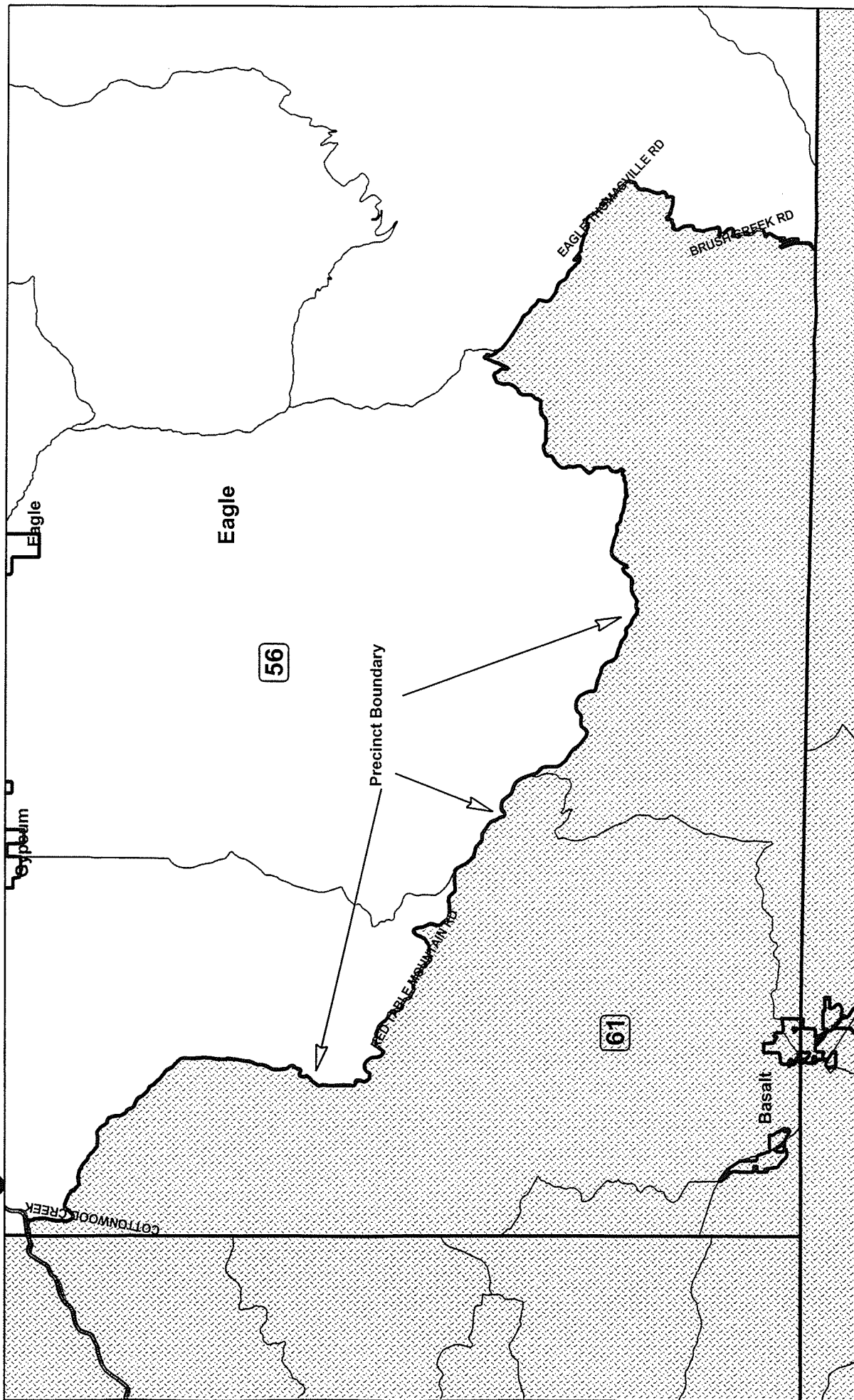


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Colorado Reapportionment Commission
1600 Broadway, Suite 1020
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www.state.co.us/gov_dir/stateleg.html

House Districts 56 and 61

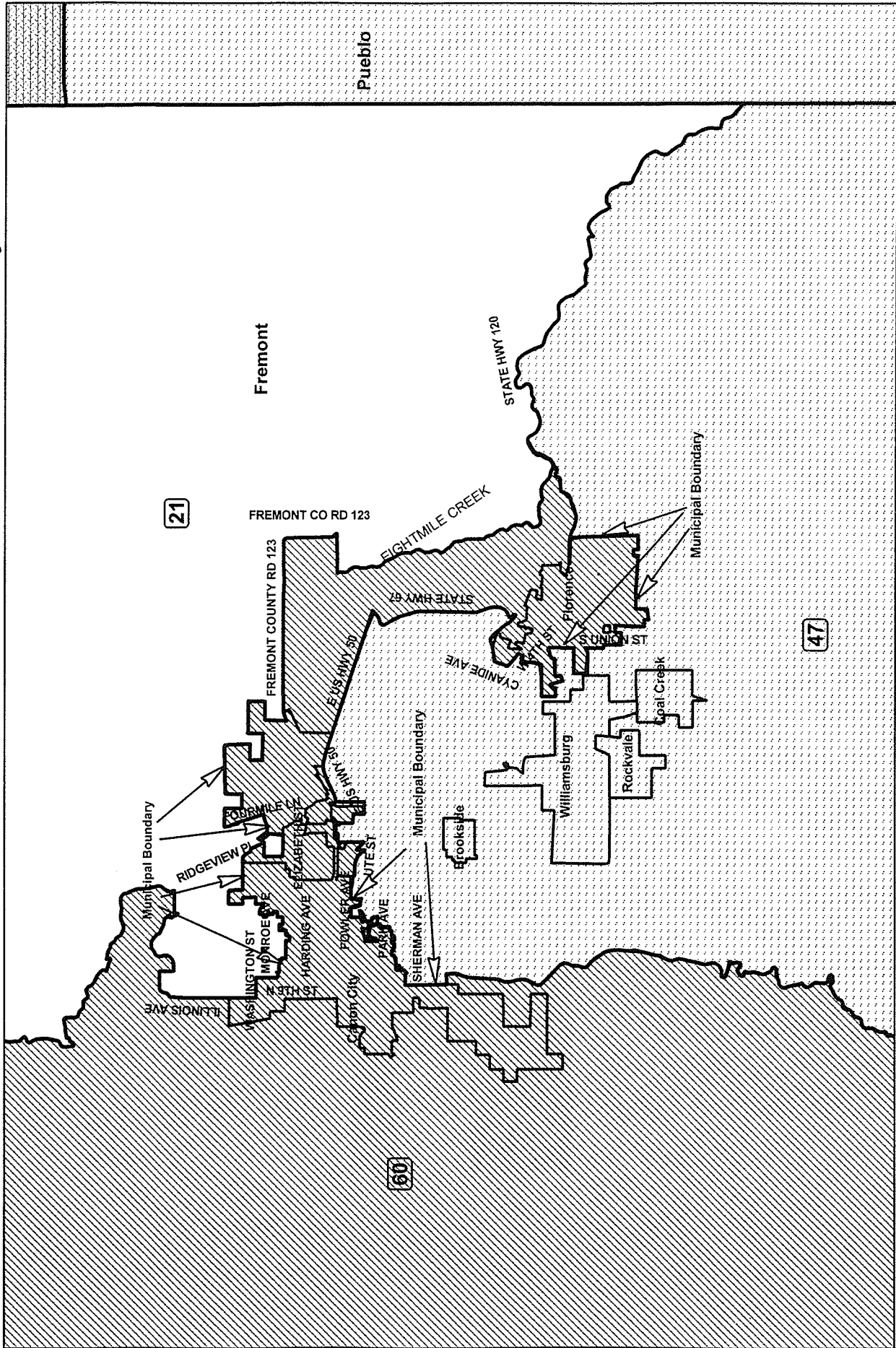


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House Districts 21, 47, and 60 - Fremont County

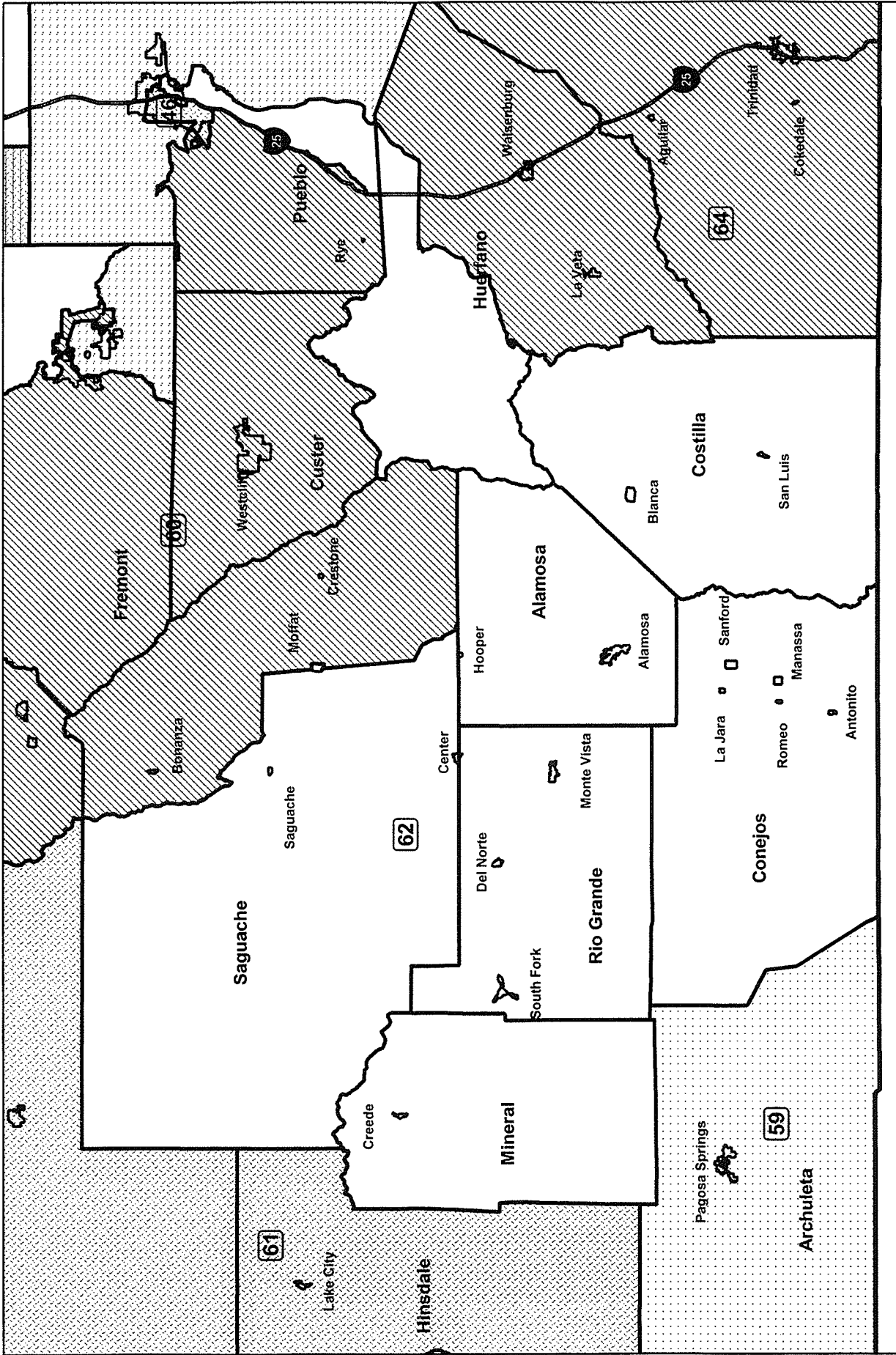


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House District 62

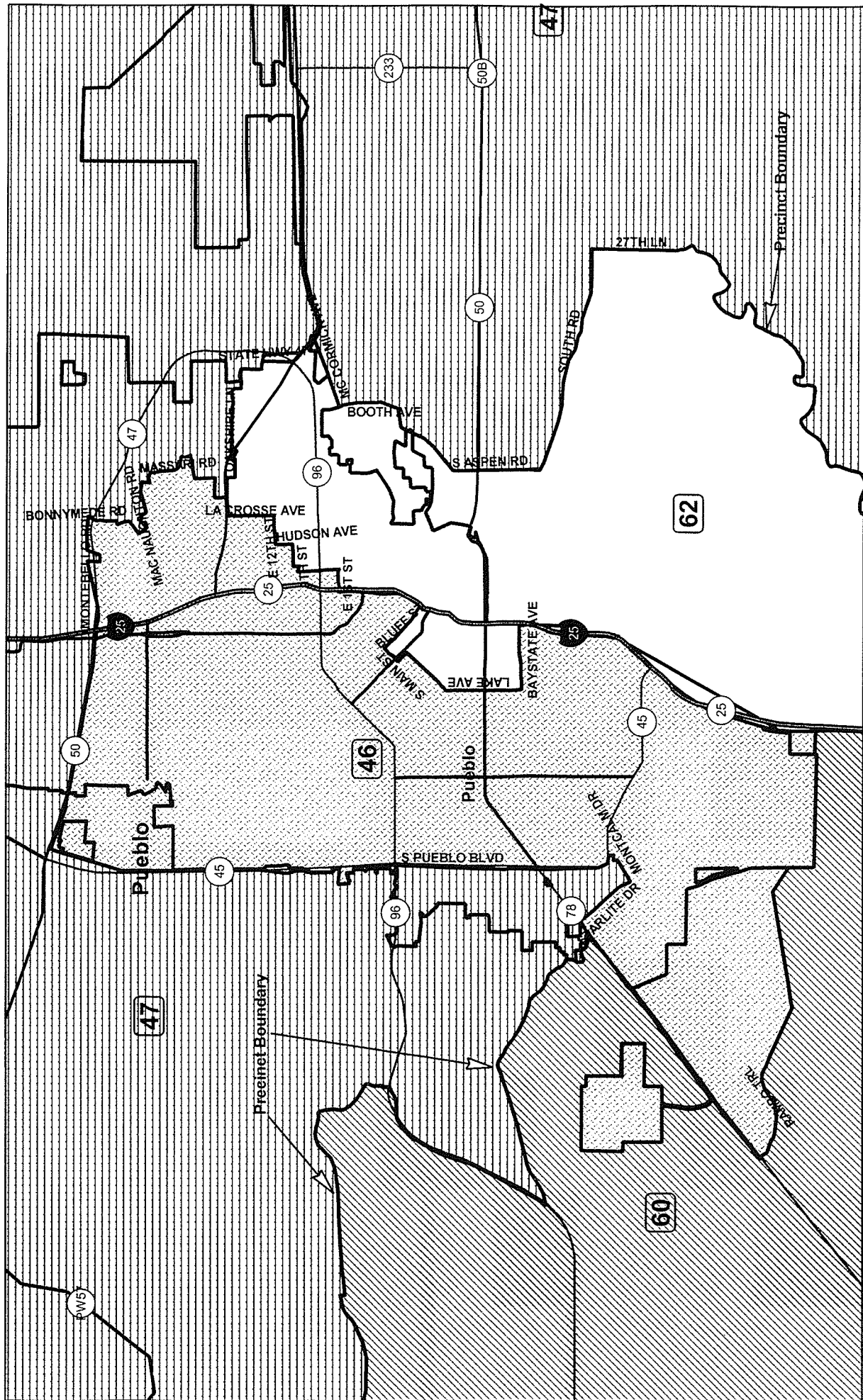


Colorado Reapportionment Commission
 1600 Broadway, Suite 1020
 Denver, CO 80202
 Phone (303) 866-6466
www.state.co.us/gov_dir/stateleg.html

February 2002

file path X:\Commission\Layouts\Final Districts BWHD 62

House Districts 46, 47, and 62 - City of Pueblo

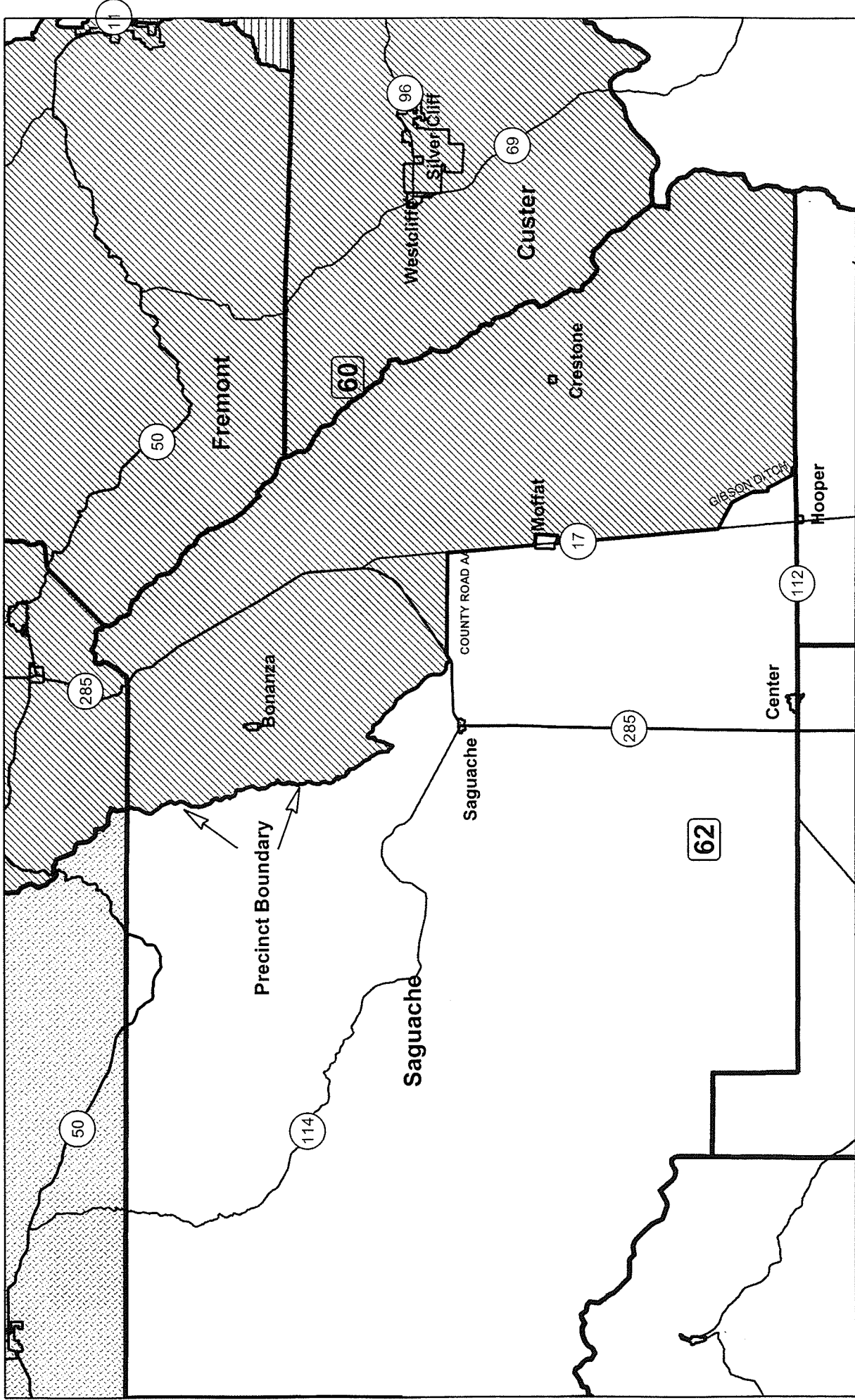


February 2002

file path X:\Commission\Layouts\Final Districts BW\HD 46,47,62

Colorado Reapportionment Commission
 1600 Broadway, Suite 1020
 Denver, CO 80202
 Phone (303) 866-6466
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House Districts 60 and 62 - Saguache County

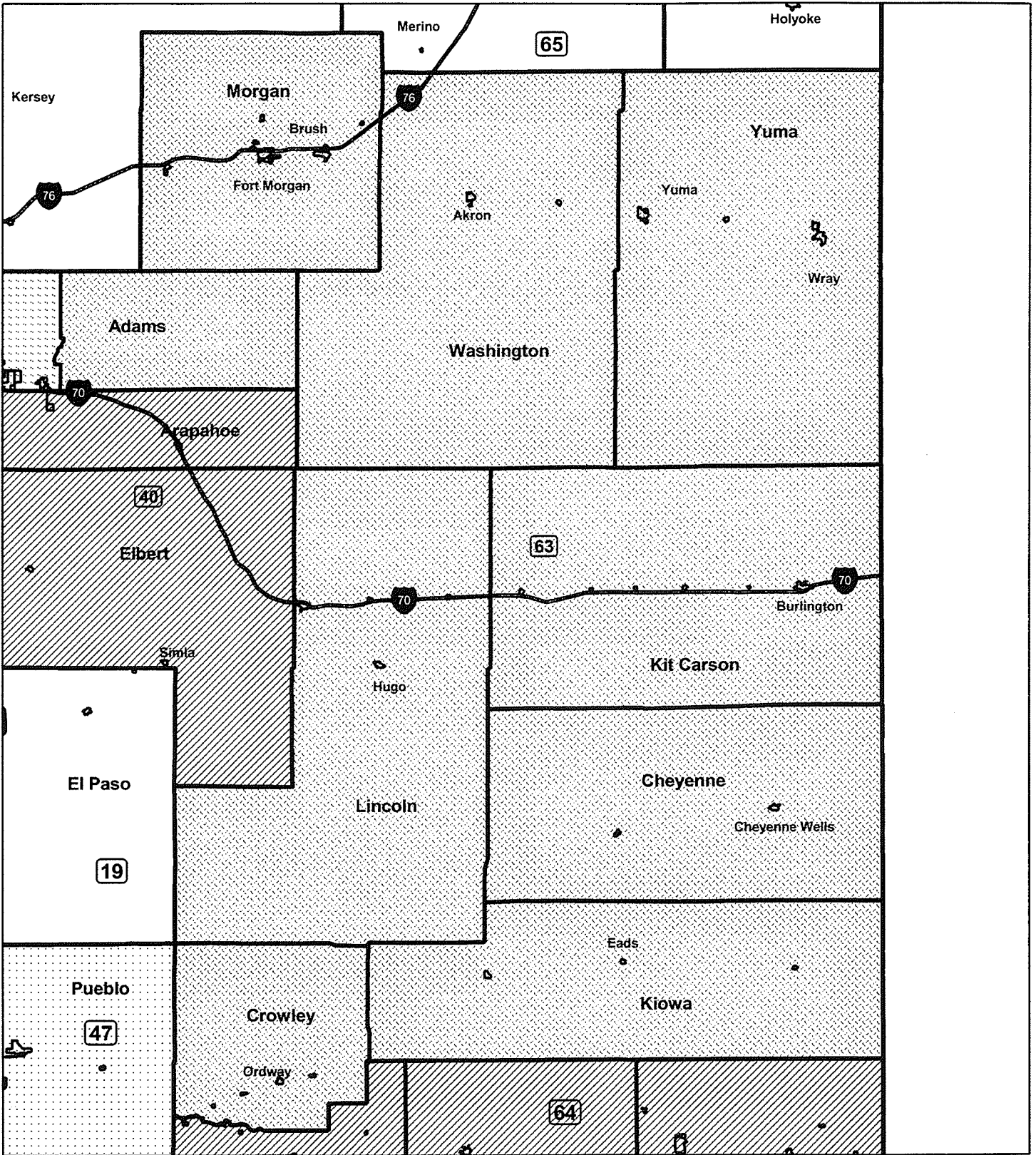


February 2002

file path X:\Commission\Layouts\Final Districts BWHHD 60 & 62

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Denver, CO 80202
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www.state.co.us/gov_dir/stateleg.html

House District 63

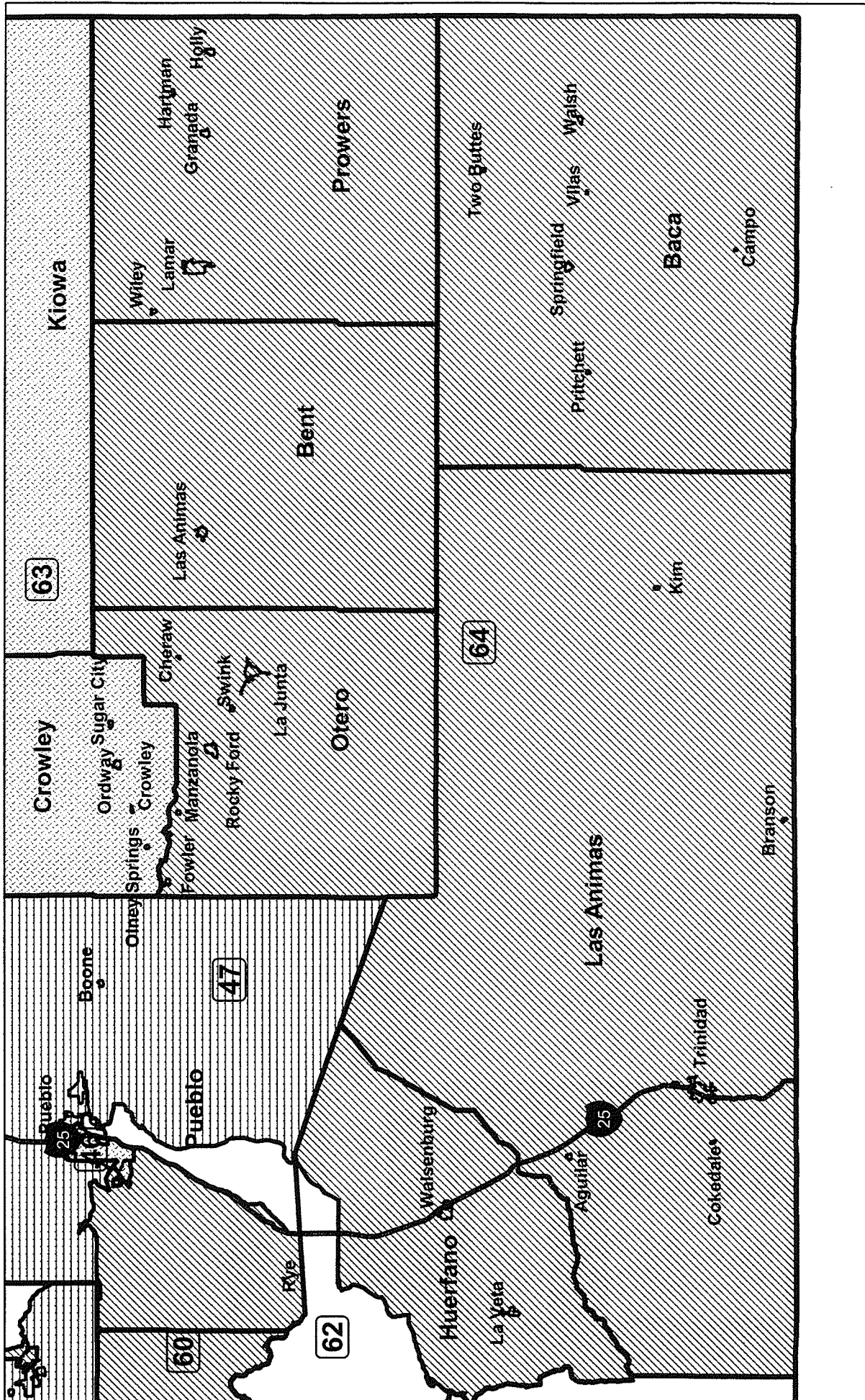


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Colorado Reapportionment Commission
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House District 64

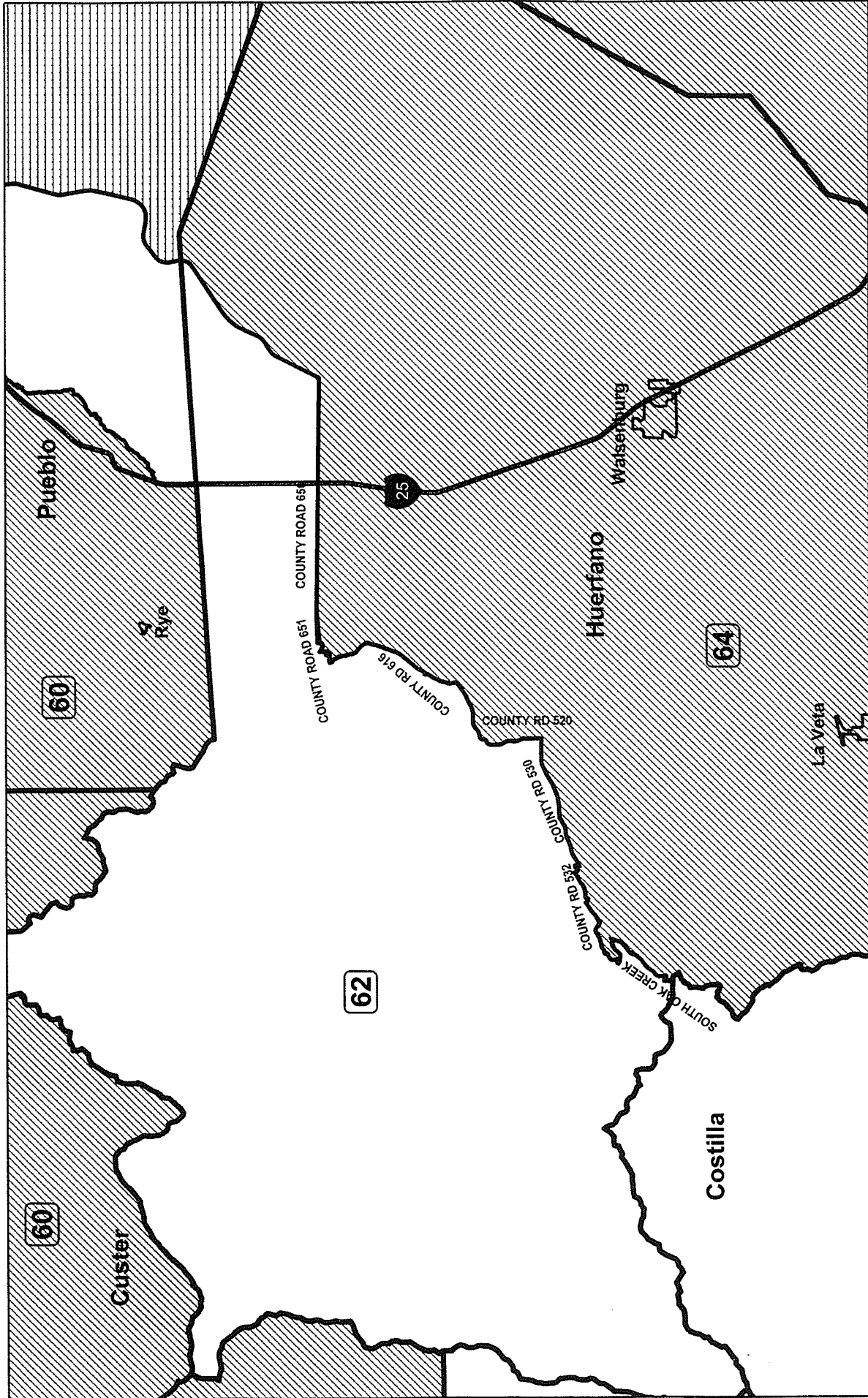


February 2002

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Colorado Reapportionment Commission
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House Districts 62 and 64 - Huerfano County

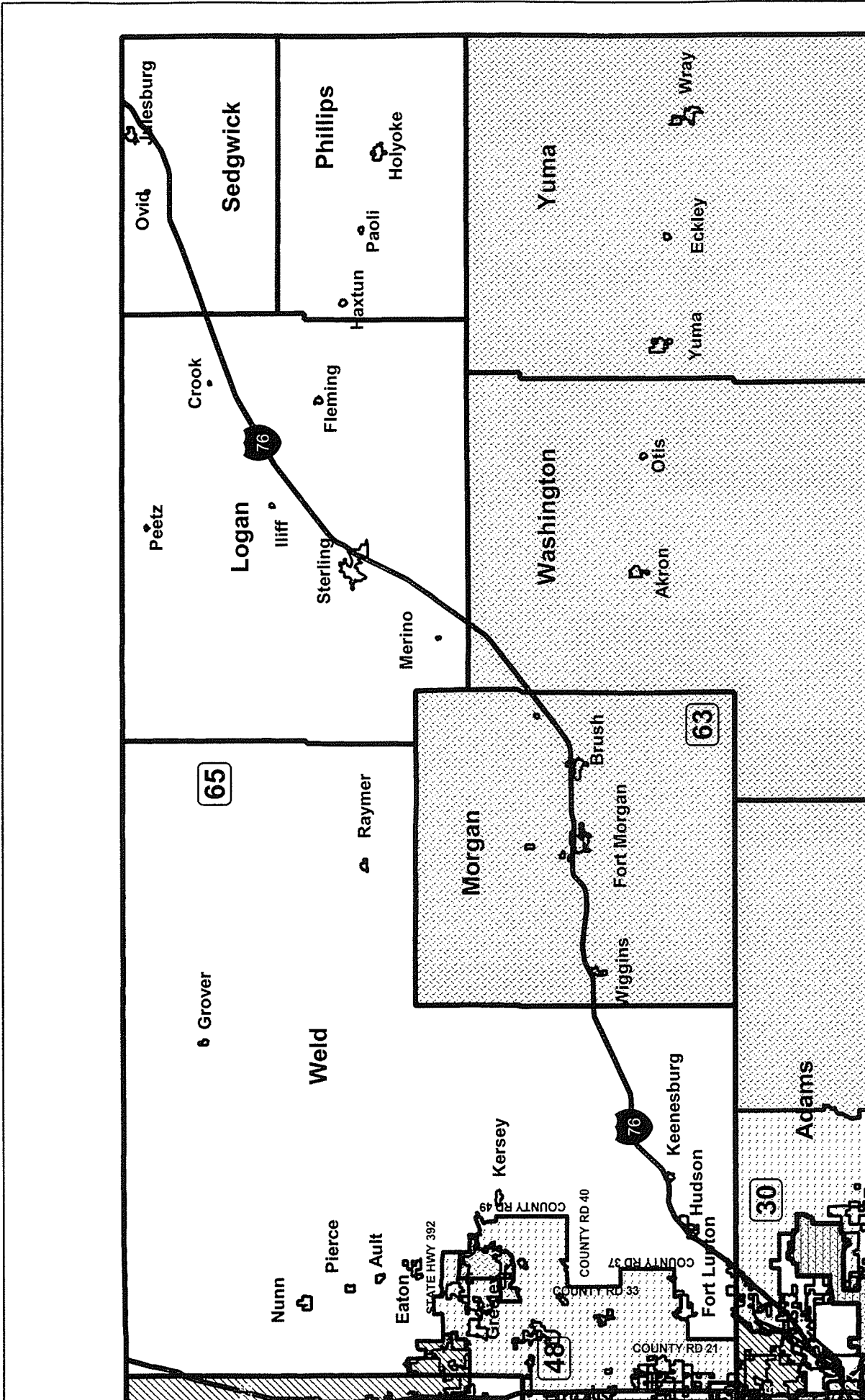


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February 2002

file path X:\Commission\Layouts\Final Districts BWHHD 62 & 64

House District 65



Plan: HOUSE_FINAL_0207
Plan Type House
Administrator Scott
User:

Population Summary Report

Monday February 11, 2002

4:09 PM

DISTRICT	POPULATION	DEVIATION	% DEVN.
01	65,589	-584	-0.88
02	64,539	-1,634	-2.47
03	67,606	1,433	2.17
04	66,323	150	0.23
05	65,159	-1,014	-1.53
06	67,513	1,340	2.02
07	66,940	767	1.16
08	66,322	149	0.23
09	65,450	-723	-1.09
10	66,980	807	1.22
11	67,411	1,238	1.87
12	67,397	1,224	1.85
13	67,474	1,301	1.97
14	64,590	-1,583	-2.39
15	66,154	-19	-0.03
16	65,234	-939	-1.42
17	65,003	-1,170	-1.77
18	67,733	1,560	2.36
19	65,434	-739	-1.12
20	65,224	-949	-1.43
21	64,637	-1,536	-2.32
22	64,836	-1,337	-2.02
23	64,893	-1,280	-1.93
24	67,037	864	1.31
25	65,180	-993	-1.50
26	65,111	-1,062	-1.60
27	66,753	580	0.88
28	64,954	-1,219	-1.84
29	66,321	148	0.22
30	67,769	1,596	2.41
31	65,509	-664	-1.00
32	65,978	-195	-0.29
33	66,859	686	1.04
34	66,387	214	0.32
35	67,194	1,021	1.54
36	66,547	374	0.57
37	66,501	328	0.50
38	67,677	1,504	2.27
39	66,816	643	0.97
40	67,242	1,069	1.62

DISTRICT **POPULATION DEVIATION % DEVN.**

41	66,033	-140	-0.21
42	66,462	289	0.44
43	65,069	-1,104	-1.67
44	65,206	-967	-1.46
45	66,046	-127	-0.19
46	64,661	-1,512	-2.28
47	64,588	-1,585	-2.40
48	65,476	-697	-1.05
49	64,615	-1,558	-2.35
50	67,749	1,576	2.38
51	64,692	-1,481	-2.24
52	67,127	954	1.44
53	65,172	-1,001	-1.51
54	66,725	552	0.83
55	66,261	88	0.13
56	65,601	-572	-0.86
57	67,587	1,414	2.14
58	67,220	1,047	1.58
59	67,722	1,549	2.34
60	65,045	-1,128	-1.70
61	66,119	-54	-0.08
62	67,457	1,284	1.94
63	67,543	1,370	2.07
64	67,622	1,449	2.19
65	65,187	-986	-1.49

Total Population: 4,301,261

Ideal District Population: 66,173

Summary

Population Range: 64,539 to 67,769

Ratio Range: 1.05

Absolute Range: -1,634 to 1,596

Absolute Overall Range: 3.230.00

Relative Range: -2.47% to 2.41%

Relative Overall Range: 4.88%

Absolute Mean Deviation: 940.31

Relative Mean Deviation: 1.42%

Standard Deviation: 1,066.37

District Summary
Ethnic Breakdown of Districts plus Voting Age Population

Plan HOUSE_FINAL_0207

Date: February 11, 2
Time: 4:55 pm
Page

Plan House

<u>DISTRICT</u>	<u>POPULATION</u>	<u>NH_WHT</u>	<u>HISPANIC</u>	<u>NH_DOJ_BLK</u>	<u>NH_DOJ_IND</u>	<u>NH_DOJ_ASN</u>	<u>NH_DOJ_HWN</u>	<u>NH_DOJ_OTHER</u>	<u>18_POP</u>
01	65,589	38,710	21,618	1,131	740	2,951	56	383	49,485
		59.02 %	32.96 %	1.72 %	1.1 %	4.50 %	0.09 %	0.58 %	75.45 %
02	64,539	21,581	37,709	1,663	852	2,192	60	482	46,786
		33.44 %	58.43 %	2.58 %	1.3 %	3.40 %	0.09 %	0.75 %	72.49 %
03	67,606	56,883	6,446	1,204	700	1,823	54	496	55,601
		84.14 %	9.53 %	1.78 %	1.0 %	2.70 %	0.08 %	0.73 %	82.24 %
04	66,323	26,238	36,430	1,137	826	1,125	60	507	49,298
		39.56 %	54.93 %	1.71 %	1.2 %	1.70 %	0.09 %	0.76 %	74.33 %
05	65,159	25,839	33,201	3,313	848	1,237	59	662	51,915
		39.66 %	50.95 %	5.08 %	1.3 %	1.90 %	0.09 %	1.02 %	79.67 %
06	67,513	52,097	7,045	4,388	449	2,570	74	890	57,829
		77.17 %	10.44 %	6.50 %	0.7 %	3.81 %	0.11 %	1.32 %	85.66 %
07	66,940	21,668	17,830	23,935	545	1,734	132	1,096	47,452
		32.37 %	26.64 %	35.76 %	0.8 %	2.59 %	0.20 %	1.64 %	70.89 %
08	66,322	27,655	14,533	21,176	608	1,350	44	956	51,275
		41.70 %	21.91 %	31.93 %	0.9 %	2.04 %	0.07 %	1.44 %	77.31 %
09	65,450	48,730	7,225	5,147	459	2,840	112	937	55,096
		74.45 %	11.04 %	7.86 %	0.7 %	4.34 %	0.17 %	1.43 %	84.18 %
10	66,980	55,687	5,731	1,045	467	3,469	56	525	56,280
		83.14 %	8.56 %	1.56 %	0.7 %	5.18 %	0.08 %	0.78 %	84.03 %
11	67,411	56,586	7,827	444	550	1,637	62	305	49,968
		83.94 %	11.61 %	0.66 %	0.8 %	2.43 %	0.09 %	0.45 %	74.12 %
12	67,397	52,144	11,760	594	591	1,971	56	281	48,433
		77.37 %	17.45 %	0.88 %	0.9 %	2.92 %	0.08 %	0.42 %	71.86 %
13	67,474	61,452	3,145	471	555	1,432	50	369	54,850
		91.08 %	4.66 %	0.70 %	0.8 %	2.12 %	0.07 %	0.55 %	81.29 %
14	64,590	54,003	4,317	2,386	616	2,637	103	528	45,734
		83.61 %	6.68 %	3.69 %	1.0 %	4.08 %	0.16 %	0.82 %	70.81 %

District Summary
Ethnic Breakdown of Districts plus Voting Age Population

Plan HOUSE_FINAL_0207
Plan House

Date: February 11, 2
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Page

<u>DISTRICT</u>	<u>POPULATION</u>	<u>NH_WHT</u>	<u>HISPANIC</u>	<u>NH_DOJ_BLK</u>	<u>NH_DOJ_IND</u>	<u>NH_DOJ_ASN</u>	<u>NH_DOJ_HWN</u>	<u>NH_DOJ_Other</u>	<u>18_POP</u>
15	66,154	50.679 %	6.941 %	4.613 %	720 %	2,303 %	184 %	714 %	46,880 %
		76.61 %	10.49 %	6.97 %	1.1 %	3.48 %	0.28 %	1.08 %	70.86 %
16	65,234	50.839 %	7.892 %	3.340 %	791 %	1,556 %	120 %	696 %	50,106 %
		77.93 %	12.10 %	5.12 %	1.2 %	2.39 %	0.18 %	1.07 %	76.81 %
17	65,003	33,919 %	13,596 %	12,153 %	1,000 %	2,729 %	376 %	1,230 %	45,434 %
		52.18 %	20.92 %	18.70 %	1.5 %	4.20 %	0.58 %	1.89 %	69.90 %
18	67,733	49,422 %	11,062 %	4,122 %	1,109 %	1,157 %	144 %	717 %	53,517 %
		72.97 %	16.33 %	6.09 %	1.6 %	1.71 %	0.21 %	1.06 %	79.01 %
19	65,434	48,214 %	7,626 %	5,538 %	1,042 %	1,852 %	345 %	817 %	44,135 %
		73.68 %	11.65 %	8.46 %	1.6 %	2.83 %	0.53 %	1.25 %	67.45 %
20	65,224	58,360 %	2,918 %	1,373 %	530 %	1,621 %	73 %	349 %	44,878 %
		89.48 %	4.47 %	2.11 %	0.8 %	2.49 %	0.11 %	0.54 %	68.81 %
21	64,637	54,801 %	4,508 %	1,915 %	659 %	2,127 %	149 %	478 %	48,893 %
		84.78 %	6.97 %	2.96 %	1.0 %	3.29 %	0.23 %	0.74 %	75.64 %
22	64,836	55,091 %	5,722 %	847 %	594 %	2,210 %	54 %	318 %	47,901 %
		84.97 %	8.83 %	1.31 %	0.9 %	3.41 %	0.08 %	0.49 %	73.88 %
23	64,893	52,558 %	8,253 %	949 %	893 %	1,730 %	52 %	458 %	50,462 %
		80.99 %	12.72 %	1.46 %	1.4 %	2.67 %	0.08 %	0.71 %	77.76 %
24	67,037	52,680 %	11,152 %	718 %	887 %	1,061 %	89 %	450 %	51,971 %
		78.58 %	16.64 %	1.07 %	1.3 %	1.58 %	0.13 %	0.67 %	77.53 %
25	65,180	61,025 %	2,288 %	276 %	492 %	869 %	41 %	189 %	48,040 %
		93.63 %	3.51 %	0.42 %	0.8 %	1.33 %	0.06 %	0.29 %	73.70 %
26	65,111	52,438 %	8,701 %	781 %	690 %	2,066 %	71 %	364 %	51,273 %
		80.54 %	13.36 %	1.20 %	1.1 %	3.17 %	0.11 %	0.56 %	78.75 %
27	66,753	57,987 %	5,833 %	495 %	554 %	1,486 %	50 %	348 %	49,258 %
		86.87 %	8.74 %	0.74 %	0.8 %	2.23 %	0.07 %	0.52 %	73.79 %
28	64,954	58,610 %	3,913 %	455 %	439 %	1,276 %	74 %	187 %	45,343 %
		90.23 %	6.02 %	0.70 %	0.7 %	1.96 %	0.11 %	0.29 %	69.81 %

District Summary
Ethnic Breakdown of Districts plus Voting Age Population

Plan HOUSE_FINAL_0207
Plan House

Date: February 11, 2011
Time: 4:55 pm
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<u>DISTRICT</u>	<u>POPULATION</u>	<u>NH_WHT</u>	<u>HISPANIC</u>	<u>NH_DOJ_BLK</u>	<u>NH_DOJ_IND</u>	<u>NH_DOJ_ASN</u>	<u>NH_DOJ_HWN</u>	<u>NH_DOJ_Other</u>	<u>18_POP</u>
29	66,321	55,331 83.43 %	6,399 9.65 %	697 1.05 %	501 0.8 %	3,033 4.57 %	47 0.07 %	313 0.47 %	47,885 72.20 %
30	67,769	32,574 48.07 %	25,448 37.55 %	6,843 10.10 %	741 1.1 %	1,505 2.22 %	133 0.20 %	525 0.77 %	47,278 69.76 %
31	65,509	51,005 77.86 %	10,480 16.00 %	869 1.33 %	642 1.0 %	2,052 3.13 %	74 0.11 %	387 0.59 %	46,178 70.49 %
32	65,978	36,862 55.87 %	25,580 38.77 %	1,154 1.75 %	934 1.4 %	982 1.49 %	70 0.11 %	396 0.60 %	46,149 69.95 %
33	66,859	56,093 83.90 %	5,680 8.50 %	784 1.17 %	571 0.9 %	3,229 4.83 %	53 0.08 %	449 0.67 %	47,844 71.56 %
34	66,387	44,571 67.14 %	16,823 25.34 %	1,138 1.71 %	761 1.1 %	2,572 3.87 %	101 0.15 %	421 0.63 %	48,619 73.24 %
35	67,194	39,787 59.21 %	21,229 31.59 %	843 1.25 %	683 1.0 %	4,027 5.99 %	61 0.09 %	564 0.84 %	49,583 73.79 %
36	66,547	43,034 64.67 %	9,025 13.56 %	9,155 13.76 %	591 0.9 %	3,722 5.59 %	126 0.19 %	894 1.34 %	47,502 71.38 %
37	66,501	60,726 91.32 %	2,774 4.17 %	689 1.04 %	372 0.6 %	1,661 2.50 %	33 0.05 %	246 0.37 %	48,833 73.43 %
38	67,677	58,874 86.99 %	5,362 7.92 %	898 1.33 %	621 0.9 %	1,534 2.27 %	79 0.12 %	309 0.46 %	51,267 75.75 %
39	66,816	53,626 80.26 %	4,313 6.46 %	3,397 5.08 %	424 0.6 %	4,319 6.46 %	110 0.16 %	627 0.94 %	45,004 67.36 %
40	67,242	55,403 82.39 %	5,012 7.45 %	3,186 4.74 %	687 1.0 %	2,364 3.52 %	97 0.14 %	493 0.73 %	46,057 68.49 %
41	66,033	45,932 69.56 %	6,482 9.82 %	8,093 12.26 %	506 0.8 %	4,044 6.12 %	106 0.16 %	870 1.32 %	52,456 79.44 %
42	66,462	30,486 45.87 %	19,088 28.72 %	12,331 18.55 %	627 0.9 %	2,692 4.05 %	195 0.29 %	1,043 1.57 %	48,689 73.26 %

House - 81

District Summary
Ethnic Breakdown of Districts plus Voting Age Population

Date: February 11, 2
 Time: 4:55 pm
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Plan HOUSE_FINAL_0207
 House

DISTRICT	POPULATION	NH_WHT	HISPANIC	NH_DOJ_BLK	NH_DOJ_IND	NH_DOJ_ASN	NH_DOJ_HWN	Other	18_POP
43	65,069	56,858 87.38%	3,648 5.61%	915 1.41%	314 0.5%	2,922 4.49%	71 0.11%	341 0.52%	43,941 67.53%
44	65,206	58,781 90.15%	3,162 4.85%	774 1.19%	394 0.6%	1,742 2.67%	45 0.07%	308 0.47%	44,334 67.99%
45	66,046	61,149 92.59%	2,794 4.23%	419 0.63%	675 1.0%	743 1.12%	53 0.08%	213 0.32%	47,247 71.54%
46	64,661	35,960 55.61%	25,655 39.68%	1,512 2.34%	660 1.0%	420 0.65%	30 0.05%	424 0.66%	49,361 76.34%
47	64,588	44,597 69.05%	15,221 23.57%	2,711 4.20%	997 1.5%	629 0.97%	49 0.08%	384 0.59%	49,384 76.46%
48	65,476	50,798 77.58%	12,963 19.80%	233 0.36%	542 0.8%	625 0.95%	47 0.07%	268 0.41%	46,476 70.98%
49	64,615	58,759 90.94%	4,164 6.44%	255 0.39%	728 1.1%	483 0.75%	55 0.09%	171 0.26%	48,268 74.70%
50	67,749	39,874 58.86%	25,283 37.32%	645 0.95%	551 0.8%	886 1.31%	118 0.17%	392 0.58%	50,158 74.04%
51	64,692	57,580 89.01%	5,310 8.21%	297 0.46%	605 0.9%	673 1.04%	35 0.05%	192 0.30%	47,305 73.12%
52	67,127	56,809 84.63%	7,210 10.74%	602 0.90%	577 0.9%	1,519 2.26%	69 0.10%	341 0.51%	51,434 76.62%
53	65,172	55,805 85.63%	5,196 7.97%	870 1.33%	605 0.9%	2,102 3.23%	105 0.16%	489 0.75%	51,856 79.57%
54	66,725	57,165 85.67%	7,674 11.50%	343 0.51%	847 1.3%	368 0.55%	99 0.15%	229 0.34%	50,228 75.28%
55	66,261	57,727 87.12%	6,428 9.70%	412 0.62%	864 1.3%	514 0.78%	63 0.10%	253 0.38%	49,773 75.12%
56	65,601	50,583 77.11%	13,098 19.97%	288 0.44%	506 0.8%	613 0.93%	45 0.07%	468 0.71%	51,659 78.75%

District Summary

Ethnic Breakdown of Districts plus Voting Age Population

Plan	HOUSE_FINAL_0207											Date: February 11, 24
Plan	House											Time: 4:55 pm
DISTRICT	POPULATION	NH_WHT	HISPANIC	NH_DOJ_BLK	NH_DOJ_IND	NH_DOJ_ASN	NH_DOJ_HWN	NH_DOJ_Other	18 POP			
57	67,587	61.39%	4,604	257	705	364	71	190	50,576			
		90.84%	6.81%	0.38%	1.0%	0.54%	0.11%	0.28%	74.83%			
58	67,220	56.919	7,068	150	2,388	325	52	318	50,161			
		84.68%	10.51%	0.22%	3.6%	0.48%	0.08%	0.47%	74.62%			
59	67,722	55.035	7,815	256	3,836	349	49	382	51,519			
		81.27%	11.54%	0.38%	5.7%	0.52%	0.07%	0.56%	76.07%			
60	65,045	57.881	4,738	697	1,095	337	27	270	50,282			
		88.99%	7.28%	1.07%	1.7%	0.52%	0.04%	0.42%	77.30%			
61	66,119	55.573	8,917	244	534	578	47	226	51,179			
		84.05%	13.49%	0.37%	0.8%	0.87%	0.07%	0.34%	77.40%			
62	67,457	28.873	36,216	692	925	323	52	376	48,030			
		42.80%	53.69%	1.03%	1.4%	0.48%	0.08%	0.56%	71.20%			
63	67,543	52.241	13,227	956	674	224	52	169	48,864			
		77.34%	19.58%	1.42%	1.0%	0.33%	0.08%	0.25%	72.35%			
64	67,622	41.791	23,401	682	1,007	372	32	337	50,117			
		61.80%	34.61%	1.01%	1.5%	0.55%	0.05%	0.50%	74.11%			
65	65,187	50.526	12,892	563	539	454	40	173	46,877			
		77.51%	19.78%	0.86%	0.8%	0.70%	0.06%	0.27%	71.91%			
	4,301,261	3,202,880	735,601	170,459	48,435	108,312	5,391	30,183	3,200,466			

Plan Name: HOUSE_FINAL_0207
Plan Type: House
Date: 2/11/02
Time: 5:02:41PM
Administrator: Scott

Measures of Compactness

2/11/02

DISTRICT	Roeck	Schwartzberg	Perimeter	Ehrenburg
01	0.41	2.48	36.82	
02	0.55	1.52	16.63	
03	0.48	1.58	25.14	
04	0.32	1.61	17.48	
05	0.47	1.60	20.65	
06	0.40	1.83	24.13	
07	0.19	2.23	70.56	
08	0.57	1.43	16.33	
09	0.42	2.25	28.07	
10	0.41	1.49	40.33	
11	0.17	2.38	58.86	
12	0.21	2.38	64.06	
13	0.36	1.73	225.63	
14	0.35	1.87	31.70	
15	0.47	1.27	39.02	
16	0.58	1.46	22.43	
17	0.32	1.63	73.80	
18	0.25	2.16	45.65	
19	0.55	1.28	166.54	
20	0.49	1.37	89.91	
21	0.25	2.45	204.89	
22	0.41	2.37	45.92	
23	0.34	1.87	40.93	
24	0.47	1.57	26.28	
25	0.25	1.82	175.53	
26	0.38	1.48	23.74	
27	0.52	1.57	24.53	
28	0.48	1.36	23.61	
29	0.36	2.06	40.01	
30	0.41	2.03	136.52	
31	0.53	1.48	39.63	
32	0.31	1.83	67.72	
33	0.34	2.72	82.72	
34	0.31	1.75	23.97	
35	0.41	1.60	26.02	
36	0.53	1.40	23.86	
37	0.48	1.50	21.52	
38	0.24	2.78	54.33	
39	0.41	1.87	46.34	
40	0.48	1.37	244.28	
41	0.39	1.82	23.54	
42	0.54	1.27	14.64	
43	0.43	1.32	23.84	
44	0.35	2.20	125.50	
45	0.38	1.76	235.79	
46	0.34	1.87	39.51	
47	0.38	1.86	306.45	
48	0.43	2.00	168.97	

DISTRICT	Roeck	Schwartzberg	Perimeter	Ehrenburg
49	0.50	1.64	314.21	
50	0.37	1.77	35.82	
51	0.52	1.43	54.39	
52	0.43	1.82	44.83	
53	0.31	1.95	32.99	
54	0.46	1.65	306.56	
55	0.32	1.58	232.39	
56	0.51	1.42	297.01	
57	0.50	1.40	657.90	
58	0.30	1.67	561.57	
59	0.32	1.68	417.44	
60	0.49	1.81	598.18	
61	0.25	1.98	647.38	
62	0.43	1.72	585.83	
63	0.55	1.39	625.74	
64	0.44	1.32	547.66	
65	0.31	1.73	501.12	
Sum	N/A	N/A	9,885.35	
Min	0.17	1.27	N/A	
Max	0.58	2.78	N/A	
Mean	0.40	1.76	N/A	
Std. Dev.	0.10	0.36	N/A	

Plan: HOUSE FINAL 0207
Plan Type House
Administratc Scott
User:

Plan Components Rep

Monday, February 11, 2002

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	Population
District 01	
Arapahoe County (part)	6,452
Denver County (part)	59,133
Jefferson County (part)	4
District 01 Subtotal	65,589
District 02	
Denver County (part)	64,539
District 02 Subtotal	64,539
District 03	
Arapahoe County (part)	27,285
Denver County (part)	40,321
District 03 Subtotal	67,606
District 04	
Denver County (part)	66,323
District 04 Subtotal	66,323
District 05	
Denver County (part)	65,159
District 05 Subtotal	65,159
District 06	
Arapahoe County (part)	4,547
Denver County (part)	62,966
District 06 Subtotal	67,513
District 07	
Adams County (part)	0
Denver County (part)	66,940
District 07 Subtotal	66,940
District 08	
Denver County (part)	66,322
District 08 Subtotal	66,322
District 09	
Arapahoe County (part)	2,517
Denver County (part)	62,933
District 09 Subtotal	65,450
District 10	
Boulder County (part)	66,980
District 10 Subtotal	66,980
District 11	

Population

District 11 (continued)

Boulder County (part)	67,411
District 11 Subtotal	67,411

District 12

Boulder County (part)	67,397
District 12 Subtotal	67,397

District 13

Boulder County (part)	53,395
Clear Creek County	9,322
Gilpin County	4,757
District 13 Subtotal	67,474

District 14

El Paso County (part)	64,590
District 14 Subtotal	64,590

District 15

El Paso County (part)	66,154
District 15 Subtotal	66,154

District 16

El Paso County (part)	65,234
District 16 Subtotal	65,234

District 17

El Paso County (part)	65,003
District 17 Subtotal	65,003

District 18

El Paso County (part)	67,733
District 18 Subtotal	67,733

District 19

El Paso County (part)	65,434
District 19 Subtotal	65,434

District 20

El Paso County (part)	65,224
District 20 Subtotal	65,224

District 21

El Paso County (part)	57,557
Fremont County (part)	7,080
District 21 Subtotal	64,637

District 22

Jefferson County (part)	64,836
District 22 Subtotal	64,836

District 23

Jefferson County (part)	64,893
District 23 Subtotal	64,893

District 24

Jefferson County (part)	67,037
-------------------------	--------

	Population
District 24 Subtotal	67,037
District 25	
Jefferson County (part)	65,180
District 25 Subtotal	65,180
District 26	
Jefferson County (part)	65,111
District 26 Subtotal	65,111
District 27	
Jefferson County (part)	66,753
District 27 Subtotal	66,753
District 28	
Jefferson County (part)	64,954
District 28 Subtotal	64,954
District 29	
Jefferson County (part)	66,321
District 29 Subtotal	66,321
District 30	
Adams County (part)	67,769
District 30 Subtotal	67,769
District 31	
Adams County (part)	65,509
District 31 Subtotal	65,509
District 32	
Adams County (part)	65,978
District 32 Subtotal	65,978
District 33	
Adams County (part)	28,884
Boulder County (part)	36,105
Jefferson County (part)	1,727
Weld County (part)	143
District 33 Subtotal	66,859
District 34	
Adams County (part)	66,387
District 34 Subtotal	66,387
District 35	
Adams County (part)	67,194
District 35 Subtotal	67,194
District 36	
Arapahoe County (part)	66,547
District 36 Subtotal	66,547
District 37	
Arapahoe County (part)	66,501
District 37 Subtotal	66,501
District 38	

Population

District 38 (continued)	
Arapahoe County (part)	67,437
Jefferson County (part)	240
District 38 Subtotal	67,677
District 39	
Arapahoe County (part)	66,816
District 39 Subtotal	66,816
District 40	
Arapahoe County (part)	47,370
Elbert County	19,872
District 40 Subtotal	67,242
District 41	
Arapahoe County (part)	66,033
Denver County (part)	0
District 41 Subtotal	66,033
District 42	
Arapahoe County (part)	66,462
District 42 Subtotal	66,462
District 43	
Douglas County (part)	65,069
District 43 Subtotal	65,069
District 44	
Douglas County (part)	65,206
District 44 Subtotal	65,206
District 45	
Douglas County (part)	45,491
Teller County	20,555
District 45 Subtotal	66,046
District 46	
Pueblo County (part)	64,661
District 46 Subtotal	64,661
District 47	
Fremont County (part)	14,874
Pueblo County (part)	49,714
District 47 Subtotal	64,588
District 48	
Weld County (part)	65,476
District 48 Subtotal	65,476
District 49	
Larimer County (part)	54,503
Weld County (part)	10,112
District 49 Subtotal	64,615
District 50	

Plan: HOUSE_FINAL_0207
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Administrator Scott
User:

Population

District 50 (continued)	
Weld County (part)	67,749
District 50 Subtotal	67,749
District 51	
Larimer County (part)	64,692
District 51 Subtotal	64,692
District 52	
Larimer County (part)	67,127
District 52 Subtotal	67,127
District 53	
Larimer County (part)	65,172
District 53 Subtotal	65,172
District 54	
Delta County (part)	16,731
Mesa County (part)	49,994
District 54 Subtotal	66,725
District 55	
Mesa County (part)	66,261
District 55 Subtotal	66,261
District 56	
Eagle County (part)	34,241
Lake County	7,812
Summit County	23,548
District 56 Subtotal	65,601
District 57	
Garfield County (part)	14,708
Grand County	12,442
Jackson County	1,577
Moffat County	13,184
Rio Blanco County	5,986
Routt County	19,690
District 57 Subtotal	67,587
District 58	
Delta County (part)	11,103
Dolores County	1,844
Montezuma County (part)	10,505
Montrose County	33,432
Ouray County	3,742
San Miguel County	6,594
District 58 Subtotal	67,220
District 59	
Archuleta County	9,898

Plan: HOUSE_FINAL_0207
Type: House

Administrator Scott
User:
Population

District 59 (continued)

La Plata County	43,941
Montezuma County (part)	13,325
San Juan County	558

District 59 Subtotal 67,722

District 60

Chaffee County	16,242
Custer County	3,503
Fremont County (part)	24,191
Park County	14,523
Pueblo County (part)	5,271
Saguache County (part)	1,315

District 60 Subtotal 65,045

District 61

Eagle County (part)	7,418
Garfield County (part)	29,083
Gunnison County	13,956
Hinsdale County	790
Pitkin County	14,872

District 61 Subtotal 66,119

District 62

Alamosa County	14,966
Conejos County	8,400
Costilla County	3,663
Huerfano County (part)	756
Mineral County	831
Pueblo County (part)	21,826
Rio Grande County	12,413
Saguache County (part)	4,602

District 62 Subtotal 67,457

District 63

Adams County (part)	2,136
Cheyenne County	2,231
Crowley County	5,518
Kiowa County	1,622
Kit Carson County	8,011
Lincoln County	6,087
Morgan County	27,171
Washington County	4,926

Plan: HOUSE_FINAL_0207
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Administrator Scott
User:
Population

District 63 (continued)	
Yuma County	9,841
District 63 Subtotal	67,543
District 64	
Baca County	4,517
Bent County	5,998
Huerfano County (part)	7,106
Las Animas County	15,207
Otero County	20,311
Prowers County	14,483
District 64 Subtotal	67,622
District 65	
Logan County	20,504
Phillips County	4,480
Sedgwick County	2,747
Weld County (part)	37,456
District 65 Subtotal	65,187
State totals	4,301,261

Plan Name: HOUSE_FINAL_0207
 Plan Type: House
 Administrator: Scott

Political Subdivisions Split Between Dis

Monday February 11, 2002

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Number of subdivisions not split:

County 45

Number of subdivisions split into more than one district:

County 18

<u>County</u>
Cases where a County is split among 2 Districts: 7
Cases where a County is split among 3 Districts: 2
Cases where a County is split among 4 Districts: 2
Cases where a County is split among 5 Districts: 2
Cases where a County is split among 8 Districts: 2
Cases where a County is split among 10 Districts: 1
Cases where a County is split among 11 Districts: 2
<i>Number of times a County has been split into more than one district: 68</i>
<i>Total of County splits: 86</i>

<u>County</u>	<u>District</u>
<i>Split Counties :</i>	
Adams	07
Adams	30
Adams	31
Adams	32
Adams	33
Adams	34
Adams	35
Adams	63
Arapahoe	01
Arapahoe	03
Arapahoe	06
Arapahoe	09
Arapahoe	36
Arapahoe	37
Arapahoe	38
Arapahoe	39
Arapahoe	40
Arapahoe	41
Arapahoe	42
Boulder	10
Boulder	11
Boulder	12
Boulder	13
Boulder	33
Delta	54
Delta	58
Denver	01

Plan Name: HOUSE FINAL 0207
Plan Type: House

Administrator: Scott
User:

County	District
<i>Split Counties (continued):</i>	
Denver	02
Denver	03
Denver	04
Denver	05
Denver	06
Denver	07
Denver	08
Denver	09
Denver	41
Douglas	43
Douglas	44
Douglas	45
Eagle	56
Eagle	61
El Paso	14
El Paso	15
El Paso	16
El Paso	17
El Paso	18
El Paso	19
El Paso	20
El Paso	21
Fremont	21
Fremont	47
Fremont	60
Garfield	57
Garfield	61
Huerfano	62
Huerfano	64
Jefferson	01
Jefferson	22
Jefferson	23
Jefferson	24
Jefferson	25
Jefferson	26
Jefferson	27
Jefferson	28
Jefferson	29
Jefferson	33
Jefferson	38
Larimer	49
Larimer	51
Larimer	52
Larimer	53
Mesa	54
Mesa	55
Montezuma	58
Montezuma	59
Pueblo	46
Pueblo	47
Pueblo	60
Pueblo	62
Saguache	60
Saguache	62
Weld	33
Weld	48
Weld	49

Plan Name: HOUSE FINAL 0207
Plan Type: House

Administrator: Scott
User:

County	District
<i>Split Counties</i> (continued):	
Weld	50
Weld	65

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd
HOUSE_FINAL_0207

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Plan	House	DISTRICT	00REPS	00DEMS	00UNAFF	REG LRG R	REG LRG D	BDED LRG R	BDED LRG D	REG LRG R9	REG LRG D9
		01	10,751.0	13,206.6	12,144.6	7,948.8	9,954.2	7,530.0	12,108.7	7,795.1	7,514.1
			29.78 %	36.58 %	33.64 %	44.40 %	55.60 %	38.34 %	61.66 %	50.92 %	49.08 %
		02	4,890.0	13,557.0	9,643.0	3,649.0	7,642.6	3,465.2	8,983.9	3,004.9	6,797.9
			17.41 %	48.26 %	34.33 %	32.32 %	67.68 %	27.84 %	72.16 %	30.65 %	69.35 %
		03	14,917.4	15,707.6	16,207.9	11,617.5	12,623.7	10,739.3	16,242.4	10,323.8	9,565.8
			31.85 %	33.54 %	34.61 %	47.92 %	52.08 %	39.80 %	60.20 %	51.91 %	48.09 %
		04	5,387.0	17,597.0	10,202.0	5,008.5	10,364.0	4,700.7	12,230.0	3,739.7	9,261.8
			16.23 %	53.03 %	30.74 %	32.58 %	67.42 %	27.76 %	72.24 %	28.76 %	71.24 %
		05	5,830.0	16,156.7	12,898.8	4,043.0	8,738.1	3,741.8	10,420.3	2,700.6	7,240.9
			16.71 %	46.31 %	36.97 %	31.63 %	68.37 %	26.42 %	73.58 %	27.17 %	72.83 %
		06	14,633.9	19,914.1	16,426.5	11,793.4	15,449.5	10,568.7	19,309.3	9,718.7	11,398.3
			28.71 %	39.07 %	32.22 %	43.29 %	56.71 %	35.37 %	64.63 %	46.02 %	53.98 %
		07	5,644.0	17,397.0	9,920.0	5,204.0	10,456.5	4,845.4	12,158.0	3,564.4	8,251.0
			17.12 %	52.78 %	30.10 %	33.23 %	66.77 %	28.50 %	71.50 %	30.17 %	69.83 %
		08	5,723.5	23,837.1	13,226.0	5,753.8	13,920.8	5,200.9	16,404.2	3,564.6	12,582.2
			13.38 %	55.71 %	30.91 %	29.24 %	70.76 %	24.07 %	75.93 %	22.08 %	77.92 %
		09	14,792.2	15,103.5	15,021.8	10,724.8	12,474.3	9,957.7	15,598.7	10,290.0	8,710.6
			32.93 %	33.63 %	33.44 %	46.23 %	53.77 %	38.96 %	61.04 %	54.16 %	45.84 %
		10	11,186.0	17,498.4	20,173.6	11,611.9	14,936.1	8,656.9	19,570.9	10,332.8	9,157.7
			22.89 %	35.81 %	41.29 %	43.74 %	56.26 %	30.67 %	69.33 %	53.01 %	46.99 %
		11	14,647.9	14,810.1	17,198.6	14,228.5	11,947.2	12,347.7	15,797.7	11,255.8	7,749.2
			31.40 %	31.74 %	36.86 %	54.36 %	45.64 %	43.87 %	56.13 %	59.23 %	40.77 %
		12	12,167.8	14,198.7	15,580.5	11,724.2	10,871.6	10,299.1	14,096.2	9,767.0	7,959.1
			29.01 %	33.85 %	37.14 %	51.89 %	48.11 %	42.22 %	57.78 %	55.10 %	44.90 %
		13	12,804.3	20,488.5	22,610.9	13,141.4	17,726.2	10,458.2	22,719.2	11,290.1	10,786.9
			22.90 %	36.65 %	40.45 %	42.57 %	57.43 %	31.52 %	68.48 %	51.14 %	48.86 %
		14	23,354.7	7,550.0	13,359.3	18,320.9	5,794.0	17,564.9	8,556.0	14,072.1	3,907.1
			52.76 %	17.06 %	30.18 %	75.97 %	24.03 %	67.24 %	32.76 %	78.27 %	21.73 %
		15	19,544.7	8,173.6	13,088.2	15,855.5	5,606.4	15,250.7	8,030.8	12,154.4	3,772.4
			47.90 %	20.03 %	32.07 %	73.88 %	26.12 %	65.51 %	34.49 %	76.31 %	23.69 %

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd

HOUSE_FINAL_0207

Date: February 11, 20
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Plan	House	DISTRICT	00REPS	00DEMS	00UNAFF	REG_LRG_R	REG_LRG_D	BDED_LRG_R	BDED_LRG_D	REG_LRG_R9	REG_LRG_D9
		16	18,449.9	9,980.2	13,712.3	14,500.5	6,901.3	13,764.6	9,518.4	12,754.0	5,386.6
			43.78 %	23.68 %	32.54 %	67.75 %	32.25 %	59.12 %	40.88 %	70.31 %	29.69 %
		17	8,512.8	7,683.3	9,358.3	6,439.5	4,705.6	6,221.0	5,881.6	4,520.7	2,918.3
			33.31 %	30.07 %	36.62 %	57.78 %	42.22 %	51.40 %	48.60 %	60.77 %	39.23 %
		18	14,223.6	12,425.7	15,307.4	11,113.8	10,176.7	10,510.3	13,010.5	8,591.0	6,886.1
			33.90 %	29.62 %	36.48 %	52.20 %	47.80 %	44.69 %	55.31 %	55.51 %	44.49 %
		19	15,340.1	8,293.1	12,579.3	13,565.1	5,853.8	13,156.0	7,963.5	8,806.9	3,819.6
			42.36 %	22.90 %	34.74 %	69.86 %	30.14 %	62.29 %	37.71 %	69.75 %	30.25 %
		20	23,475.9	5,778.6	12,066.9	19,193.2	4,716.2	18,718.7	7,058.9	14,250.7	3,439.0
			56.81 %	13.98 %	29.20 %	80.27 %	19.73 %	72.62 %	27.38 %	80.56 %	19.44 %
		21	22,093.0	9,090.4	13,516.4	17,372.8	7,140.5	16,237.0	10,053.8	13,831.4	5,161.2
			49.43 %	20.34 %	30.24 %	70.87 %	29.13 %	61.76 %	38.24 %	72.83 %	27.17 %
		22	17,154.3	10,949.8	14,640.5	14,855.8	9,676.9	14,317.7	12,767.2	11,490.9	6,990.3
			40.13 %	25.62 %	34.25 %	60.56 %	39.44 %	52.86 %	47.14 %	62.18 %	37.82 %
		23	13,981.2	11,622.7	13,464.1	11,878.7	9,215.2	11,247.6	12,249.9	10,229.6	7,164.3
			35.79 %	29.75 %	34.46 %	56.31 %	43.69 %	47.87 %	52.13 %	58.81 %	41.19 %
		24	12,741.3	13,256.6	13,385.9	10,571.9	10,319.9	10,299.6	13,244.2	9,736.9	7,875.7
			32.35 %	33.66 %	33.99 %	50.60 %	49.40 %	43.75 %	56.25 %	55.28 %	44.72 %
		25	19,889.3	11,520.7	15,377.6	16,497.3	9,671.3	16,081.9	12,733.1	14,031.4	7,097.6
			42.51 %	24.62 %	32.87 %	63.04 %	36.96 %	55.81 %	44.19 %	66.41 %	33.59 %
		26	14,760.1	12,922.1	14,191.5	12,561.3	10,199.1	12,220.2	13,245.4	10,842.3	8,004.9
			35.25 %	30.86 %	33.89 %	55.19 %	44.81 %	47.99 %	52.01 %	57.53 %	42.47 %
		27	16,605.6	12,140.7	14,170.9	12,923.8	8,879.2	12,512.0	11,791.5	12,393.8	7,647.6
			38.69 %	28.29 %	33.02 %	59.28 %	40.72 %	51.48 %	48.52 %	61.84 %	38.16 %
		28	19,297.0	9,984.0	14,611.0	16,998.2	8,586.4	16,510.3	11,787.7	14,110.9	6,116.1
			43.96 %	22.75 %	33.29 %	66.44 %	33.56 %	58.34 %	41.66 %	69.76 %	30.24 %
		29	15,017.1	11,801.8	15,046.2	13,765.5	9,696.5	12,990.5	13,254.5	11,703.6	7,648.5
			35.87 %	28.19 %	35.94 %	58.67 %	41.33 %	49.50 %	50.50 %	60.48 %	39.52 %
		30	8,641.0	11,782.2	11,387.6	6,030.0	5,935.0	5,884.8	7,616.9	4,928.2	4,555.6
			27.16 %	37.04 %	35.80 %	50.40 %	49.60 %	43.59 %	56.41 %	51.96 %	48.04 %

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd
HOUSE_FINAL_0207

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Plan	House	DISTRICT	00REPS	00DEMS	00UNAFF	REG LRG R	REG LRG D	BDED LRG R	BDED LRG D	REG LRG R9	REG LRG D9
31	13,390.8	12,285.1	15,506.7	10,150.9	8,897.6	9,885.7	11,678.6	7,794.2	5,951.7	43.30 %	43.30 %
32	32.52 %	29.83 %	37.65 %	53.29 %	46.71 %	45.84 %	54.16 %	56.70 %	6,408.6	58.69 %	58.69 %
	7,814.4	13,560.2	12,423.7	5,366.6	7,033.2	5,326.2	8,629.9	4,511.1	6,173.8	36.73 %	36.73 %
33	23.12 %	40.12 %	36.76 %	43.28 %	56.72 %	38.16 %	61.84 %	41.31 %	6,811.6	50.55 %	50.55 %
	16,379.6	11,595.7	17,040.7	13,704.7	9,377.8	12,836.7	12,669.2	10,635.5	7,457.4	54.51 %	54.51 %
34	36.39 %	25.76 %	37.85 %	59.37 %	40.63 %	50.33 %	49.67 %	63.27 %	5,967.2	43.58 %	43.58 %
	11,080.1	13,922.7	14,714.2	7,778.2	8,404.7	7,587.0	10,786.3	6,662.0	7,534.3	30.11 %	30.11 %
35	27.90 %	35.05 %	37.05 %	48.06 %	51.94 %	41.29 %	58.71 %	49.45 %	6,851.3	34.54 %	34.54 %
	10,457.7	15,193.1	14,321.6	7,488.2	8,634.7	7,282.1	11,071.3	6,223.6	5,560.1	44.63 %	44.63 %
36	26.16 %	38.01 %	35.83 %	46.44 %	53.56 %	39.68 %	60.32 %	45.49 %	5,628.9	49.97 %	49.97 %
	11,428.1	11,633.1	13,289.7	10,290.9	8,323.0	9,929.5	10,541.4	7,726.5	3,679.5	25.63 %	25.63 %
37	31.44 %	32.00 %	36.56 %	55.29 %	44.71 %	48.51 %	51.49 %	56.42 %	4,102.9	25.79 %	25.79 %
	23,247.2	11,193.0	14,621.8	17,786.0	8,759.3	16,672.7	12,226.0	17,487.2	4,417.6	24.61 %	24.61 %
38	47.38 %	22.81 %	29.80 %	67.00 %	33.00 %	57.69 %	42.31 %	69.89 %			
	20,473.6	11,577.7	15,104.7	15,135.7	8,559.4	14,231.0	11,830.3	12,984.4			
39	43.42 %	24.55 %	32.03 %	63.88 %	36.12 %	54.61 %	45.39 %	65.46 %			
	18,880.2	10,407.7	13,877.9	15,445.3	8,355.0	14,521.9	11,103.3	11,052.7			
40	43.74 %	24.11 %	32.15 %	64.95 %	35.05 %	56.67 %	43.33 %	66.53 %			
	17,541.9	9,785.9	14,599.4	15,260.3	7,703.1	14,764.6	10,375.9	11,101.8			
41	41.84 %	23.34 %	34.82 %	66.45 %	33.55 %	58.73 %	41.27 %	66.98 %			
	14,992.0	13,832.0	14,833.0	10,789.0	9,500.3	10,021.6	12,450.3	8,576.8			
42	34.34 %	31.68 %	33.98 %	53.18 %	46.82 %	44.60 %	55.40 %	55.37 %			
	8,178.0	11,722.0	10,658.0	6,515.7	7,248.7	6,242.5	8,884.0	5,635.7			
43	26.76 %	38.36 %	34.88 %	47.34 %	52.66 %	41.27 %	58.73 %	50.03 %			
	21,903.3	8,243.7	13,687.7	17,348.5	6,675.0	16,921.6	9,619.4	10,676.2			
44	49.97 %	18.81 %	31.23 %	72.21 %	27.79 %	63.76 %	36.24 %	74.37 %			
	22,074.5	8,244.1	14,458.6	17,973.4	6,750.0	17,691.2	9,624.7	11,803.5			
45	49.30 %	18.41 %	32.29 %	72.70 %	27.30 %	64.77 %	35.23 %	74.21 %			
	25,098.2	8,889.3	16,277.8	20,333.2	7,285.1	20,111.1	10,103.0	13,535.3			
	49.93 %	17.68 %	32.38 %	73.62 %	26.38 %	66.56 %	33.44 %	75.39 %			

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd

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Plan House

DISTRICT	00REPS	00DEMS	00UNAFF	REG_LRG_R	REG_LRG_D	BDED_LRG_R	BDED_LRG_D	REG_LRG_R9	REG_LRG_D9
46	8,720.6	22,680.1	11,068.7	8,478.5	13,800.5	7,858.1	15,806.6	8,119.7	11,641.7
	20.53 %	53.40 %	26.06 %	38.06 %	61.94 %	33.21 %	66.79 %	41.09 %	58.91 %
47	12,246.3	15,877.2	12,271.5	11,229.8	10,163.1	10,266.1	12,592.3	9,471.0	7,920.8
	30.32 %	39.30 %	30.38 %	52.49 %	47.51 %	44.91 %	55.09 %	54.46 %	45.54 %
48	16,835.0	10,280.4	15,541.3	14,610.1	7,658.3	13,906.2	10,478.1	10,501.6	5,445.4
	39.47 %	24.10 %	36.43 %	65.61 %	34.39 %	57.03 %	42.97 %	65.85 %	34.15 %
49	19,415.7	10,445.0	15,882.7	16,844.6	9,510.2	16,462.0	12,623.7	12,331.3	5,885.3
	42.44 %	22.83 %	34.72 %	63.91 %	36.09 %	56.60 %	43.40 %	67.69 %	32.31 %
50	11,779.3	10,120.1	13,265.3	8,337.1	6,242.7	7,640.2	8,410.1	6,458.8	4,809.1
	33.50 %	28.78 %	37.72 %	57.18 %	42.82 %	47.60 %	52.40 %	57.32 %	42.68 %
51	18,937.9	9,694.5	13,662.1	15,118.5	8,471.4	14,988.6	11,036.2	11,483.6	4,895.9
	44.78 %	22.92 %	32.30 %	64.09 %	35.91 %	57.59 %	42.41 %	70.11 %	29.89 %
52	17,541.9	12,798.4	17,274.7	14,430.5	10,418.3	14,226.3	13,552.8	10,842.0	7,248.3
	36.84 %	26.88 %	36.28 %	58.07 %	41.93 %	51.21 %	48.79 %	59.93 %	40.07 %
53	15,120.4	11,393.9	16,787.2	12,192.1	8,877.4	11,959.1	11,679.7	9,552.7	6,485.2
	34.92 %	26.31 %	38.77 %	57.87 %	42.13 %	50.59 %	49.41 %	59.56 %	40.44 %
54	19,458.0	11,391.8	14,760.5	16,218.7	7,789.0	15,782.9	10,936.2	13,570.3	6,857.9
	42.66 %	24.98 %	32.36 %	67.56 %	32.44 %	59.07 %	40.93 %	66.43 %	33.57 %
55	18,625.1	11,242.8	13,726.3	15,559.0	7,682.6	14,549.6	11,149.6	12,269.6	6,272.6
	42.72 %	25.79 %	31.49 %	66.94 %	33.06 %	56.61 %	43.39 %	66.17 %	33.83 %
56	15,165.9	12,435.9	20,330.9	10,640.3	9,202.6	10,277.5	12,179.5	6,947.7	5,015.7
	31.64 %	25.94 %	42.42 %	53.62 %	46.38 %	45.77 %	54.23 %	58.07 %	41.93 %
57	21,839.6	11,667.0	18,621.8	15,326.7	7,963.2	14,695.6	11,327.2	11,683.5	5,928.6
	41.90 %	22.38 %	35.72 %	65.81 %	34.19 %	56.47 %	43.53 %	66.34 %	33.66 %
58	20,182.9	13,109.5	16,447.3	15,954.2	8,432.3	17,460.3	11,043.0	12,144.1	6,255.6
	40.58 %	26.36 %	33.07 %	65.42 %	34.58 %	61.26 %	38.74 %	66.00 %	34.00 %
59	19,916.0	13,502.0	19,040.0	14,490.1	8,239.1	14,970.2	11,699.2	8,868.1	4,714.0
	37.97 %	25.74 %	36.30 %	63.75 %	36.25 %	56.13 %	43.87 %	65.29 %	34.71 %
60	19,857.0	12,233.3	14,879.6	14,973.4	8,221.8	14,511.0	10,788.3	11,852.7	6,602.3
	42.28 %	26.04 %	31.68 %	64.55 %	35.45 %	57.36 %	42.64 %	64.22 %	35.78 %

District Summary

COMBINED 2000 PARTY REGISTRATION AND REGENTS/BdEd
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Plan	House	00REPS	00DEMIS	00UNAFF	REG LRG R	REG LRG D	BDED LRG R	BDED LRG D	REG LRG R9	REG LRG D9
61	15,437.4	14,331.1	22,290.2	10,734.8	10,071.1	10,909.9	13,365.2	8,264.8	7,011.7	
	29.65 %	27.53 %	42.82 %	51.59 %	48.41 %	44.94 %	55.06 %	54.10 %	45.90 %	
62	11,147.3	20,809.5	9,587.4	9,099.1	11,852.9	8,500.6	14,569.1	8,316.6	10,489.9	
	26.83 %	50.09 %	23.08 %	43.43 %	56.57 %	36.85 %	63.15 %	44.22 %	55.78 %	
63	18,934.1	9,715.3	11,393.7	15,044.3	5,962.1	14,506.1	8,675.4	13,229.1	5,793.8	
	47.28 %	24.26 %	28.45 %	71.62 %	28.38 %	62.58 %	37.42 %	69.54 %	30.46 %	
64	12,996.2	18,656.0	9,855.9	11,210.0	9,502.4	10,755.1	12,089.2	9,697.9	8,494.0	
	31.31 %	44.95 %	23.74 %	54.12 %	45.88 %	47.08 %	52.92 %	53.31 %	46.69 %	
65	16,115.5	9,511.3	12,625.2	14,811.3	6,774.6	14,190.8	9,523.8	11,730.7	5,804.6	
	42.13 %	24.86 %	33.01 %	68.62 %	31.38 %	59.84 %	40.16 %	66.90 %	33.10 %	
	989,667.93	828,407.95	935,244.91	805,561.98	588,500.73	768,440.98	769,521.86	639,538.04	437,869.10	

Attachment A

Constitution of the State of Colorado

Article V

Section 46. Senatorial and representative districts The state shall be divided into as many senatorial and representative districts as there are members of the senate and house of representatives respectively, each district in each house having a population as nearly equal as may be, as required by the constitution of the United States, but in no event shall there be more than five percent deviation between the most populous and the least populous district in each house.

As amended by the People, November 5, 1974 - Effective upon proclamation of the Governor, December 20, 1974.

Section 47. Composition of districts. (1) Each district shall be as compact in area as possible and the aggregate linear distance of all district boundaries shall be as short as possible. Each district shall consist of contiguous whole general election precincts. Districts of the same house shall not overlap.

(2) Except when necessary to meet the equal population requirements of section 46, no part of one county shall be added to all or part of another county in forming districts. Within counties whose territory is contained in more than one district of the same house, the number of cities and towns whose territory is contained in more than one district of the same house shall be as small as possible. When county, city, or town boundaries are changed, adjustments, if any, in legislative districts shall be as prescribed by law.

(3) Consistent with the provisions of this section and section 46 of this article, communities of interest, including ethnic, cultural, economic, trade area, geographic, and demographic factors, shall be preserved within a single district wherever possible.

As amended by the People, November 5, 1974 - Effective upon proclamation of the Governor, December 20, 1974.

Section 48. Revision and alteration of districts - reapportionment commission. (1) (a) After each federal census of the United States, the senatorial districts and representative districts shall be established, revised, or altered, and the members of the senate and the house of representatives apportioned among them, by a Colorado reapportionment commission consisting of eleven members, to be appointed and having the qualifications as prescribed in this section. Of such members, four shall be appointed by the legislative department, three by the executive department, and four by the judicial department of the state.

Attachment A

(b) The four legislative members shall be the speaker of the house of representatives, the minority leader of the house of representatives, and the majority and minority leaders of the senate, or the designee of any such officer to serve in his or her stead, which acceptance of service or designation shall be made no later than April 15 of the year following that in which the federal census is taken. The three executive members shall be appointed by the governor between April 15 and April 25 of such year, and the four judicial members shall be appointed by the chief justice of the Colorado supreme court between April 25 and May 5 of such year.

(c) Commission members shall be qualified electors of the state of Colorado. No more than four commission members shall be members of the general assembly. No more than six commission members shall be affiliated with the same political party. No more than four commission members shall be residents of the same congressional district, and each congressional district shall have at least one resident as a commission member. At least one commission member shall reside west of the continental divide.

(d) Any vacancy created by the death or resignation of a member, or otherwise, shall be filled by the respective appointing authority. Members of the commission shall hold office until their reapportionment and redistricting plan is implemented. No later than May 15 of the year of their appointment, the governor shall convene the commission and appoint a temporary chairman who shall preside until the commission elects its own officers.

(e) Within one hundred thirteen days after the commission has been convened or the necessary census data are available, whichever is later, the commission shall publish a preliminary plan for reapportionment of the members of the general assembly and shall hold public hearings thereon in several places throughout the state within forty-five days after the date of such publication. No later than one hundred twenty-three days prior to the date established in statute for precinct caucuses in the second year following the year in which the census was taken or, if the election laws do not provide for precinct caucuses, no later than one hundred twenty-three days prior to the date established in statute for the event commencing the candidate selection process in such year, the commission shall finalize its plan and submit the same to the Colorado supreme court for review and determination as to compliance with sections 46 and 47 of this article. Such review and determination shall take precedence over other matters before the court. The supreme court shall adopt rules for such proceedings and for the production and presentation of supportive evidence for such plan. Any legal arguments or evidence concerning such plan shall be submitted to the supreme court pursuant to the schedule established by the court; except for precinct caucuses in the second year following the year in which the census was taken or, if the election laws do not provide for precinct caucuses, no later than ninety days prior to the date established in statute for the event commencing the candidate selection process in such year. The supreme court shall 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 shall revise and modify it to

Attachment A

conform to the court's requirements and resubmit the plan to the court within the time period specified by the court. The supreme court shall approve a plan for the redrawing of the districts of the members of the general assembly by a date that will allow sufficient time for such plan to be filed with the secretary of state no later than fifty-five days prior to the date established in statute for precinct caucuses in the second year following the year in which the census was taken or, if the election laws do not provide for precinct caucuses, no later than fifty-five days prior to the date established in statute for the event commencing the candidate selection process in such year. The court shall order that such plan be filed with the secretary of state no later than such date. The commission shall keep a public record of all the proceedings of the commission and shall be responsible for the publication and distribution of copies of each plan.

(f) The general assembly shall appropriate sufficient funds for the compensation and payment of the expenses of the commission members and any staff employed by it. The commission shall have access to statistical information compiled by the state or its political subdivisions and necessary for its reapportionment duties.

As amended by the People, November 5, 1974 - Effective upon proclamation of the Governor, December 20, 1974.

Attachment B

1992 Senate Districts with Census 2000 Populations
Ideal Population = 122,893

District	Population	Deviation	NH White	Hispanic Origin	NH DOJ Black	NH DOJ Indian	NH DOJ Asian	NH DOJ Hawaiian	NH DOJ Other	18+ Population
Total	4,301,261		3,202,880	735,601	170,459	48,083	108,664	5,391	30,183	
1	121,612	-1281	92,199	26,500	725	1,039	677	99	373	86,635
		-1.04%	75.81%	21.79%	0.60%	0.85%	0.56%	0.08%	0.31%	71.24%
2	112,329	-10564	81,860	22,276	4,205	1,741	1,328	240	679	79,992
		-8.60%	72.88%	19.83%	3.74%	1.55%	1.18%	0.21%	0.60%	71.21%
3	92,309	-30584	46,748	41,188	2,133	601	953	61	625	69,228
		-24.89%	50.64%	44.62%	2.31%	0.65%	1.03%	0.07%	0.67%	75.00%
4	131,881	8,988	112,949	12,466	3,015	2,083	837	65	466	104,457
		7.31%	85.64%	9.45%	2.29%	1.58%	0.63%	0.05%	0.36%	79.21%
5	121,925	-968	74,440	43,166	940	1,749	812	85	733	89,311
		-0.79%	61.05%	35.40%	0.77%	1.43%	0.67%	0.07%	0.60%	73.25%
6	134,132	11,239	109,737	16,173	527	6,223	679	103	690	101,022
		9.15%	81.81%	12.06%	0.39%	40.64%	0.51%	0.08%	0.51%	75.32%
7	116,255	-6638	101,110	11,651	614	1,480	808	153	439	87,188
		-5.40%	86.97%	10.02%	0.53%	1.27%	0.70%	0.13%	0.38%	75.00%
8	138,329	15,436	115,204	19,805	467	1,234	961	123	535	103,756
		12.56%	83.28%	14.32%	0.34%	0.89%	0.69%	0.09%	0.39%	75.01%
9	143,241	20,348	123,628	8,293	3,954	1,267	4,915	205	979	101,347
		16.56%	86.31%	5.79%	2.76%	0.88%	3.43%	0.14%	0.68%	70.75%
10	125,822	2,929	94,980	13,843	9,317	1,364	4,402	388	1,528	89,796
		2.38%	75.49%	11.00%	7.40%	1.08%	3.50%	0.31%	1.22%	71.37%
11	109,295	-13598	61,200	23,107	17,059	1,673	3,907	519	1,830	78,821
		-11.06%	56.00%	21.14%	15.61%	1.53%	3.57%	0.47%	1.68%	72.12%
12	115,575	-7318	99,595	9,229	2,279	1,559	1,958	175	780	90,473
		-5.95%	86.17%	7.99%	1.97%	1.35%	1.69%	0.15%	0.67%	78.28%
13	142,762	19,869	130,412	7,000	852	1,057	2,630	115	696	107,630
		16.17%	91.35%	4.90%	0.60%	0.74%	1.84%	0.08%	0.49%	75.39%
14	123,270	377	105,013	11,277	1,444	1,128	3,446	163	799	96,523
		0.31%	85.19%	9.15%	1.17%	0.92%	2.80%	0.13%	0.65%	78.30%
15	128,224	5,331	115,146	9,534	542	1,280	1,259	94	369	95,216
		4.34%	89.80%	7.44%	0.42%	1.00%	0.98%	0.07%	0.29%	74.26%
16	128,993	6,100	89,158	35,766	848	1,008	1,457	157	599	93,709
		4.96%	69.12%	27.73%	0.66%	0.78%	1.13%	0.12%	0.47%	72.65%
17	133,576	10,683	107,769	19,381	1,034	1,120	3,586	108	578	96,436
		8.69%	80.68%	14.51%	0.77%	0.84%	2.68%	0.08%	0.43%	72.20%
18	106,093	-16800	89,988	8,303	1,425	759	4,767	95	756	89,439
		-13.67%	84.82%	7.83%	1.34%	0.72%	4.49%	0.09%	0.71%	84.30%
19	111,040	-11853	94,525	10,074	967	866	4,027	71	510	80,844
		-9.64%	85.13%	9.07%	0.87%	0.78%	3.63%	0.06%	0.45%	72.81%
20	103,968	-18925	88,344	10,820	958	1,145	2,019	101	581	80,212
		-15.40%	84.97%	10.41%	0.92%	1.10%	1.94%	0.10%	0.56%	77.15%

1992 Senate Districts with Census 2000 Populations

Ideal Population = 122,893

District	Population	Deviation	NH White	Hispanic Origin	NH Black	NH American Indian	NH Asian	NH Pacific Islander	NH Other	18+ Population
Total	4,301,261		3,202,880	735,601	170,459	48,083	108,664	5,391	15,601	
21	103,874	-19019	78,995	18,001	1,637	1,415	2,931	134	761	80,824
		-15.48%	76.05%	17.33%	1.58%	1.36%	2.82%	0.13%	0.73%	77.81%
22	120,342	-2551	103,645	10,290	1,218	995	3,582	102	510	87,837
		-2.08%	86.13%	8.55%	1.01%	0.83%	2.98%	0.08%	0.42%	72.99%
23	127,526	4,633	95,219	21,713	1,783	1,239	6,447	116	1,009	93,224
		3.77%	74.67%	17.03%	1.40%	0.97%	5.06%	0.09%	0.79%	73.10%
24	128,296	5,403	87,192	32,645	1,997	1,534	3,946	190	792	90,945
		4.40%	67.96%	25.45%	1.56%	1.20%	3.08%	0.15%	0.62%	70.89%
25	126,475	3,582	63,866	49,683	7,646	1,465	2,797	174	844	89,129
		2.91%	50.50%	39.28%	6.05%	1.16%	2.21%	0.14%	0.67%	70.47%
26	105,743	-17150	89,789	10,548	1,489	1,175	2,179	98	465	80,782
		-13.96%	84.91%	9.98%	1.41%	1.11%	2.06%	0.09%	0.44%	76.39%
27	116,416	-6477	100,074	6,288	3,516	667	5,024	112	735	82,952
		-5.27%	85.96%	5.40%	3.02%	0.57%	4.32%	0.10%	0.64%	71.25%
28	119,512	-3381	86,690	11,664	11,537	937	7,128	199	1,357	88,513
		-2.75%	72.54%	9.76%	9.65%	0.78%	5.96%	0.17%	1.14%	74.06%
29	113,159	-9734	58,318	25,884	20,455	1,058	5,342	289	1,813	82,305
		-7.92%	51.54%	22.87%	18.08%	0.93%	4.72%	0.26%	1.61%	72.73%
30	237,583	114,690	212,462	11,956	3,370	1,659	6,796	234	1,106	163,181
		93.32%	89.43%	5.03%	1.42%	0.70%	2.86%	0.10%	0.46%	68.68%
31	112,073	-10820	40,478	63,449	2,510	1,429	3,295	103	809	81,434
		-8.80%	36.12%	56.61%	2.24%	1.28%	2.94%	0.09%	0.72%	72.66%
32	107,778	-15115	79,815	19,672	2,285	958	4,120	102	826	88,292
		-12.30%	74.06%	18.25%	2.12%	0.89%	3.82%	0.09%	0.77%	81.92%
33	123,496	603	42,398	30,587	44,371	1,069	2,892	170	2,009	91,100
		0.49%	34.33%	24.77%	35.93%	0.87%	2.34%	0.14%	1.63%	73.77%
34	106,538	-16355	47,612	50,402	4,131	1,340	1,959	94	1,000	84,684
		-13.31%	44.69%	47.31%	3.88%	1.26%	1.84%	0.09%	0.94%	79.49%
35	111,819	-11074	82,322	12,967	9,209	767	4,798	154	1,602	93,229
		-9.01%	73.62%	11.60%	8.24%	0.69%	4.29%	0.14%	1.43%	83.37%
Total	4,301,261		3,202,880	735,601	170,459	48,083	108,664	5,391	30,183	3,200,466

1992 House Districts with Census 2000 Populations

Ideal Population = 66,173

District	Population	Deviation	NH White	Hispanic Origin	NH DOJ Black	NH DOJ Indian	NH DOJ Asian	NH DOJ Hawaiian	NH DOJ Other	18+ Population
Total	4,301,261		3,202,880	735,601	170,459	48,083	108,664	5,391	30,183	
1	59,356	-6817	34,944	19,607	880	624	2,891	53	357	45,116
		-10.30%	58.87%	33.03%	1.48%	1.05%	4.87%	0.09%	0.60%	76.01%
2	60,271	-5902	19,468	35,860	1,686	855	1,823	51	528	43,464
		-8.92%	32.30%	59.50%	2.80%	1.42%	3.02%	0.08%	0.87%	72.11%
3	56,970	-9203	37,005	16,314	1,098	735	1,431	50	337	43,931
		-13.91%	64.96%	28.64%	1.93%	1.29%	2.51%	0.09%	0.59%	77.11%
4	56,858	-9315	23,866	29,691	1,059	721	1,031	54	436	42,788
		-14.08%	41.97%	52.22%	1.86%	1.27%	1.81%	0.09%	0.76%	75.25%
5	60,391	-5782	24,280	30,805	2,808	764	1,098	53	583	48,348
		-8.74%	40.20%	51.01%	4.65%	1.27%	1.82%	0.09%	0.97%	80.06%
6	56,815	-9358	43,731	6,136	3,683	366	2,159	48	692	48,439
		-14.14%	76.97%	10.80%	6.48%	0.64%	3.80%	0.08%	1.22%	85.26%
7	71,702	5,529	22,045	18,628	27,402	566	1,761	134	1,166	50,769
		8.36%	30.75%	25.98%	38.22%	0.79%	2.46%	0.19%	1.63%	70.81%
8	58,022	-8151	23,206	14,713	17,612	591	962	47	891	45,051
		-12.32%	40.00%	25.36%	30.35%	1.02%	1.66%	0.08%	1.53%	77.64%
9	52,747	-13426	43,764	4,565	1,550	387	1,837	77	567	44,792
		-20.29%	82.97%	8.65%	2.94%	0.73%	3.48%	0.15%	1.07%	84.92%
10	58,505	-7668	43,321	5,749	5,291	398	2,808	92	846	49,439
		-11.59%	74.05%	9.83%	9.04%	0.68%	4.80%	0.16%	1.44%	84.50%
11	61,1003	-5170	52,785	5,013	616	435	1,711	47	396	49,582
		-7.81%	86.53%	8.22%	1.01%	0.71%	2.80%	0.08%	0.65%	81.28%
12	66,683	510	51,727	12,234	414	641	1,331	48	288	48,430
		0.77%	77.57%	18.35%	0.62%	0.96%	2.00%	0.07%	0.43%	72.63%
13	74,314	8,141	65,658	3,911	787	552	2,948	62	396	54,427
		12.30%	88.35%	5.26%	1.06%	0.74%	3.97%	0.08%	0.53%	73.24%
14	51,645	-14528	43,666	3,406	754	353	3,011	45	410	45,082
		-21.95%	84.55%	6.60%	1.46%	0.68%	5.83%	0.09%	0.80%	87.29%
15	66,766	593	51,700	6,642	4,438	722	2,301	211	752	47,049
		0.90%	77.43%	9.95%	6.65%	1.08%	3.45%	0.32%	1.13%	70.47%
16	55,661	-10512	41,381	7,704	3,803	679	1,327	114	653	42,337
		-15.89%	74.34%	13.84%	6.83%	1.22%	2.38%	0.20%	1.17%	76.06%
17	60,956	-5217	31,586	14,595	10,202	903	2,245	270	1,155	43,986
		-7.88%	51.82%	23.94%	16.74%	1.48%	3.68%	0.44%	1.89%	72.16%
18	77,604	11,431	64,336	5,852	3,017	735	2,901	135	628	53,955
		17.27%	82.90%	7.54%	3.89%	0.95%	3.74%	0.17%	0.81%	69.53%
19	74,187	8,014	53,458	9,287	6,838	1,204	2,116	364	920	50,310
		12.11%	72.06%	12.52%	9.22%	1.62%	2.85%	0.49%	1.24%	67.82%
20	77,770	11,597	70,226	3,529	1,255	654	1,636	80	390	55,216
		17.53%	90.30%	4.54%	1.61%	0.84%	2.10%	0.10%	0.50%	71.00%
21	61,128	-5045	46,917	6,284	4,549	828	1,742	226	582	46,353
		-7.62%	76.75%	10.28%	7.44%	1.35%	2.85%	0.37%	0.96%	75.83%
22	61,430	-4743	51,303	5,438	1,407	785	1,901	105	491	48,294
		-7.17%	83.51%	8.85%	2.29%	1.28%	3.09%	0.17%	0.80%	78.62%

1992 House Districts with Census 2000 Populations

Ideal Population = 66,173

District	Population	Deviation	NH White	Hispanic Origin	Black	NH American Indian	Asian	NH Pacific Islander	NH Other	18+ Population
Total	4,301,261		3,202,880	735,601	170,459	48,083	108,664	5,391	15,601	
23	54,413	-11760	43,165	8,143	755	728	1,155	66	401	42,650
		-17.77%	79.33%	14.97%	1.39%	1.34%	2.12%	0.12%	0.74%	78.38%
24	59,099	-7074	45,070	10,901	764	851	982	80	451	45,859
		-10.69%	76.26%	18.45%	1.29%	1.44%	1.66%	0.14%	0.76%	77.60%
25	63,731	(2,442)	58,938	2,506	366	629	1,003	43	246	48,762
		-3.69%	92.48%	3.93%	0.57%	0.99%	1.57%	0.07%	0.39%	76.51%
26	53,720	-12453	43,952	6,366	610	485	2,005	46	256	41,811
		-18.82%	81.82%	11.85%	1.14%	0.90%	3.73%	0.09%	0.48%	77.83%
27	59,674	-6449	53,206	4,190	393	440	1,157	40	248	43,904
		-9.82%	89.16%	7.02%	0.66%	0.74%	1.94%	0.07%	0.42%	73.57%
28	61,573	-4600	55,692	3,628	444	418	1,138	70	183	43,094
		-6.95%	90.45%	5.89%	0.72%	0.68%	1.85%	0.11%	0.30%	69.99%
29	57,903	-8270	47,063	7,220	636	557	2,034	46	347	43,096
		-12.50%	81.28%	12.47%	1.10%	0.96%	3.51%	0.08%	0.60%	74.43%
30	76,946	10,773	65,809	6,565	937	655	2,565	63	352	56,189
		16.28%	85.53%	8.53%	1.22%	0.85%	3.33%	0.08%	0.46%	73.02%
31	90,365	24,192	69,020	16,675	862	790	2,502	76	440	63,530
		36.56%	76.38%	18.45%	0.95%	0.87%	2.77%	0.08%	0.49%	70.30%
32	60,777	-5396	33,691	23,846	1,040	869	901	68	362	42,514
		-8.15%	55.43%	39.24%	1.71%	1.43%	1.48%	0.11%	0.60%	69.95%
33	73,863	7,690	57,081	11,460	991	738	2,963	84	546	53,321
		11.62%	77.28%	15.52%	1.34%	1.00%	4.01%	0.11%	0.74%	72.19%
34	63,740	-2433	42,137	16,846	1,103	775	2,408	88	383	46,675
		-3.68%	66.11%	26.43%	1.73%	1.22%	3.78%	0.14%	0.60%	73.23%
35	58,034	-8139	32,698	19,862	721	589	3,598	58	508	42,606
		-12.30%	56.34%	34.22%	1.24%	1.01%	6.20%	0.10%	0.88%	73.42%
36	72,245	6,072	36,292	26,020	6,889	800	1,554	135	555	50,454
		9.18%	50.23%	36.02%	9.54%	1.11%	2.15%	0.19%	0.77%	69.84%
37	60,660	-5513	52,707	3,816	1,076	482	2,237	37	305	44,237
		-8.33%	86.89%	6.29%	1.77%	0.79%	3.69%	0.06%	0.50%	72.93%
38	56,173	-10000	49,568	4,060	624	512	1,110	59	240	42,777
		-15.11%	88.24%	7.23%	1.11%	0.91%	1.98%	0.11%	0.42%	76.15%
39	66,222	49	57,780	2,963	1,924	301	2,805	54	395	46,119
		0.07%	87.25%	4.47%	2.91%	0.45%	4.24%	0.08%	0.60%	69.64%
40	70,553	4,380	54,444	6,388	4,735	550	3,659	127	650	49,334
		6.62%	77.17%	9.05%	6.71%	0.78%	5.19%	0.18%	0.92%	69.92%
41	60,429	-5744	40,390	6,401	8,185	478	3,994	104	877	47,424
		-8.68%	66.84%	10.59%	13.54%	0.79%	6.61%	0.17%	1.45%	78.48%
42	63,666	-2507	28,809	18,630	11,895	603	2,539	190	1000	46,575
		-3.79%	45.25%	29.26%	18.68%	0.95%	3.99%	0.30%	1.57%	73.16%
43	68,374	2,201	44,867	8,794	9,129	643	3,867	133	941	48,453
		3.33%	65.62%	12.86%	13.35%	0.94%	5.66%	0.19%	1.38%	70.86%
44	77,498	11,325	65,658	6,823	2,699	1,518	467	45	288	59,957
		17.11%	84.72%	8.80%	3.48%	1.96%	0.60%	0.06%	0.37%	77.37%

1992 House Districts with Census 2000 Populations

Ideal Population = 66,173

45	65,309	-864	46,048	16,774	708	647	692	47	393	48,805
		-1.31%	70.51%	25.68%	1.08%	0.99%	1.06%	0.07%	0.60%	74.73%
46	51,034	-15139	24,174	24,129	1,604	543	204	26	354	38,193
		-22.88%	47.37%	47.28%	3.14%	1.06%	0.40%	0.05%	0.70%	74.84%
47	56,908	-9265	34,662	19,583	1,013	971	361	29	289	43,050
		-14.00%	60.91%	34.41%	1.78%	1.71%	0.63%	0.05%	0.51%	75.65%
48	79,020	12,847	63,162	13,869	327	583	745	63	271	56,295
		19.41%	79.93%	17.55%	0.41%	0.74%	0.94%	0.08%	0.34%	71.24%
49	82,309	16,136	71,572	8,110	366	750	1,208	69	234	58,793
		24.38%	86.96%	9.85%	0.44%	0.91%	1.47%	0.08%	0.28%	71.43%
50	61,030	-5143	34,179	24,492	567	530	789	105	368	44,972
		-7.77%	56.00%	40.13%	0.93%	0.87%	1.29%	0.17%	0.61%	73.69%
51	70,337	4,164	63,442	5,057	310	625	662	41	200	52,694
		6.29%	90.20%	7.19%	0.44%	0.89%	0.94%	0.06%	0.28%	74.92%
52	59,448	-6725	49,907	6,739	597	563	1,237	71	334	46,120
		-10.16%	83.95%	11.34%	1.00%	0.95%	2.08%	0.12%	0.57%	77.58%
53	62,762	-3411	53,727	5,247	761	698	1,774	94	461	50,499
		-5.15%	85.60%	8.36%	1.21%	1.11%	2.83%	0.15%	0.73%	80.46%
54	62,979	-3194	53,724	7,463	349	764	363	88	228	47,136
		-4.83%	85.30%	11.85%	0.55%	1.21%	0.58%	0.14%	0.36%	74.84%
55	63,569	-2604	55,332	6,198	401	839	488	68	243	47,729
		-3.94%	87.04%	9.75%	0.63%	1.32%	0.77%	0.11%	0.39%	75.08%
56	81,649	15,476	66,710	12,997	236	585	679	80	362	62,648
		23.39%	81.70%	15.92%	0.29%	0.72%	0.83%	0.10%	0.45%	76.73%
57	65,688	-485	56,615	7,459	266	703	378	45	222	48,389
		-0.73%	86.19%	11.36%	0.40%	1.07%	0.58%	0.07%	0.33%	73.66%
58	72,244	6,071	62,717	7,468	154	1,172	354	58	321	54,456
		9.17%	86.81%	10.34%	0.21%	1.62%	0.49%	0.08%	0.45%	75.38%
59	69,136	2,963	55,073	7,856	257	5,160	351	49	390	52,360
		4.48%	79.66%	11.36%	0.37%	7.46%	0.51%	0.07%	0.56%	75.73%
60	56,709	-9464	23,741	30,973	410	853	344	52	336	40,369
		-14.30%	41.86%	54.62%	0.72%	1.50%	0.61%	0.09%	0.59%	71.19%
61	69,007	2,834	58,399	8,461	486	911	450	35	265	54,420
		4.28%	84.63%	12.26%	0.70%	1.32%	0.65%	0.05%	0.39%	78.86%
62	77,380	11,207	67,838	5,788	564	632	2,082	57	419	58,441
		16.94%	87.67%	7.48%	0.73%	0.82%	2.69%	0.07%	0.55%	75.52%
63	67,280	1,107	56,540	8,853	730	661	279	49	168	47,973
		1.67%	84.04%	13.16%	1.09%	0.98%	0.41%	0.07%	0.25%	71.30%
64	157,193	91,020	140,598	7,956	1,879	884	5,022	133	721	107,238
		137.55%	89.44%	5.06%	1.20%	0.56%	3.19%	0.08%	0.46%	68.22%
65	59,828	-6345	46,310	12,063	547	452	236	54	166	43,387
		-9.59%	77.41%	20.16%	0.91%	0.76%	0.39%	0.09%	0.27%	72.52%
Total	4,301,261		3,202,880	735,601	170,459	48,435	108,312	5,391	30,183	3,200,466

Attachment D

Senate Bill 00-119

AN ACT CONCERNING THE REDISTRICTING PROCESS, AND MAKING AN APPROPRIATION THEREFORE

Section 1. 2-2-502. Definitions. As used in this part 5:

(1) "Commission" means the Colorado reapportionment commission, created pursuant to section 48 of article V of the state constitutions and appointed in 2001.

Section 2. 2-2-503. Designation of senatorial districts to elect in 2002 and 2004. As a part of its preliminary and final reapportionment plans for state senatorial districts, the commission shall designate those senatorial districts in which state senators shall be elected at the general election to be held in November 2002, and every four years thereafter, and those senatorial districts in which state senators shall be elected at the general election to be held in November 2004, and every four years thereafter. Such designation of senatorial districts shall be filed with the secretary of state as part of the approved reapportionment plan required to be filed by section 48 (1) (e) of article V of the state constitution.

Section 3. 2-2-504 Holdover senators keep office - vacancies. (1) Nothing in this part 5 or in any reapportionment plan shall be construed to cause the removal of any senator from his or her office for the term for which the senator was elected, and each such senator shall serve the term for which he or she was elected.

(2) If any senator elected at the 2000 general election vacates his or her seat prior to the convening of the regular legislative session in 2003, such vacancy shall be filled from the district from which the senator was elected in accordance with section 1-12-203, C.R.S. If such vacancy occurs more than fifty-five days before the general election in 2002, there shall be an election at the general election in 2002 for the remainder of such senator's term from the senatorial district created by the commission. Nomination of candidates at such election shall be in accordance with article 4 of title 1, C.R.S.

(3) If any senator elected at the 2000 general election vacates his or her seat on or after the convening of the regular legislative session in 2003, such vacancy shall be filled from the senatorial district created by the commission in accordance with section 1-12-203, C.R.S.

Section 4. 2-2-506. Precinct boundaries. (1) (a.5) (I) The general assembly recognizes that, under section 48 of article V of the state constitution, the deadline for the filing of a court-approved redistricting plan for senatorial and representative districts with the secretary of state is March 15, 2002. However, the general assembly also recognizes that the redrawing of federal election precinct boundaries cannot be completed by the time required in section 1-5-103, C.R.S., unless the plan is approved and filed substantially before March 15, 2002. The general assembly therefore urges the commission and the Colorado supreme court to make every effort to complete the redistricting process no later than February 15, 2002.

(II) If a court-approved redistricting plan for senatorial and representative districts has not been filed with the secretary of state by February 15, 2002, notwithstanding the provisions of section 1-5-103 and 1-4-602 (4), C.R.S., changes in precinct boundaries shall be completed no later than March 20, 2002, and notices of precinct caucuses shall be posted not later than April 3, 2002.

(III) This paragraph (a.5) shall take effect on February 1, 2001, but only if senate concurrent resolution 00-002 does not become law.

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Section 5. 2-2-511. Applicability. This part 5 shall apply to the Colorado reapportionment commission appointed in 2001 and to state senatorial and state representative districts created by said commission.

Section 6. Definitions. As used in sections 6 through 11 of this act:

- (1) "Census bureau" means the United States census bureau.
- (2) "Commission" means the Colorado reapportionment commission appointed in 2001 pursuant to the provisions of section 48 of article V of the state constitution.
- (3) "Congressional plan" means the plan for the redistricting of congressional districts in Colorado based upon the census conducted in 2000 as provided by section 44 of article V of the state constitution.
- (4) "Executive committee" means the executive committee of the legislative council.
- (5) "State plan" means a plan for the redistricting of Colorado state senatorial and representative districts based upon the census conducted in 2000 as provided in sections 45 through 48 of article V of the state constitution.

Section 7. Arrangements pending the organization of the reapportionment commission. (1) The general assembly hereby finds that the redistricting of congressional and state senatorial and representative districts requires the compilation, assimilation, and analysis of large amounts of census data and maps; that the task of redistricting involves complex mathematical analysis and a thorough consideration of legal issues under the state and federal statutes and constitution; that 2000 census data and maps are being furnished to the states in computerized form; that the one-hundred-twenty day limitation on regular sessions of the general assembly means that the enactment of a congressional plan may require a special session; and that the arrangements set forth in this section and section 8 of this act are provided in order to assure that the commission and the general assembly will be as prepared as possible to begin their substantive work as soon as possible.

(2) Upon the request of the executive committee, the following offices shall provide the legislative council any necessary staff assistance prior to the appointment of the commission:

- (a) The office of legislative legal services;
 - (b) The division of local government in the department of local affairs; and
 - (c) The department of state.
- (3) The legislative council shall make the following materials available to the commission:
- (a) A computer data base deceiving all units of census geography built from the TIGER line file received from the census bureau.
 - (b) A computer data base of population data built from the Public Law 94-171 files received from the census bureau conforming with section 2-2-901, C.R.S., including racial and ethnic data;
 - (c) A computer data base of election and voter registration information for the 1998 and 2000 general elections;
 - (d) Any available information indicating the location of cultural, economic, geographic, demographic, and trade area factors in Colorado; and
 - (e) Any available information or analysis of state and federal court decisions concerning redistricting.
- (4) The executive committee may make arrangements for office space for the commission and its staff prior to the convening of the commission, including but not limited to the leasing of appropriate facilities and office equipment.

Section 8. Computer system. (1) The director of research of the legislative council shall be responsible for acquiring a computerized system that uses census data and maps to prepare congressional and state plans in conformity with statutory and constitutional criteria and within the applicable time constraints.

Attachment D

Upon approval by the executive committee, the director of research may contract for the acquisition of computer hardware and software and for the provision of computer services as are necessary to accomplish the tasks of this subsection (1). The computer system shall be available for use by the general assembly for purposes of the congressional plan and by the commission for the state plan.

(2) Appropriations made under this section shall not be available for expenditure until approved by the executive committee.

(3) Election and voter registration information for the 1998 and 2000 general elections shall be incorporated in the data base for the computerized redistricting system. Such information shall be taken or derived from the official records of the secretary of state or, if such data are not available from the secretary of state, from the official records of the county clerks and recorders. Election and voter registration information in the computerized system shall be considered to be official election and voter registration data for all purposes related to redistricting based upon the 2000 census.

(4) The executive committee shall adopt a policy governing access by private persons and governmental agencies other than the general assembly and the commission to the computer data bases developed pursuant to this section and section 7 (3) of this act, which policy may include reasonable charges for such access.

Section 9. Reapportionment commission - organizational provisions - compensation. (1) Members of the commission shall be appointed and convened, and the officers of the commission elected, pursuant to the provision of section 48 of article V of the state constitution.

(2) Members of the commission shall receive a per diem of ninety-nine dollars for attendance at regularly scheduled meetings of the commission. Members of the commission shall be reimbursed for actual and necessary expenses while performing official duties, together with mileage at the rate prescribed for state employees in section 24-9-104, Colorado Revised Statutes. A member of the commission who is a state officer or employee shall not claim per diem compensation from more than one source for official activities on the same day.

Section 10. Staff director - staff - hearings. (1) The commission may appoint a staff director who shall keep a full and true record of all proceedings of the commission and perform such other duties as the commission may prescribe. The staff director shall complete the task of obtaining and preparing the materials set forth in section 7 (3) of this act and shall compile such other data or materials as the commission may direct.

(2) The staff director of the commission may appoint, with the consent of the commission, such employees and consultants as he or she deems necessary to carry out the provisions of section 48 of article V of the state constitution, the provisions of part 5 of article 2 of title 2, Colorado Revised Statutes, and this act.

(3) The commission may request additional information or staff assistance it deems necessary from the agencies of state government, and such agencies shall furnish such information or assistance to the extent feasible within existing appropriations or in accordance with any contract between the agency and the commission.

(4) The commission may have the use of the committee rooms in the state capitol building and the legislative services building for its hearings.

(5) Upon the organization of the commission, the commission may choose to utilize the arrangements outlined in section 8 through 11 of this act, or it may choose to make whatever arrangements it deems necessary to carry out its constitutional duties, subject to available appropriations.

Section 11. Commission expenses. All expenses incurred by the commission, including per diem compensation and mileage of commission members and salaries and expenses of employees, shall be

Attachment D

paid upon vouchers signed by the presiding officer of the commission, or in his or her absence or unavailability, the vice chair or the staff director upon instruction by the presiding officer in each instance and drawn upon funds appropriated for use by the commission. All such vouchers, except vouchers for the payment of per diem compensation and mileage of commission members, shall also be signed by the chair of the legislative council.

Section 12. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the legislative council, for the fiscal year beginning July 1, 2000, the sum of two hundred seventeen thousand nine hundred dollars (\$217,900), or so much thereof as may be necessary, for the implementation of this act. Expenditures made pursuant to this appropriation shall be subject to the provisions of section 8 (2) of this act.

Section 13. Appropriation - adjustment to legislative appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the Colorado reapportionment commission, for the fiscal year beginning July 1, 2000, the sum of one hundred eighty four thousand seven hundred eight dollars (\$184,708), and 1.5 FTE, or so much thereof as may be necessary, for the implementation of this act. The moneys appropriated by this subsection (1) shall become available only if SCR00-002 becomes law.

(2)(a) For the implementation of subsection (1) of this section, appropriations made in HB00-1352 to the legislative department for the fiscal year beginning July 1, 2000, shall be adjusted as follows:

(I) The general fund appropriation for the legislative council is decreased by forty-six thousand six hundred sixty-seven dollars (\$46,667) and the number of FTE is decreased by .7 FTE; and

(II) The general fund appropriation for the committee on legal services is decreased by eleven thousand six hundred sixty-seven dollars (\$11,667) and the number of FTE is decreased by .2 FTE

(b) The adjustment made in this subsection (2) to the appropriations for the legislative council and the committee on legal services shall only be made if SCR00-002 becomes law.

Section 14. Appropriation - adjustment in 2000 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2000, shall be adjusted as follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3(1)(f) is reduced by two hundred seventeen thousand nine hundred dollars (217,900).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by two hundred seventeen thousand nine hundred dollars (\$217,900).

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 2000, shall be adjusted as follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3(1)(f) is reduced by one hundred twenty-six thousand three hundred seventy-four dollars (\$126,374).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by one hundred twenty-six thousand three hundred seventy-four dollars (\$126,374).

(c) The adjustment made by this subsection (2) shall become available only if SCR00-002 becomes law.

Section 15. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 30, 2000

Attachment E

Voting Rights Act

SECTION 2

42 U.S.C. sec. 1973. **Denial or abridgement of right to vote on account of race or color through voting qualifications or prerequisites; establishment of violation.**

(a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b (f) (2) of this title, as provided in subsection (b) of this section.

(b) A violation of subsection (a) of this section is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) of this section in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: Provided, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

Attachment F

SUPREME COURT, STATE OF COLORADO Two East 14 th Avenue Denver, Colorado 80203 Original Proceeding Pursuant to Colorado Constitution Article V, Section 48(1)(e)	Case No. 01SA386
IN RE REAPPORTIONMENT OF THE COLORADO GENERAL ASSEMBLY	
PLAN DISAPPROVED AND REMANDED WITH DIRECTIONS EN BANC January 28, 2002	

JUSTICE HOBBS delivered the Opinion of the Court.
JUSTICE BENDER dissents, and CHIEF JUSTICE MULLARKEY and JUSTICE MARTINEZ join in the dissent.

In this original proceeding under Article V, Section 48 (1)(e) of the Colorado Constitution, we review the decennial Apportionment Plan (Adopted Plan) the Colorado Reapportionment Commission (Commission) approved for the reapportionment of Colorado General Assembly house and senate districts, based on the year 2000 federal census. We hold that the Adopted Plan does not comply with the criteria of Article V, Sections 46 and 47, of the Colorado Constitution because: (1) it is not "sufficiently attentive to county boundaries to meet the requirement of section 47(2)," In re Reapportionment of the Colo. Gen. Assembly, 647 P.2d 191, 195 (Colo. 1982) (hereinafter "In re Reapportionment 82"); and (2) it is not accompanied by "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment of the Colo. Gen. Assembly, 828 P.2d 185, 195-96 (Colo. 1992) (hereinafter "In re Reapportionment 92-I"). For example, the Adopted Plan denies whole senate districts to Boulder, Douglas, Jefferson, and Pueblo counties for which they qualify based on the year 2000 census data. In addition, the Commission has not advanced an adequate explanation for division of Adams, Arapahoe, and Mesa

counties and the cities of Boulder and Pueblo between Senate Districts.

Because our role does not include redrawing the statewide apportionment map to comply with the applicable constitutional criteria, this being the Commission's responsibility, and because the Commission may choose to make other alterations in district boundaries on remand in redrawing the apportionment map, we set aside the Commission's action and remand the Adopted Plan to the Commission for further consideration, modification, re-adoption, and re-submittal by 5:00 p.m. on February 15, 2002.

I.

Reapportionment Law and Process

We commence our analysis by reviewing Colorado's reapportionment law and process. Reapportionment of the state's house and senate districts has always been a matter of great moment to Colorado citizens. Citizen-initiated statutes and constitutional amendments have shaped the law the Commission and this Court must follow to accomplish the 2002 reapportionment. The basic purpose of the constitutional standards for reapportionment is to assure equal protection for the right to participate in the Colorado political process and the right to vote. In re Reapportionment 82, 647 P.2d at 194.

1. Provisions of the Colorado Constitution

The Colorado Constitution as adopted in 1876 provided for twenty-six senate members and forty-nine house members until 1890, at which time the General Assembly could increase that number, not to exceed an aggregate of one hundred, with the ratio of senate to house seats being preserved as near as possible. Colo. Const. art. V, § 46 (amended 1950). The constitution allowed the General Assembly to alter district boundaries to include two or more counties but prohibited any county divisions: "No county shall be divided in the formation of a senatorial or representative district." Colo. Const. art. V, § 47 (amended 1962). The constitution provided for the apportionment of senators and representatives on the basis of federal and state census data "according to ratios to be fixed by law." Colo. Const. art. V, § 45 (amended 1962). The ratios did not include an equal population basis.

In Armstrong v. Mitten, 95 Colo. 425, 37 P.2d 757 (1934), we upheld a reapportionment statute the voters enacted after the General Assembly failed to adopt a reapportionment bill after

the 1930 census. This act provided for thirty-five senate members and sixty-five house members, set the boundaries for the districts, and determined the number of senators and house members assigned to the districts. We rejected the argument that the people could not initiate a reapportionment statute. Id. at 430, 37 P.2d at 759.

In 1950, the voters approved a General Assembly-referred measure amending the constitution to limit the number of senators to thirty-five and the house to sixty-five members. Colo. Const. art. V, § 46 (amended 1962); 1951 Colo. Sess. Laws 553. Section 47 continued to provide that:

Senatorial and representative districts may be altered from time to time, as public convenience may require. When a senatorial or representative district shall be composed of two or more counties, they shall be contiguous, and the district as compact as may be. No county shall be divided in the formation of a senatorial or representative district.

(Emphasis added.)

In 1962, through a General Assembly-referred measure, the voters amended the constitution to fix the General Assembly's membership at thirty-nine senate members and sixty-five house members, one to be elected for each senate and house district.¹ Colo. Const. art. V, § 45 (amended 1966); ch. 312, 1963 Colo. Sess. Laws 1045. The prohibition on dividing counties continued, with its wording slightly revised:

Districts of the same house shall not overlap. All districts shall be as compact as may be and shall consist of contiguous whole general election precincts. No part of one county shall be added to another county or part of another county in forming a district. When a district includes two or more counties they shall be contiguous.

Id. The voters amended Section 46 to provide that the sixty-five house districts "shall be as nearly equal in population as may be." Colo. Const. art. V, § 46 (amended 1966); ch. 312,

¹ In 1961, the Legislative Council recommended increasing the number of General Assembly members in light of Colorado's growth. See Report to the Colorado General Assembly: Reapportionment of the Colorado General Assembly, Colorado Legislative Council Research Publication No. 52 (December 1961).

1963 Colo. Sess. Laws 1045. Section 47 added an additional senator to Adams, Arapahoe, Boulder and Jefferson Counties and provided that the population in districts apportioned more than one senator "shall be as nearly equal in population as may be," but did not provide for equal population in the bulk of Colorado's senate districts. Colo. Const. art. V, § 47 (amended 1966); ch. 312, 1963 Colo. Sess. Laws 1045-46.

In 1964, the United States Supreme Court invalidated Colorado's reapportionment law for its allowance of an unequal population basis for senate districts, requiring instead that both houses reflect representation on a substantially equal population basis.² See Lucas v. Forty-Fourth Gen. Assembly of Colo., 377 U.S. 713 (1964). The Court held that Colorado's overall apportionment scheme was not "sufficiently grounded on population to be constitutionally sustainable under the Equal Protection Clause." Id. at 735. The Court observed that adherence to a strict population basis was not a federal constitutional requirement; some deviation from a strict population basis is allowable, but Colorado's variation in population between districts was too substantial. Id. at 734-75.

The General Assembly in 1964 attempted to comply with one person/one vote federal constitutional requirements. It adopted an act that divided counties into multiple senate and house districts. We held that Section 47 prohibited county divisions thus triggering the necessity of changing the Colorado Constitution for compliance with federal equal population requirements. "'No county' cannot be construed as meaning that one county, or two counties, or three counties may be divided; it plainly directs that there is not one county in the state of Colorado that may be divided in the formation of a senatorial or

² In 1956, the Colorado League of Women Voters had pointed out the wide divergence between populations of senate and house districts:

In 1950, for example, a senator from Jefferson county represented almost 56,000 persons . . . while the senator from the Fremont-Custer County District . . . represented less than 20,000 persons . . . [T]he state representative from the Cheyenne-Lincoln county district represented less than 9,500 persons . . . [I]n that year a state representative from Jefferson County represented almost 28,000 persons.

Reapportionment of the Colorado General Assembly, League of Women Voters of Colorado, Inc. 3 (September 1956). The League of Women Voters was instrumental in bringing the subsequent 1974 constitutional amendments for reapportionment to the ballot.

representative district." White v. Anderson, 155 Colo. 291, 297-98, 394 P.2d 333, 336 (1964).

For the first time in Colorado, the 1966 citizen-initiated amendments to the constitution introduced: (1) a requirement of single member districts; and (2) allowed the General Assembly to add part of one county to all or part of another county in the formation of senate and house districts, if necessary to meet equal population requirements. See An Analysis of 1966 Ballot Proposals, Legislative Council of the Colorado General Assembly, Research Publication No. 110 at 9-10 (1966).

By the 1966 initiative, voters amended Section 45 to provide for not more than thirty-five senate members and sixty-five house members, one to be elected for each senatorial and each representative district. Colo. Const. art. V, § 45; ch. 456, 1967 Colo. Sess. Laws 11. The voters amended Section 46 to provide that each district in each house shall have "a population as nearly equal as may be, as required by the constitution of the United States." Colo. Const. art. V, § 46 (amended 1974); ch. 456, 1967 Colo. Sess. Laws 11. The voters reworded Section 47 to provide that the General Assembly could add one part of a county to all or part of another county in forming districts when declared by the General Assembly to be necessary to meet the equal population requirements of Section 46:

Each district shall be as compact in area as possible and shall consist of contiguous whole general election precincts. Districts of the same house shall not overlap. Except when declared by the general assembly to be necessary to meet the equal population requirements of section 46, no part of one county shall be added to all or part of another county in forming districts. When county boundaries are changed, adjustments, if any, in legislative districts, shall be as prescribed by law.

Colo. Const. art. V, § 47 (amended 1974) (emphasis added).

Objectives of the 1966 amendments included making the members of the General Assembly more directly responsible to local constituencies.³

³ The 1960s were a key period for Colorado reapportionment law. A 1967 report of the Legislative Council to the General Assembly chronicles the court decisions, General Assembly bills, and constitutional amendments

4. A single-member district system will enable a legislator to be aware of the sentiments of his constituents much more than a multi-member district system. In the urban areas, it will also mean that legislative candidates can concentrate their campaigns within a specific district area and can devote their time and attention to the people living within their district.

5. The single-member district system will mean that voters within a given area will have more effective control over the actions of their senator and representative. In other words, legislators may be held more directly accountable to their constituents under the single-member district system.

6. Under the provisions of Amendment No. 4, minority groups living in concentrated population areas should be better able to obtain representation in the General Assembly commensurate with their population. Under the system of at-large elections in multi-member counties, it is possible for many or all of the members to be elected, for example, from merely a few areas within a district or from generally the same economic strata.

An Analysis of 1966 Ballot Proposals, Legislative Council of the Colorado General Assembly, Research Publication No. 110 at 18 (1966).

Though reworded to comply with equal population criteria, Section 47 continued Colorado's historic preference for county-based local constituencies; counties were to remain whole except as necessary for compliance with equal population requirements. "The Constitution just as strongly expressly prohibits a part of one county being added to all or part of another county except when necessary to meet the equal population requirements of Article V, Section 46 of the Colorado Constitution."⁴ In re

between 1961 and 1967. See Summary of Congressional Districting and Legislative Reapportionment Action in Colorado: 1961-1967, Legislative Council Report to the Colorado General Assembly, Research Publication No. 125 (May 1967).

⁴ A Legislative Council Committee construing the 1966 constitutional amendments formulated guidelines for General Assembly redistricting bills. In regard to counties, one of the guidelines stated:

Interrogatories H.R. 1020, 178 Colo. 311, 313, 497 P.2d 1024, 1025 (1972). In 1972, we also held that inclusion of enclaves in a district is a direct violation of the constitutional requirements of contiguity and compactness. See In re Interrogatory H.J.R. 1011, 177 Colo. 215, 217-18, 493 P.2d 346, 347 (1972) (prohibiting inclusion of Glendale and Holly Hills- portions of Arapahoe County surrounded by the City and County of Denver-into the Arapahoe County senate district).

In 1974, the voters approved a citizen-initiated constitutional amendment creating the Reapportionment Commission to perform the work of reapportionment the constitution had formerly consigned to the General Assembly. The basic purpose of the initiative was to accomplish reapportionment through the work of an independent body of Colorado citizens appointed by leaders of Colorado's legislative, executive, and judicial branches. The initiative designed a process for the Commission's work, criteria for carrying out that work, and review by this court of the Commission's product. The Legislative Council Analysis of this proposal stated that it would accomplish the following, if adopted:

1. Remove from the General Assembly the power to reapportion itself or to revise legislative district boundaries. After each federal census (presently conducted every ten years), an eleven member commission would assume responsibility for establishing district boundaries for the General Assembly. The commission would consist of: (a) the Speaker and Minority Leader of the state House of Representatives and the Majority and Minority Leaders of the state Senate (or the designees of these legislative leaders); (b) three appointees of the Governor; and (c) four appointees of the Chief Justice of the Colorado Supreme Court.
2. Allow no more than a five percent deviation between the most populous districts in each house of the General Assembly.

County boundaries should remain intact except where necessary to achieve equal population representation goals.

1967 Legislative Research Publication No. 125 at 12.

3. Require that ". . . the aggregate linear distance of all district boundaries shall be as short as possible."
4. Encourage the preservation of communities of interest (including ethnic, cultural, economic, trade area, geographic, and demographic factors) within a single district whenever possible, and discourage the splitting of cities and towns between districts.
5. Require publication of a preliminary reapportionment plan and public hearings on this plan in several areas of the state.
6. Provide for automatic review and ultimate approval of the reapportionment plan by the Colorado Supreme Court.

Concerning Amendment No. 9, Legislative Council of the Colorado General Assembly, An Analysis of 1974 Ballot Proposals, Research Publication No. 206 (1974) at 26-27.

Arguments for the Proposal explained the amendment's provision for a maximum allowable five-percent deviation between the district with the greatest population and the least population in each house. It would (1) "allow greater flexibility in the location of small cities and towns within single legislative districts and . . . make it easier to avoid splitting counties between legislative districts," and (2) "permit more consideration of the ethnic, cultural, economic, and other aspects of reapportionment. . . ." Id. at 29.

The maximum population deviation of five percent between districts is a reasonable standard which will allow greater flexibility in the location of small cities and towns within single legislative districts and which will make it easier to avoid splitting counties between legislative districts. The use of a five percent deviation would also permit more consideration of the ethnic, cultural, economic, and other aspects of reapportionment called for in the proposal.

Id. at 29 (emphasis added). Objectives of the proposed constitutional amendment included reducing both partisan politics and gerrymandering:

The proposal would reduce the impact that partisan politics can have on the drawing of legislative district boundaries, through the placement of the commission outside the legislative branch and through the requirements for appointment of commission members by all three branches of state government. The proposal's more stringent requirements for consideration of communities of interest, for compact districts, and for minimization of the splitting of cities and towns, and the public visibility of the activities of the reapportionment commission would tend to reduce the gerrymandering of legislative districts.

Id. at 29-30 (emphasis added).

The Colorado voters approved the citizen proposal, and we upheld it over a competing General Assembly-referred measure that received a lesser number of votes in the 1974 election. See In re Interrogatories Propounded by the Senate Concerning House Bill 1078, 189 Colo. 1, 536 P.2d 308 (1975). The 1974 constitutional amendments built on prior Colorado reapportionment law, most particularly on the 1966 citizen-initiated constitutional amendments. The 1974 amendments carried forth the prohibition in Section 47 against addition of parts of one county to another in establishing districts, except as necessary to meet the equal population requirements of Section 46.

The current constitutional requirements applicable to the Commission's work, Adopted Plan, and our review of it, are set forth in Sections 46 and 47 of Article V as follows:

Section 46. Senatorial and representative districts. The state shall be divided into as many senatorial and representative districts as there are members of the senate and house of representatives respectively, each district in each house having a population as nearly equal as may be, as required by the constitution of the United States, but in no event shall there be more than five percent deviation between the most populous and the least populous district in each house.

Section 47. Composition of districts.

(1) Each district shall be as compact in area as possible and the aggregate linear distance of all district boundaries shall be as short as possible. Each district shall consist of contiguous whole general election precincts. Districts of the same house shall not overlap.

(2) Except when necessary to meet the equal population requirements of section 46, no part of one county shall be added to all or part of another county in forming districts. Within counties whose territory is contained in more than one district of the same house, the number of cities and towns whose territory is contained in more than one district of the same house shall be as small as possible. When county, city, or town boundaries are changed, adjustments, if any, in legislative districts shall be as prescribed by law.

(3) Consistent with the provisions of this section and section 46 of this article, communities of interest, including ethnic, cultural, economic, trade area, geographic, and demographic factors, shall be preserved within a single district wherever possible.

(Emphasis added.)

Since the adoption of the 1974 initiative, we have reviewed the Commission's 1982 and 1992 reapportionment plans. See In re Reapportionment 82, 647 P.2d at 198 (returning plan to Commission based upon unconstitutional sequencing of elections in two senate districts, because one senate district encompassed residences of two incumbent state senators while a second senate district lacked a state senator); In re Reapportionment of the Colo. Gen. Assembly, 647 P.2d 209 (Colo. 1982) (rejecting resubmitted plan as less consistent with the hierarchy of constitutional criteria than the previously submitted plan and ordering the Commission to submit the original plan with the court-ordered election sequencing modifications); In re Reapportionment 92-I, 828 P.2d at 185 (returning plan to Commission because it divided Pitkin County and the City of Aspen, and the Commission's explanation "did not rise to the level of an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution." The court also

disapproved the Commission's division of the Perry Park community and its failure to incorporate requested technical changes to Larimer and Boulder County districts); In re Reapportionment of the Colo. Gen. Assembly, 828 P.2d 213 (Colo. 1992) (approving the resubmitted plan because it incorporated all of the court's requested changes except for the division of Pitkin County, which was found constitutional because the Commission provided the court with "a sufficient basis for judicial review of its actions and reasons for the necessity that Pitkin County be divided."). On both occasions, in applying the constitutional criteria, we found a significant deficiency in the Commission's action that required remand for plan modification, factual demonstration, and articulated rationale. Upon revision and resubmission, we approved both reapportionment plans and they became final.

In 1996, the United States Court of Appeals for the Tenth Circuit ordered the adoption of a remedial plan to redraw the boundaries of a House District for the San Luis Valley, in order to provide its substantial Hispanic population with a fair opportunity to elect representatives of their choice. See Sanchez v. Colorado, 97 F.3d 1303 (10th Cir. 1996). In 1998, the General Assembly approved the redrawing of house districts in the south central portion of the State to comply with Sanchez. See § 2-2-208, 1 C.R.S. (2001).

These legal developments in the course of Colorado's growth have shaped the Commission's 2002 reapportionment responsibilities, as well as our own.

2. The 2002 Reapportionment Process

In carrying out its 2002 reapportionment responsibilities, the Commission held fourteen meetings from May 11, 2001 through August 30, 2001 to arrive at its Preliminary Plan. The 2002 federal census, which propels reapportionment, reported a Colorado population of 4,301,261 persons. Based thereon, the Commission determined that the ideal population for a senate district is 122,893 persons and for a house district 66,173 persons.

The Commission convened twenty-two public hearings throughout the State to receive public comment on its Preliminary Plan. The Commission met four times to draft the final plan and completed the Adopted Plan on November 27, 2001. The Commission approved the house component of the Adopted Plan on a 10-1 vote. It approved the senate component of the Adopted

Plan on a 6-5 vote. On a 7-4 vote, the Commission agreed to submit a comparison alternative to us, at the request of five commissioners.

Pursuant to our scheduling order, the Commission and proponents of the Adopted Plan filed their opening briefs and supporting material by December 17, 2001. Opponents of the Adopted Plan answered by December 27, 2001. The Commission and proponents replied by January 3, 2002. We heard oral arguments for and against the Adopted Plan on January 7, 2002.

The Constitution provides that our review and determination shall take precedence over other matters. In the event we disapprove the Adopted Plan, the Commission shall revise and resubmit the plan consistent with our opinion. Colo. Const. art. V, § 48(1)(c).

II.

We hold that the Adopted Plan does not comply with the criteria of Article V, Sections 46 and 47, of the Colorado Constitution because: (1) it is not "sufficiently attentive to county boundaries to meet the requirement of section 47(2)," In re Reapportionment 82, 647 P.2d at 195; and (2) it is not accompanied by "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment 92-I, 828 P.2d at 195-96. For example, the Adopted Plan denies whole senate districts to Boulder, Douglas, Jefferson, and Pueblo counties for which they qualify based on the year 2000 census data and the Commission's ideal district projection. In addition, the Commission has not advanced an adequate explanation for division of Adams, Arapahoe, and Mesa counties and the cities of Boulder and Pueblo between Senate Districts.

A.

Standard of Review

Our role in reviewing the Commission's reapportionment action is narrow. In re Reapportionment 92-I, 828 P.2d at 189. We must determine whether the Commission followed the procedures and applied the criteria of federal and Colorado law in adopting its reapportionment plan for Colorado General Assembly house and senate districts. We do not redraw the reapportionment map for the Commission. In re Reapportionment 82, 647 P.2d at 194. "Our role in this proceeding is a narrow one: to measure the present reapportionment plan against the constitutional

standards. The choice among alternative plans, each consistent with constitutional requirements, is for the Commission and not the Court." Id. (footnote omitted).

We uphold the adopted plan if it meets the applicable federal and Colorado standards. Id. at 197. "Although we might make different choices were we in the Commission's place, we should not substitute our judgment for the Commission's unless we are convinced the Commission departed from constitutional criteria." Id.

The Fourteenth Amendment, Fifteenth Amendment, and section 2 of the Voting Rights Act, superimpose federal requirements on the Colorado constitutional criteria. In order of priority, we have set forth the federal and state criteria as follows:

- (1) the Fourteenth Amendment Equal Protection Clause and the Fifteenth Amendment;
- (2) section 2 of the Voting Rights Act;
- (3) article V, section 46 (equality of population of districts in each house);
- (4) article V, section 47(2) (districts not to cross county lines except to meet section 46 requirements and the number of cities and towns contained in more than one district minimized);
- (5) article V, section 47(1) (each district to be as compact as possible and to consist of contiguous whole general election precincts); and
- (6) article V, section 47(3) (preservation of communities of interest within a district).

In re Reapportionment 92-I, 828 P.2d at 190 (footnotes omitted). Substantively, the Commission is to apply all six of the criteria; procedurally, the Commission is to apply the criteria in order of their stated preference in adopting the final reapportionment plan for the state of Colorado. Id. (describing the listing of these criteria as a "hierarchy from the most to the least important"); see also In re Reapportionment of the Colo. Gen. Assembly, 647 P.2d 209, 210 (Colo. 1982) ("The Colorado Constitution lists a hierarchy of criteria for measuring the adequacy of a reapportionment plan.").

The Adopted Plan achieves constitutional compliance and becomes the Final Plan when it reflects the above-listed criteria. The plan becomes final after we have completed our review and approve it. Colo. Const. art. V, § 48(1)(c). The Commission may not apply the lesser criteria over the greater criteria, but it may use the lesser criteria after satisfying the greater criteria. In re Reapportionment 92-I, 828 P.2d at

194. The Commission resolves conflicts by applying the criteria in preferential order, articulating on submittal to us how the Adopted Plan reflects the criteria. In re Reapportionment 82, 647 P.2d at 194.

The six criteria set forth the context in which the Commission works, from the proposal of a Preliminary Plan for public comment to formulation of its Adopted Plan. If the Commission faces actual or probable federal law violations, its starting point for the Approved Plan is compliance with federal law. In re Reapportionment 92-I, 828 P.2d at 193. The Commission then proceeds to apply the Colorado constitutional criteria. If federal law issues are not present, the Commission proceeds directly to the Colorado criteria and applies them according to their preferential order. The process of drawing maps to comply with the constitution is reiterative in nature, leading to the Adopted Plan being submitted to this court.

1. Equal Population

Obtaining substantial equality of population among districts, as required by Article V, Section 46, is the "paramount criterion for testing the constitutional sufficiency of a reapportionment plan." In re Reapportionment 82, 647 P.2d at 193; see Reynolds v. Sims, 377 U.S. 533 (1964) (holding that the Equal Protection Clause requires that both houses of a bicameral state legislature must be apportioned substantially on a population basis, also known as the "one person, one vote" rule); Lucas, 377 U.S. at 736 (holding that the Fourteenth Amendment demands substantial equality of population between districts so that each person's vote is substantially equal to another person's vote). Article V, Section 46, of the Colorado Constitution sets forth the equal population criteria for reapportionment of the Colorado General Assembly:

The state shall be divided into as many senatorial and representative districts as there are members of the senate and house of representatives respectively, each district in each house having a population as nearly equal as may be, as required by the constitution of the United States, but in no event shall there be more than five percent deviation between the most populous and the least populous district in each house.

Colo. Const. art. V, § 46 (emphasis added).

The five percent deviation allowance of Section 46 between the most populous district and the least populous district in each house allows the Commission to work towards keeping counties intact, if possible, in shaping a final reapportionment plan through application of the Section 47 criteria. The equal population requirement is satisfied if the "sum of the percent by which the largest district's population exceeds that of the ideal district and the percent by which the smallest district's population falls short of the population of the ideal district" is less than five percent. In re Reapportionment 82, 647 P.2d at 193 n.4.

2. County Considerations

Article V, Section 47(2) of the Colorado Constitution favors matching districts to county boundaries and not crossing county boundaries unless necessary to comply with Section 46. "The most important concern under section 47 is whether the Final Plan unnecessarily divides counties or cities within counties." In re Reapportionment 92-I, 828 P.2d at 194. Colorado's apportionment law since 1876 has been consistent in this regard. Counties are a basic structural unit of local government for carrying out state purposes. Counties and the cities within their boundaries are already established as communities of interest in their own right, with a functioning legal and physical local government identity on behalf of citizens that is ongoing. Counties have a preferential status under Section 47 over those communities of interest the Commission postulates during its decennial reapportionment process when it must divide a county and join a part of it to another county, or part of another county, to form a district in order to comply with the equal population criteria of Section 46.

A direct line of accountability between citizens, their elected city councils and county commissioners, and their elected state representatives is at the heart of responsive government in Colorado and is built into the county-oriented design of the Constitution's reapportionment provisions. "The constitution allows the Commission to divide a county only if necessary to meet the equal population requirement." In re Reapportionment 82, 647 P.2d at 197 (emphasis added). "By its express language, section 47(2) subordinates the importance of not dividing counties to the substantial equality of population mandate of section 46." Id. at 193-94. Article V, Section 47(2) states as follows:

Except when necessary to meet the equal population requirements of section 46, no part of one county shall be added to all or part of another county in forming districts. Within counties whose territory is contained in more than one district of the same house, the number of cities and towns whose territory is contained in more than one district of the same house shall be as small as possible. When county, city, or town boundaries are changed, adjustments, if any, in legislative districts shall be as prescribed by law.

Colo. Const. art. V, § 47(2) (emphasis added).

These provisions contemplate that the integrity of county constituent representation in the General Assembly will be respected whenever possible. We therefore construe Section 47(2) as requiring the Commission to assign whole districts to counties whose population qualifies for them based on the decennial census population and the Commission's ideal district population projection. The Commission's Adopted Plan must be: (1) "sufficiently attentive to county boundaries to meet the requirement of section 47(2)," In re Reapportionment 82, 647 P.2d at 195; and (2) accompanied by "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment 92-I, 828 P.2d at 195-96. The requirement of a factual showing guards against creating unnecessary county divisions.

In complying with the Section 46 criteria, the Commission projects an ideal equal population figure for Colorado house and senate districts. The Commission divides Colorado's total population by the number of legally allotted districts to be created: sixty-five house districts and thirty-five senate districts. Colo. Const. art. V, § 45 ("The general assembly shall consist of not more than thirty-five members of the senate and of not more than sixty-five members of the house of representatives. . . .").

In formulating the apportionment map, the Commission's actions thus include: (1) determining the ideal population for Senate and House districts; (2) identifying those counties that qualify for whole Senate or House districts based upon their population; and (3) preserving to them their number of whole districts throughout the process unless this is not possible. In regard to the other counties and portions of counties that do not qualify for a whole district, the Commission then employs

the further criteria of Article V, Section 47 in making county divisions to form districts: keeping divisions of cities and towns between districts to a minimum, compactness, contiguity and preservation of communities of interest, in that order. In Re Apportionment 92-I, 828 P.2d at 190.

Because of the necessity to meet federal equal population requirements, we have recognized that "perfection is not obtainable" in regard to the Final Plan for reapportionment; "[a]n addition or deletion in one area of the state necessarily causes alteration in another." In re Interrogatories H.R. 1020, 178 Colo. at 313, 497 P.2d at 1025 (commenting on the General Assembly's 1972 apportionment plan that contained county divisions). The "if necessary" exception of Section 47(2) permits the Commission to add a portion of a county to another county or portion of another county to form a district upon "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution." In re Reapportionment 92-I, 828 P.2d at 195-96; see also In re Interrogatories H.R. 1020, 178 Colo. at 313, 497 P.2d at 1025 (observing, "[T]he General Assembly made findings when it was necessary to cross county lines to meet the command of Section 46 in forming the districts.").⁵

Guided by the constitutional criteria, we now turn to the Commission's Adopted Plan. Our review focuses on the senate portion of the Adopted Plan, for it presents issues of constitutional compliance that either are not present in the house portion of the plan or will be addressed in rectifying the non-complying county divisions.

B.
The Adopted Plan

1. Douglas, Pueblo, Boulder, and Jefferson Counties

Based upon the 2000 census, the ideal population for each house district is 66,173 persons and for each senate district is 122,893 persons. The Adopted Plan denies Douglas, Pueblo, Boulder and Jefferson Counties whole senate districts within their boundaries for which they qualify based upon the

⁵ We emphasized in In re Interrogatories H.R. 1020, 178 Colo. at 313, 497 P.2d at 1025, that the General Assembly had kept counties intact where it could meet population requirements and, in doing so, "some degree of compactness was permissibly sacrificed."

Commission's ideal population projection. We have prepared the following chart to illustrate this.

The chart depicts only those counties qualifying for whole senate districts within their boundaries. The chart arrays the number of whole districts these counties qualify for, in comparison to the number of whole counties the Commission allotted them. Underscoring in the chart shows the discrepancy between the number of whole senate districts the county qualified for based on its population, in contrast to the number the Adopted Plan allocates to it. The materials before us on review contain two alternatives that the Commission had before it. The chart portrays the number of whole districts the alternative plans would allocate to each of these counties. Because we cannot draw the apportionment map for the Commission, we employ the alternative plans only for comparison purposes to show the availability of less drastic alternatives to the Adopted Plan in regard to county divisions.

Whole Senate District Allocations: ⁶					
County	Total Population	2000 Census	Adopted Plan	Rodriguez 5 Alt.	Wells 37 Alt.
Adams	363,857	2.96	2	2	2
Arapahoe	487,967	3.97	3	4	4
Boulder	291,288	<u>2.37</u> ⁷	<u>1</u>	1	2
Denver	554,636	4.51	4	4	4
Douglas	175,766	<u>1.43</u>	<u>0</u>	1	1
El Paso	516,929	4.21	4	4	4
Jefferson	527,056	<u>4.29</u>	<u>3</u>	3	4
Larimer	251,494	2.05	2	2	2
Pueblo	141,472	<u>1.15</u>	<u>0</u>	1	1

⁶ The 2000 Census column reflects the number of whole senate districts a county would be entitled to based upon the Commission's ideal population projection for a senate district. The Adopted Plan column reflects the number of whole senate districts the Adopted Plan allots to these counties. The Rodriguez 5 alternative and Wells 37 alternative columns reflect the number of whole senate districts these plans would allot.

⁷ Deducting the population of the newly-created City and County of Broomfield, Boulder County is entitled to 2.20 senate districts based on the ideal population projection for a senate district.

Weld	180,936	1.47	1	1	1
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The Adopted Plan divides Douglas County between Senate Districts 2 and 30. Senate District 2 combines part of Douglas County with Elbert, Kit Carson, Lincoln, and Washington Counties. Senate District 30 combines part of Douglas County with part of Arapahoe County. The Adopted Plan divides Pueblo County between Senate Districts 3 and 4. Senate District 3 combines part of Pueblo County with Baca, Bent, Cheyenne, Crowley, Kiowa, Las Animas, Otero, and Prowers Counties. Senate District 4 combines part of Pueblo County with part of El Paso County.

The Commission explains that the Douglas County and Pueblo County divisions are the product of drawing the Adopted Plan starting with plains counties at Colorado's eastern border to form three senate "plains districts," then working west. When the Commission arrived at the populous front range, "equal population requirements" drove the Douglas County and Pueblo County divisions. The Commission's starting point thereby had the effect of painting the Commission into a corner when it arrived at district line drawing of the populous Eastern Slope counties:

One hallmark of the Final Plan for the Senate is the creation of three Senate districts on the eastern plains. All three districts keep rural counties whole and extend from the Kansas border to the growing communities of the Front Range. Equal population requirements drive the split of Weld County in district 1, Douglas County in district 2, and Pueblo County in district 3. . . .

Having finished district 3 in Pueblo county and having made the decision to keep all counties whole in district 5, the only choice left for the Commission to achieve equal population in district 4 was to add a portion of El Paso County to the remaining portion of Pueblo County. District 4 preserves the many common interests shared by northwestern Pueblo and southern El Paso counties (such as the I-25 transportation corridor, the growth issues facing front range communities, and their similar socio-economic characteristics). . . .

The portion of Douglas County left over after completing district 2 was too small to form its own

district and therefore it was added to the remaining population in Arapahoe County to from district 30.

Legal Memorandum and Explanatory Materials in Support of Final Plan for Districts in the Senate and House of Representatives, 16-21 (emphasis added). The Commission justified the Douglas County and Pueblo County divisions on a community of interest extending from Colorado's eastern border into portions of urban and suburban front range populations.

The Adopted Plan divides Boulder County between Senate Districts 18 and 19. Senate District 18 combines part of Boulder County with parts of Adams, Jefferson, and Weld Counties. Senate District 19 combines part of Boulder County with part of Jefferson County, Clear Creek and Gilpin Counties. The Commission again relied on a community of interest rationale to justify the Boulder County division:

The Final Plan honors the boundaries of Broomfield by keeping it whole in district 18. Since Broomfield's population of approximately 40,000 is far lower than the ideal, part of a neighboring county had to be added to complete the district. The Commission decided to draw from Boulder County for this purpose and combined Broomfield with Superior and the southern portion of the City of Boulder. These communities are all located along the Denver-Boulder Turnpike and share transportation and growth concerns. . . .

Boulder County's population, prior to the creation of Broomfield, entitled it to 2.37 Senate seats. After deducting the Boulder County population used to finish district 18, Boulder County is entitled to 1.5 districts. The full district is district 17, which unites the east Boulder County communities of Longmont, Louisville, Lafayette, and Erie. The Commission combined the remainder of Boulder County with Clear Creek and Gilpin counties and the unallocated portion of Jefferson County to form district 19. District 19 encompasses many of the foothills communities.

Id. at 18-19(emphasis added).

The Adopted Plan divides Jefferson County between Senate Districts 19 and 23. Senate District 19 combines part of Jefferson County with part of Boulder County, Clear Creek and

Gilpin Counties. Senate District 23 combines parts of Jefferson and Adams Counties. The Commission justified the Jefferson County division on the basis of equal population constraints and the need to minimize division of the City of Westminster:

Districts 22, 21, and 20 work their way from south to north along the Douglas/Arapahoe/Denver boundary shared with Jefferson County. The northernmost district, district 23, crosses into Adams County to achieve equal population and to make it possible to include Westminster in only two Senate districts (districts 23 and 26). The irregular boundary on the north side of district 23 is caused by the boundary of the City and County of Broomfield.

Id. at 18.

It therefore appears from the Commission's rationale that it considered itself at liberty to start the cartography of reapportionment at any point of Colorado geography it might choose. Because of this approach, the Commission faced the consequence of county divisions that appear inevitable to meet equal population requirements. But, the constitutional criteria instead contemplate the Commission taking an overview of Colorado's population by county, then generating a map that respects the state's legal preference for county integrity, then applying minimization of city divisions, compactness, contiguity, and community of interest criteria to add portions of counties to other counties in forming districts, when necessary.

The Commission relies on a community of interest rationale to support denying whole county seats to counties that qualify for them, but this is the least weighty of the Section 46 and 47 criteria. The Commission's reordering of the criteria offends the constitution. In re Reapportionment 82, 647 P.2d at 194. While the Commission has discretion to make necessary compromises, In re Reapportionment 92-I, 828 P.2d at 195-96; In re Reapportionment 82, 647 P.2d at 197, it cannot advance the lesser community of interest criteria over the greater requirement not to make county divisions unless necessary to meet equal population requirements.

That the Final Plan--yet to be established--can more certainly conform to the constitutional criteria than the Adopted Plan is demonstrated by the Rodriguez 5 senate alternative and the Wells 37 senate alternative. Each reveals

the availability of less drastic county division alternatives. Both illustrate that Douglas and Pueblo Counties can have one whole senate district entirely within their boundaries, apparently within the Section 46 equal population no more than five percent deviation criteria. The Wells 37 senate alternative also illustrates the availability of providing Boulder County with two whole senate districts and Jefferson County with four whole senate districts.

2. Adams, Arapahoe, and Mesa Counties

Adams and Arapahoe Counties are very close to qualifying for an additional senate district located entirely within their boundaries. The above chart demonstrates that Adams qualified for .96 of an additional senate district. Arapahoe County appears to qualify for .97 of an additional senate district; however, the Arapahoe County figure must be adjusted downward because Glendale and Holly Hills are Arapahoe County enclaves within the City and County of Denver's boundaries and are not contiguous to the rest of Arapahoe County. In re Interrogatory H.J.R. 1011, 177 Colo. at 218, 493 P.2d at 348 (1972). Mesa County qualifies for .95 of a senate district.⁸

Instead of allotting these counties an additional senate district, the Adopted Plan divides the counties to form districts with other counties. Given Colorado's constitutional preference for keeping counties intact in a district, if possible unless equal population considerations require otherwise, the Commission on remand should attempt to create an additional district for Adams County and for Arapahoe County, and a district for Mesa County.

The Rodriguez 5 senate alternative would provide Arapahoe County with four senate districts, the number of whole senate districts it nearly qualifies for based upon population. The Rodriguez 5 senate alternative and Wells 37 senate alternative both keep Mesa County whole by adding a portion of Delta County

⁸ An addition to the above chart demonstrates this:

Whole Senate District Allocations:					
County	Total Population	2000 Census	Adopted Plan	Rodriguez 5 Alt.	Wells 37 Alt.
Mesa	116,255	0.95	0	1	1

in order to complete this district. Alternative plans illustrate how these counties can be divided in a constitutionally preferred manner. Because we remand the Adopted Plan for other reasons, we also require the Commission to reexamine the Adams, Arapahoe, and Mesa County divisions. If it is still necessary to make one, some, or all of them, then the Commission must make an adequate factual demonstration and articulate its rationale for the divisions, upon resubmission.

3. City of Boulder and City of Pueblo

The Adopted Plan divides the City of Boulder into Senate Districts 18 and 19 and the City of Pueblo⁹ into Senate Districts 3 and 4. The Commission relied on a preservation of communities of interest and equal population rationale in justification of these city divisions. The argument is not persuasive. Article V, Section 47(2) states in part:

Within counties whose territory is contained in more than one district of the same house, the number of cities and towns whose territory is contained in more than one district of the same house shall be as small as possible.

(Emphasis added.)

It is apparent from the alternative plans that less drastic alternatives exist that would keep the cities intact, as illustrated by the Rodriguez 5 and Rodriguez 6 senate alternatives and the Commission's Preliminary Plan it took to public hearing. In re Reapportionment 92-I, 828 P.2d at 195-96. In addressing whole senate districts for Boulder and Pueblo Counties on remand, the Commission should avoid these city divisions, if possible.

C.

Opposers make several other objections to the Adopted Plan.¹⁰ The Douglas/Elbert Citizens for Fair State Senate

⁹ The Preliminary Plan distributed to the public at the hearings throughout Colorado, and in the City of Pueblo, showed the City of Pueblo as being within a single senate district.

¹⁰ The following arguments have already been addressed by this opinion: Jeffrey M. Wells, Sen. Mark D. Hillman, Richard P. "Sandy" Hume, Rep. Mark Paschall, and Heather M. Witwer argue that the Adopted Plan unnecessarily divides Arapahoe, Douglas, Boulder, and Jefferson Counties, unnecessarily divides the

Representation argue that, if the mathematical deviation between the most and least populous senate district contained in the Adopted Plan is calculated to three decimal places, the deviation is 5.001 percent, 0.001 above the Colorado constitutional limit. On remand, the Commission has the opportunity to address this technical infraction; thus, we do not reach this issue here.

The remaining arguments raised in opposition to the Adopted Plan concern decisions which are within the Commission's discretion. "Our role in this proceeding is a narrow one: to measure the present reapportionment plan against the constitutional standards. The choice among alternative plans, each consistent with constitutional requirements, is for the Commission and not the Court." In re Reapportionment 82, 647 P.2d at 194 (footnote omitted). Issues concerning compactness, communities of interest, and which plan is preferred by a certain group of citizens, must remain within the scope of the Commission's discretion. We do not redraw the reapportionment map for the Commission. Id.

The Colorado Hispanic Bar Association objects to House Districts 63 and 65 of the Adopted Plan. It argues that the boundary between House Districts 63 and 65 divides a large Hispanic community located across the border between Weld and Morgan Counties. Susan Fey objected to the Adopted Plan's failure to include Crestone and Villa Grove in House District 60. John H. Vigil requests that his portion of unincorporated Adams County should be included with the rest of unincorporated Adams County in Senate District 24, rather than with Arvada in Senate District 19. The Elbert/Douglas County Livestock

Cities of Boulder and Pueblo, and fails to preserve ethnic and rural communities of interest; John Brackney, Andre Suharka and Citizens for Constitutional Maps request that four whole senate districts be located within Arapahoe County; Estelle Thaller and Dan Sandoval object to the Adopted Plan's division of the City of Pueblo, and argue that Senate Districts 2 and 3 fail to protect rural communities of interest; Beth Gallegos objects to the Adopted Plan's division of Adams County and Thornton between senate districts, and argues that the Adopted Plan is not as compact as possible and does not preserve ethnic communities of interest; Steve Olstad, James Martinez, and Karen Nelson object to Senate District 18 of the Adopted Plan because it divides Boulder County and the City of Boulder; Richard P. Hume, Betty Chronic, and William Berens object to the Adopted Plan's division of the City of Boulder between Senate Districts 18 and 19; the following individuals and communities objected to the division of Mesa County between Senate Districts 7 and 8 in the Adopted Plan: City of Fruita, Town of Palisade, Mesa County Valley School District 51 Board of Education, Town of Collbran, Ute Water Conservancy District, Mesa County Board of County Commissioners, Don Davis and Ruby Davis.

Association requests that Elbert and a portion of Douglas County be contained in a single senate district. Douglas/Elbert Citizens for Fair State Senate Representation object to the division of the Highlands Ranch community and the inclusion of Elbert County in Senate District 2.

Mark Sessions, Willie H. Breazell, Sr., Lionel Rivera, Charles D. Broerman, and Sarah Jack object to the addition of a portion of El Paso County to a portion of Pueblo County in order to form Senate District 4. These opposers also argue that Senate District 11 violates compactness and community of interest criteria, and House District 18 fails to preserve communities of interest. Betty Chronic, Richard P. Hume, William Swenson, and Betty Swenson object to the Adopted Plan's division of the City of Boulder between House Districts 10, 11, and 13.¹¹

The Garfield County Board of County Commissioners objected to the Adopted Plan's realignment of House Districts 57 and 61. Garfield County Republicans object to the division of Garfield County between House Districts 57 and 61 in the Adopted Plan. Grand County Republicans prefer the "Wells 35 Plan" and "Preliminary House District 57" to the Adopted Plan. Jackson County Republican Central Committee prefers the "Wells 35 Plan" and the "Preliminary House Plan" to the Adopted Plan. Routt County Republican Central Committee prefers the "Preliminary House Plan" for House District 57, rather than the Adopted Plan.

We hold that all of the above listed challenges, presented either pro se or through attorneys, do not present constitutionally significant issues, although the Commission may consider one or more of them on remand when it addresses redrawing the reapportionment map.¹²

D.

Drawing Districts On Remand

¹¹ The Commission should address this objection on remand in curing the Boulder County and City of Boulder divisions.

¹² Opposer Don Lee argues that the Commission held meetings which violated the Colorado Open Meetings Law, §§24-6-401- et seq, 7 C.R.S. (2001). This argument is not within our limited scope of review in reapportionment proceedings and is without merit. The Commission followed the Open Public Meetings requirements.

On remand, the Commission must start with whole district assignment to counties that qualify for them.¹³ When necessary to meet equal population requirements, the Commission may make county and city divisions. When divisions of counties must be made, the Commission may employ the other criteria of Section 47 in their preferential order: minimizing city divisions (Article V, Section 47(2)), compactness and contiguity (Article V, Section 47(1)), and preservation of communities of interest (Article V, Section 47(3)). See Colo. Const. art. V, § 47; In re Reapportionment 92-I, 828 P.2d at 190. While these criteria are "neutral," they do involve policy choices that we will defer to if accompanied by an articulated reasonable rationale.¹⁴ Because we remand the Adopted Plan for other reasons, we also require the Commission to reexamine the Adams, Arapahoe, and Mesa County divisions. If it is still necessary to make one, some, or all of them, then the Commission must make an adequate factual demonstration and articulate its rationale for the divisions, upon resubmission. We are aware that, in designing the Denver metropolitan area districts and complying with the constitutional criteria as set forth in this opinion, the Commission must make additional adjustments and determinations that most probably will involve some county and city splits.

We hold that the Adopted Plan does not comply with the substantive and procedural requirements of the Colorado Constitution. The Commission shall formulate an Adopted Plan which does so and resubmit it to us with supporting materials by 5:00 p.m. on February 15, 2002. See § 2-2-506 (1)(a.5)(I).¹⁵

III.

Accordingly, we set aside the Commission's action, disapprove the Adopted Plan, and return it to the Commission for reconsideration and resubmission of a reapportionment plan by 5:00 p.m. on February 15, 2002 that complies with the substantive and procedural requirements of the Colorado Constitution, consistent with this opinion.

¹³ The Commission should continue Colorado's compliance with Sanchez in the affected state area.

¹⁴ "[T]he constitution provides the additional neutral criteria designed to minimize gerrymandering." In re Reapportionment 92, 828 P.2d at 211 (Mullarkey, J., concurring in part and dissenting in part).

¹⁵ Section 2-2-506(1)(a.5)(I) states in part that "[t]he general assembly therefore urges the commission and the Colorado supreme court to make every effort to complete the redistricting process no later than February 15, 2002."

JUSTICE BENDER dissents, and CHIEF JUSTICE MULLARKEY and JUSTICE MARTINEZ join in the dissent.

In re Reapportionment of the Colorado General Assembly, 01SA386
JUSTICE BENDER, dissenting:

The majority adopts a two-part test to determine the constitutionality of a Commission decision to split a county. First, the Commission must have been "sufficiently attentive to county boundaries to meet the requirements of section 47(2)." To comply with this first prong of the test, the majority explains that the Commission must begin by allotting districts to counties that have sufficient population to support one or more house or senate districts. Further, the Commission must "tak[e] an overview" of the state as a whole in drawing districts and, thus, a "build-out" justification will no longer be acceptable under the majority's interpretation of the Colorado Constitution. Under the second prong of the majority's test, the Commission must, when it splits a county, advance "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution."

Based on these newly created standards, the majority holds that splits of four specific counties (Boulder, Douglas, Jefferson, and Pueblo) in the Commission's proposed plan for senate districts ("Proposed Plan") are unconstitutional under the first prong of the test. The majority also finds that the Commission did not, under the second prong of the test, advance adequate explanations of the splits of three counties (Adams, Arapahoe, and Mesa) and two cities (Boulder and Pueblo). The majority approves the remainder of the Proposed Plan, including all of the house districts created by the Commission.

I respectfully dissent. I write separately to express my disagreement with the majority's interpretation of the Colorado Constitution. The new constitutional tests fashioned by the majority effectively overrule the primary holdings of our 1982 and 1992 reapportionment cases without directly saying so. In my view, the majority takes an overly simplistic view of the reapportionment process -- one which adopts an unnecessarily rigid approach to redistricting, while simultaneously and inconsistently creating a test that defies precedent and fails

to provide guidance as to how it should be applied in the future.

The majority's opinion is problematic for several reasons. First, the majority, though purporting to apply the correct standard of review, fails to follow its own articulation of that standard. Second, the majority creates an unpredictable two-part test, never before used by this court, to determine the constitutionality of a county split. Third, the majority simultaneously announces a bright-line rule that is inconsistent with precedent because it strips the Commission of discretion and because it prohibits types of splits that we have previously approved as constitutional. Fourth, the majority's rule will often protect the integrity of more populous counties, especially those in the Denver metropolitan area, at the expense of less populous counties. Finally, applying the second prong of the majority's two-part test, I disagree with the conclusion reached by the majority, that the Commission provided inadequate explanations for the splits of Adams, Arapahoe, and Mesa Counties and the Cities of Boulder and Pueblo.

Under the Commission's Plan, fifty-one of Colorado's sixty-three counties are not split. The alternative plans, upon which the majority places great weight, increase the number of undivided counties to only fifty-two. Although I readily admit that the Proposed Plan is not perfect, I cannot agree, on these facts, that it fails to comply with the constitutional standards that our previous cases have developed. I would approve the Proposed Plan because it substantially complies with the state constitutional requirements of equal population, avoidance of county and city splits, compactness and contiguousness of districts, and preservation of communities of interest. In re Reapportionment of the Colo. Gen. Assembly, 828 P.2d 185, 190 (Colo. 1992) [hereinafter "In re Reapportionment 1992"]; In re Reapportionment of the Colo. Gen. Assembly, 647 P.2d 191, 193-94 (Colo. 1982) [hereinafter "In re Reapportionment 1982"]. Contrary to the approach taken by the majority in determining whether the Proposed Plan complies with the Colorado Constitution, our review should be limited in scope and deferential to the Commission's judgment. In re Reapportionment 1992, 828 P.2d at 189; In re Reapportionment 1982, 647 P.2d at 194. Applying our constitutional precedent, the Proposed Plan meets constitutional muster.

I. The Majority Fails To Apply Its Own "Narrow" Standard of Review

No plan adopted by the Commission can go into effect absent approval by this court. Colo. Const. art. V, § 48(1)(e). Once a plan is submitted to us, however, we have always required the scope of our review to be narrow. In re Reapportionment 1982, 647 P.2d at 194. We are not to redraw boundaries or choose what we view as a better plan from among alternative plans. If alternate plans all meet constitutional criteria, then the Commission, not this court, is vested with the discretion to adopt the plan of its choice. Id. ("The choice among alternative plans, each consistent with constitutional requirements, is for the Commission and not the Court."). Our job is to examine the plan submitted by the Commission only to determine whether it comports with constitutional criteria. Id. ("Our role in this proceeding is . . . to measure the present reapportionment plan against the constitutional standards.").

In reviewing a plan to determine whether it complies with the Colorado Constitution, we do not require absolute compliance. Instead, any plan that substantially complies with constitutional mandates must be approved. See In re Reapportionment 1982, 647 P.2d at 197 (approving county splits because "the Commission substantially complied with the constitutional requirements"); In re Interrogatories by the Gen. Assembly, 178 Colo. 311, 313, 497 P.2d 1024, 1025 (1972) ("[W]e determine that substantial compliance was achieved with the constitutional benchmarks noted above.").

Further, the plan submitted to us by the Commission is presumed to be valid. In re Reapportionment 1992, 828 P.2d at 189 (recognizing "the presumption of good faith and validity we must accord to the Commission"); see also In re Reapportionment 1982, 647 P.2d at 197 ("Although we might make different choices were we in the Commission's place, we should not substitute our judgment for the Commission's unless we are convinced the Commission departed from [the] constitutional criteria.").

The majority purports to apply these standards, but fails to engage in a "narrow" review of the Proposed Plan. Its review instead creates new constitutional standards, which conflict with our precedent. The majority uses these new standards to support its conclusion that the Proposed Plan, in part, fails to comply with the Colorado Constitution. In the majority's view, the Commission's Proposed Plan is not entitled to a presumption of validity; nor is the Proposed Plan reviewed for substantial compliance with our state constitution.

Additionally, as demonstrated by the majority's use of a chart comparing the number of splits made under the various plans, the majority bolsters many of its conclusions regarding the constitutionality of the Proposed Plan by comparing it to other alternate plans.¹⁶ Maj. op. at 34; see also maj. op. at 38-41. Comparisons such as these are of questionable value since more than one plan may comport with constitutional criteria.¹⁷ In re Reapportionment 1982, 647 P.2d at 194.

II. The Majority Creates an Unworkable Test

The majority adopts a new two-part test requiring that: (1) a plan must be "sufficiently attentive to county boundaries"; and (2) county splits must be accompanied by "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution." Maj. op. at 8, 24, & 30.

Our court has never before articulated this two-part test. We have never previously even used both of these two phrases in the same case. Additionally, neither phrase was central to the holding of the particular case from which it was taken. Thus, the majority combines two unrelated phrases, contained in two opinions spanning ten years, to create a test that lacks meaningful standards and will be difficult for future courts to apply.

The first prong of the majority's test is taken from In re Reapportionment 1982. In that case, in response to opponents' arguments that the senate redistricting plan did not comply with section 47(2) of our constitution, we noted our belief that "the Commission was sufficiently attentive to county boundaries." In re Reapportionment 1982, 647 P.2d at 195. This remark was made in the context of a discussion of why the Commission's 1982 plan, given all of the constitutional criteria, was approved. Id. at 195-97.

¹⁶ I find the majority's chart to be objectionable because it repeats the same bias in favor of more populous counties found throughout the majority's opinion. See infra, section IV.

¹⁷ The majority states, "Alternative plans illustrate how . . . counties can be divided in a constitutionally preferred manner." Maj. op. at 40. The question that this court is supposed to answer, however, is only whether the Commission's plan complies with constitutional criteria, not whether there is another constitutionally preferred plan. In re Reapportionment 1982, 647 P.2d at 194.

The second prong of the majority's test, that the Commission must advance an "adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement," is taken from In re Reapportionment 1992. In that case, we rejected a split of Pitkin County as unconstitutional because: (1) both a city and a county were split; (2) the resulting district lacked compactness; (3) the split destroyed a community of interest; and (4) the Commission's explanation of the split was not detailed enough to "provide a basis for meaningful judicial review." In re Reapportionment 1992, 828 P.2d at 195-96. Hence, the remark that forms the basis for the second prong of the majority's new test was also made in the context of a discussion of the necessity of applying all of the constitutional criteria.

The majority's test has, thus, overemphasized isolated language from our previous cases in order to develop its two-part analysis. In doing so, it has created a test that lacks predictability and defined standards. For instance, it is unclear when the Commission will have been "sufficiently" attentive to boundaries, or when it will have provided an "adequate" explanation of its decisions. I conclude that the imprecision of the majority's test will make it impossible for this court to render any consistent review of the constitutionality of future Commission plans.

On one hand, the majority articulates its two-part test without defining when a Commission's plan will have been "sufficiently attentive to county boundaries." Thus, the Commission and future courts have little guidance as to when a plan will meet the first prong of the majority's test or when it will fall short of compliance. On the other hand, the majority's application of the rule demonstrates that there will be only one way for the Commission to satisfy the first prong of the majority's two-part test. The majority indicates that the first prong is met only when the Commission follows the bright-line rule that it must begin by allocating districts to the most populous counties. This bright-line rule is contrary to our precedent, as discussed below. In addition, the majority's rejection of the Commission's build-out justifications strips the Commission of the discretion historically afforded it to determine the order in which counties should be arranged into districts.

Based on the majority's application of its test to the Proposed Plan, I would assume that, any time that the bright-line rule is violated, the first prong of the two-part test will

not have been satisfied and that the Proposed Plan is therefore unconstitutional. Thus, the articulation of the bright-line rule renders the first prong of the test unnecessary since the bright-line rule provides a complete answer to the question of whether the Commission has been "sufficiently attentive to county boundaries."

To summarize, the majority has fashioned a two-part test that finds no support in precedent and that uses language that is vague and imprecise. It then institutes an unprecedented bright-line rule to be implemented under the first part of the test. The second prong of the test, however, remains unexplained, with no standards provided to determine when an explanation will be "adequate."

III. Requiring the Commission to Proceed in a Particular Manner and Rejecting Build-Out Justifications Violates Our Precedent

The majority posits a bright-line rule that the Commission must first allocate districts to those counties that have a population greater than an ideal house or senate district. Maj. op. at 31. If the county population will support, for instance, 2.5 districts, then the Commission is only permitted to allocate that county's population among three districts -- two districts contained entirely within county borders and one district which combines part of the population of the relevant county with neighboring counties. A Commission decision that creates, for example, one whole district within county borders and two partial districts, or two whole districts within county borders and two partial districts, will almost always be considered, under the majority's analysis, unconstitutional.

The majority's approach demands that districts be drawn in a specific way, as detailed above, because anything less would purportedly fail to comply with the constitution. The majority asserts, in essence, that the Colorado Constitution sets forth a rigid hierarchy of apportionment criteria, under which the constitutionality of a redistricting plan can be judged predominantly, if not solely, by counting the number of divisions for the most populous counties.

Based on this new rule, the majority rejects the Commission's divisions of Boulder, Douglas, Pueblo, and Jefferson Counties because these populous counties did not

receive the number of entire senate districts for which they "qualify."¹⁸ Maj. op. at 8 & 24.

The result reached by the majority is mandated neither by the language of the Colorado Constitution nor by our precedent. The constitution does not state that the redistricting authority must begin by drawing immovable lines that protect the more populous counties to the detriment of the less populous counties. Nor have previous cases decided by this court ever made such a suggestion, despite numerous opportunities to do so. Our precedent reveals just the opposite.

There are numerous state constitutional considerations that weigh upon the redistricting process. These include that: (1) each district should have equal populations, Colo. Const. art. V, § 46; (2) counties should not be divided or combined with other counties "[e]xcept when necessary to meet the equal population requirements of section 46," Colo. Const. art. V, § 47(2), and if counties must be split, the number of cities and towns within those split counties should be "as small as possible," Colo. Const. art. V., § 47(2); (3) each district should be "as compact in area as possible" and should "consist of contiguous whole general election precincts," Colo. Const. art. V, § 47(1); and (4) "communities of interest . . . shall be preserved within a single district whenever possible," Colo. Const. art. V, § 47(3). In re Reapportionment 1992, 828 P.2d at 190.

This court has, however, cautioned against a formulaic, inflexible application of these criteria.¹⁹ In re Reapportionment 1982, 647 P.2d at 194 ("[T]he criteria of sections 46 and 47 are to be viewed as a whole, as a set of firm

¹⁸ As discussed in greater detail below, the majority also rests its rejection of the splits of these four counties on its new rule that the Commission must "tak[e] an overview" of the state when drawing districts, and cannot rely on a build-out justification. See infra; maj. op. at 38.

¹⁹ We have recognized that the concerns listed at the top of the above list are more "important" than those at the bottom of the list. In re Reapportionment 1992, 828 P.2d at 190. We have even gone so far as to describe them as a "hierarchy" of concerns. Id. This does not mean, however, that the criteria at the bottom will never be reached or that they are ordinarily irrelevant to the Commission's decisions on how to draw district lines. Apart from the paramount equal population concern, we have never held, as the majority now does, that concerns at the bottom of the list can never outweigh concerns higher up on the list. See maj. op. at 26 ("The Commission may not apply the lesser criteria over the greater criteria."). To the contrary, we have specifically held that, in certain circumstances, concerns lower in the hierarchy must trump concerns higher in the hierarchy. In re Interrogatory of the House of Representatives, 177 Colo. 215, 217-18, 493 P.2d 346, 347-48 (1972).

but general guidelines which allow the Commission some discretion in application.").

We have never held that there is only one acceptable approach to the drawing of general assembly districts. In re Reapportionment 1982, 647 P.2d at 196 (recognizing that a county's population may be "dense enough to allow the lines to be drawn in a number of ways without offending section 47(2)"). Nor have we ever imposed strict instructions on how to formulate a redistricting plan. In fact, we have historically afforded the Commission a degree of discretion as to how it proceeds when it draws district boundaries. In re Reapportionment 1992, 828 P.2d at 197 (approving the Commission's decision to draw districts for regions of the state in a predetermined order chosen by the Commission).

We afforded the Commission such discretion in 1982. The 1982 senate redistricting plan split eight counties (Arapahoe, Boulder, Delta, El Paso, Jefferson, Larimer, Pueblo, and Weld). In re Reapportionment 1982, 647 P.2d at 195-96. Seven of the split counties (all but Delta) were "large" counties with populations sufficient to support more than one senate district. Id. at 196.

Contrary to the majority's assertion, we approved the 1982 plan.²⁰ In doing so, we deferred to the Commission's choice of which counties to divide and, importantly, where and how to divide them:

[S]ubstantial equality of population and avoidance of splitting counties cannot always be

²⁰ The majority states that we found "a significant deficiency in the Commission's action that required remand for plan modification." Maj. op. at 22. This is incorrect. In fact, we determined that the redistricting map complied with constitutional criteria and remanded only for revision of the sequencing of election districts. In re Reapportionment 1982, 647 P.2d at 192-93.

The majority then cites In re Reapportionment of the Colo. Gen. Assembly, 647 P.2d 209 (Colo. 1982) [hereinafter "In re Reapportionment 1982-II"], to support the proposition that this court may reject a resubmitted plan that is "less consistent" with constitutional criteria than a previously submitted plan. Maj. op. at 21. The majority's statement is correct, but incomplete. In In re Reapportionment 1982-II, we outlined a special standard of review applicable only in the particular circumstances of that case. Specifically, we held that, it is only when the resubmitted plan is less consistent with constitutional criteria than the previously submitted plan that "deference to Commission expertise is inappropriate." In re Reapportionment 1982-II, 647 P.2d at 211.

met simultaneously. When they cannot, the avoidance of split counties must yield. The area of the state in which these conflicts occur is subject to adjustment, and the Commission must have the discretion to choose where the necessary and constitutionally permissible compromises are made.

In re Reapportionment 1982, 647 P.2d at 197; see also In re Interrogatories by the Gen. Assembly, 178 Colo. at 313, 497 P.2d at 1025 ("While the addition to or deletion from a particular district might be said to be ill-advised by some, the decision is . . . one to be upheld provided a constitutional violation is not shown.").

Notably, we did not state that the Commission is required to begin its mapping attentive to the needs of the populous counties, while only secondarily moving to the consideration of less populous counties. Nor did we ever hint that there is only one constitutionally acceptable order in which the Commission must proceed.

To the contrary, we specifically recognized that the Commission was not required to draw lines in the way the majority now suggests. The 1980 census revealed that El Paso County's population was large enough that three districts could have been drawn entirely within county boundaries and a fourth partial district could have been created with neighboring counties. In re Reapportionment 1982, 647 P.2d at 196. Under the plan submitted, however, only one district was drawn entirely within county borders and three other partial districts, containing portions of El Paso County and portions of neighboring counties, were also created. Id.

Thus, El Paso County presented the precise situation to which the majority now objects, and which would be unconstitutional under the majority's approach. Nevertheless, we approved the Commission's 1982 plan because it had been "drawn to achieve equal population" and did not constitute a "clear constitutional violation." Id.

Similarly, we sanctioned splits in the cities of Boulder and Grand Junction, even though each city was populous enough to support its own district. Id. at 197. This numerical fact did not convince us that constitutional standards had not been satisfied.

In In re Reapportionment 1992, we reiterated many of these points when we rejected several section 47(2) challenges to the proposed house plan.²¹ In re Reapportionment 1992, 828 P.2d at 193-98. The plan submitted reflected the Commission's decision to begin drawing districts in particular areas of the state and then proceed to other areas of the state. Id. at 196-97.

When we considered the 1992 plan, in In re Reapportionment 1992, we did not simply conclude that, as a matter of arithmetic, there was a right or wrong number of split counties. Nor did we begin our analysis by focusing only on the most populous counties. Instead, we considered all the criteria of section 47, including avoidance of split counties, compactness, and preservation of communities of interest. In re Reapportionment 1992, 828 P.2d at 196 (analyzing a split of Pitkin County). Ultimately, we approved splits of Arapahoe, Baca, and Montezuma Counties. In re Reapportionment 1992, 828 P.2d at 196 & 197-98.

Further, and inconsistently with the majority's bright-line rule, we concluded that the division of the City of Westminster into seven house districts did not violate the constitution, despite the fact that it could have been contained in far fewer districts. Id. at 196-97. We reasoned that "since Westminster's population exceeds that of an ideal house district, at least one split was required." Id.

We explained the remainder of the splits as being due, in large part, to the order in which the Commission had drawn its districts: "[T]he Commission initially fixed the boundaries of

²¹ Again, the majority misstates the outcome of this case. We did not remand the plan because of a "significant deficiency." Maj. op. at 22. In fact, we found fault with only minor aspects of the submitted plan. First, we corrected the inadvertent division of the town of Perry Park. Second, we objected to the division of Pitkin County (and the City of Aspen within Pitkin County) and remanded the case so that the Commission could reconsider it. With those exceptions, we approved the plan. In re Reapportionment 1992, 828 P.2d at 189.

The Commission submitted a revised plan that retained the split of Pitkin County, though it eliminated the split of the City of Aspen. In re Reapportionment of the Colo. Gen. Assembly, 828 P.2d 213, 216 (Colo. 1992) [hereinafter "In re Reapportionment 1992-II"]. The Commission explained that it considered, but ultimately rejected, other plans because they would entail splitting additional counties or cities, fail to achieve a "net improvement in preservation of communities of interest" or split communities of interest entirely, or be unable to remedy concerns of limited access between Pitkin County and the rest of District 61. Id. We considered that explanation adequate and approved the revised plan. Id.

two districts in the eastern part of Adams County and worked west. Simultaneously, the Commission was moving east out of the mountains in creating District 62." Id. at 197. In light of the practical reality that the drafting of a redistricting plan must begin somewhere, and that some areas of the state will be subject to multiple splits in order to minimize splits in other areas of the state, we held that these numerous splits were "not per se unconstitutional." Id. We recognized that the Commission's decision about the order in which lines were drawn meant that there would be more splits to areas considered last:

Because of the Commission's choices of where to begin drawing house districts, and in order to bring "closure" to the Final Plan and preserve equality of population, Westminster was split into more parts than if the Commission had proceeded differently.

Id. Nevertheless, we approved the seven splits reflected in the reapportionment plan.

Ignoring our earlier holdings, the majority now finds that it was improper for the Commission to proceed in the manner that it did in this case. Specifically, the majority states:

It . . . appears from the Commission's rationale that it considered itself at liberty to start the cartography of reapportionment at any point of Colorado geography it might choose. . . . [T]he constitutional criteria instead contemplate the Commission taking an overview of Colorado's population by county, then generating a map that respects the state's legal preference for county integrity, then applying minimization of city divisions, compactness, contiguity, and community of interest criteria to add portions of counties to other counties in forming districts, when necessary.

Maj. op. at 37-38. The majority thus eliminates the discretion that this court has historically afforded the Commission and announces a rule that requires the Commission to "tak[e] an overview" of the state in an attempt to minimize overall county splits.

Based on this new "overview" rule, in combination with its other new rule, that the Commission must begin the

reapportionment process by allocating districts to the most populous counties, the majority concludes that splits of Boulder, Douglas, Pueblo, and Jefferson Counties are unconstitutional.²²

The rules announced by the majority represent an extraordinary departure from precedent and upset decades of settled expectations about the application of constitutional criteria. In my view, the majority's approach is both unwarranted and ill-advised.

IV. The Majority's Bright-Line Rule Protects More Populous Counties at the Expense of Less Populous Counties

All parties concede that some sparsely populated counties must be combined with other counties, or parts of other counties, in order to create senate districts of constitutionally permissible population. Similarly, other, more populous counties must be divided into smaller segments in order to create districts of the right number of people. Such is the natural result of Colorado's population distribution and the constitutional mandate that districts must be of equal population. The question that the parties now debate is where and how various divisions and combinations should occur.

The majority resolves this question by concluding that preference must be given to more populous counties, at the expense of less populous counties. I cannot agree with this result for I believe that it unfairly and unnecessarily disadvantages the members of less populous communities in the redistricting process.

To take a simple example, assume three same-sized, square-shaped counties in a contiguous conformation. County B (the middle county) has sufficient population to support 1.5 districts. County A (the westernmost county) has sufficient population to support 0.25 districts. County C (the easternmost county) also has sufficient population to support 0.25 districts. Under the majority's analysis, the Commission must first create one district entirely contained within County B's boundaries. Then, the Commission must create a separate

²² I note that the majority's "overview" approach and its bright-line rule that the Commission must begin by apportioning districts to the most populous counties are arguably inconsistent. It is certainly possible to envision a scenario where an overview of the state would, in actuality, reveal that more splits exist in a plan created by a Commission that followed the bright-line rule than might exist in an alternate plan.

district using the remaining population (0.5 district) from County B and combining it with population from neighboring counties.

To satisfy the majority's test, this leftover 0.5 district could be used in one of two ways. First, the leftover population of County B could be cobbled together with both Counties A and C. Under this scenario, Counties A and C would be connected by a narrow land bridge through County B, resulting in a dumbbell-shaped district that ignores the compactness requirements of the state constitution. Alternatively, the leftover 0.5 district could be joined with County A (or C) plus all or part of a more distant county or counties,²³ in a sacrifice meant to provide the larger county, County B, with the maximum number of whole districts that could simultaneously exist within its boundaries.

A more logical choice for the Commission might be to split County B into two, with half of its population being coupled with County A and half with County C. Thus, one district would consist of all of County A and half of County B, and the second district would consist of all of County C and half of County B. Under the terms of the majority's analysis such a logical result would not ordinarily be constitutional because County B would be split into two partial districts instead of one whole district and one partial district.

Note that, under the logical approach described above, the constitution's provision regarding compactness is effectuated and neither County A nor County C needs to turn to additional neighboring counties in order to complete a district. Further, the logical approach involves only one split county (County B), while the majority approach demands a split of County B plus potential splits of additional neighboring counties and/or sacrifices of compactness of districts.

While this basic example obviously cannot capture all of the mathematical nuances involved in the redistricting process, its teachings are equally applicable to the more complicated fact pattern presented by our state county boundaries. I take

²³ For instance, assume that County X, located to the northwest of County A, has a population sufficient to support 0.6 district. The leftover 0.5 district from County B could be combined with the 0.25 district from County A. To complete the district, the Commission could take the final 0.25 district from County X. As part of the resulting chain reaction, County X would then have to seek out other neighboring counties with which it could merge its remaining 0.35 district to create a whole district.

this opportunity to acknowledge the sheer difficulty and enormity of the task that the Commission undertakes.

The political geography and population distribution of our state, as well as the competing concerns defined by our federal and state constitutions, mean that there are literally thousands of variables affecting the drawing of legislative districts. At the time of the 2000 census, Colorado had sixty-three counties that ranged in size from 150 square miles (Gilpin County) to 4,773 square miles (Las Animas County). Though some of these counties are shaped as almost perfect squares (e.g., Morgan County), others are irregularly shaped (e.g., Denver County), rendering the Commission's task even more complex. Population densities vary among the counties, with some having fewer than one person per square mile and others having thousands of people per square mile. Additionally, to comply with constitutional criteria not at issue here, the Commission was required to take into account the distribution and voting patterns of minority groups.

To all of these complications is added the further challenge that Colorado's varied topography means that residents of the state may live in rural agricultural areas, in urban centers, in small mountain resort cities, in planned suburban developments, or a plethora of other types of areas. Residents of these different communities may have significantly different attitudes towards issues such as water usage, growth, transportation, and the environment.

The Commission, before arriving at its Proposed Plan, held dozens of meetings across the state, where it heard testimony from people representing all sorts of different interests and communities. It publicized a Preliminary Plan, which it then revised in response to suggestions and criticism. In creating its Proposed Plan, the Commission considered literally hundreds of maps involving different permutations of senate districts.

The majority's formulaic approach fails to recognize the mathematical nuances involved in creating districts that maximize compliance with the relevant constitutional criteria. The complexity of the geography of our state, the diverse types of communities, the different and sometimes competing federal and state constitutional requirements, and the almost infinite number of district permutations that can be generated all combine to require this court to defer to the discretion of the Commission, provided that the Proposed Plan was drawn on the basis of the appropriate constitutional criteria. Instead of

taking this approach, the majority's new rule favors the most populous counties, using the populations of less populous counties largely as fillers that round out the leftover populations from more populous counties.

The result of the majority rule is that less populous counties will be fractured or combined so as to cater to the populations found in more populous counties. Further, depending on population distribution, the majority's technique will oftentimes lead to sprawling districts that present compactness concerns.

The majority rejects the divisions of Boulder, Douglas, Pueblo, and Jefferson Counties in the Proposed Plan because the Commission did not begin by first allocating districts to the most populous counties. Because I believe that the first prong of the majority's test is ill-advised and unsupported by precedent, I disagree with the majority's conclusions regarding the constitutionality of the divisions of those four counties.

V. The Commission's Explanations for Splits of Adams, Arapahoe, and Mesa Counties and the Cities of Boulder and Pueblo Are Persuasive

Even if I was to agree with the two-prong test that the majority adopts, I do not believe that the majority correctly applied the second prong in this case. Specifically, the majority suggests that the explanations advanced to justify the splits of Adams, Arapahoe, and Mesa Counties, and the Cities of Boulder and Pueblo, are inadequate. I disagree because I would accept the Commission's explanations as satisfying the substantial compliance standard that applies when we evaluate whether the Commission's work comports with constitutional criteria. I would hold that the Commission's decision to draw districts in a predetermined order and the Commission's explanations for county splits are entitled to deference. See In re Reapportionment 1992, 828 P.2d at 197; In re Reapportionment 1982, 647 P.2d at 197.

Various Commission explanations of splits have been approved by this court in the past. As discussed above, build-out justifications were explicitly deemed acceptable in In re Reapportionment 1992.²⁴ Additionally, in In re Reapportionment 1992-II, after initially remanding the case so that the

²⁴ The majority rejected build-out justifications as unacceptable under the first prong of its test. Presumably, such justifications are therefore also impermissible under the second prong.

Commission could reconsider its split of Pitkin County, we accepted as sufficient the Commission's explanation for why that county split was retained. In re Reapportionment 1992-II, 828 P.2d at 216. The Commission described the various alternatives it considered and explained how constitutional criteria applied to each alternative. Based on its reasoning that retaining the Pitkin County split would help effectuate all of the constitutional criteria, including the preservation of communities of interest, we approved it. Id. In this case, the Commission should be held to the same standard. In explaining why counties and cities are split, either when the Proposed Plan is originally submitted or upon resubmittal, the Commission should not be required to make a more strenuous showing than was required ten years ago.

The Commission's Proposed Plan splits Adams County into two whole districts (Districts 24 and 26) and two partial districts (Districts 23 and 25). When the Commission drew districts in the southwestern metropolitan area, it completed three whole districts in Jefferson County. It then used some of Jefferson County's leftover population to create a district containing a portion of Jefferson County and a portion of Adams County. This accounts for one of the partial districts. The Commission then created the two whole districts in Adams County. Because the population in the remaining part of Adams County was less than necessary to form its own district, it was combined with the Arapahoe County portion of the City of Aurora.²⁵ This was a logical combination since the City of Aurora spans more than one county.

Under the rationale of In re Reapportionment 1992, I do not believe that this build-out justification is inadequate. Additionally, I note that the plans to which the majority compares the Commission's Proposed Plan for Adams County do not, in fact offer any significant advantage over the Proposed Plan. Specifically, both the Rodriguez 5 Plan and the Wells 37 Plan create two whole districts and two partial districts in Adams County, just like the Commission's Proposed Plan.

Similar build-out justifications drove the creation of three, instead of four, whole senate districts within Arapahoe County. The initial decision to split Arapahoe County was made because Denver County's population could accommodate four whole senate districts and one partial district (District 32). The Commission elected to complete District 32 by combining the

²⁵ Adams County residents dominate the resulting district.

remaining Denver County population with population from similar communities to the south of Denver in Arapahoe County. Notably, the choice to push south out of Denver into Arapahoe County was a decision the Commission made early in the process and one that minority commissioners repeatedly embraced in subsequent plans. While the Proposed Plan may have more partial districts in Arapahoe County than other plans, this alone does not render it unconstitutional. Substantial compliance, not perfection, is the standard to which the Proposed Plan should be held. In re Reapportionment 1982, 647 P.2d at 197.

Mesa County has sufficient population to support 0.95 senate districts. Thus, its population is slightly less than the ideal population for one whole senate district. Therefore, it requires additional population to form a district. Unfortunately, as the Commission explains, every adjacent county has a population that, when added to Mesa County's population, is too large for an ideal district. This means that either Mesa County must be split and joined with other counties, or that some other county (such as Delta County) must be split and joined with Mesa County. Either way, a county must be split. In my view, our state constitution does not require the splitting of a smaller county merely because its size is less than that of an ideal senate district. Therefore, I disagree with the majority's conclusion that the Commission has not advanced an adequate explanation to justify the splitting of Mesa County.

The Commission has explained that it split the City of Boulder in order to preserve the integrity of the City and County of Broomfield.²⁶ Broomfield's population was insufficient to complete a district, so the Commission had to cross into some other county. One possible source was the area of Boulder County north of Broomfield, including Longmont, Louisville, Erie, and Lafayette. However, the Commission determined, based on almost uniform public comment, to keep those similar communities together in their own district (District 17), contained wholly within Boulder County. The option of going south into Jefferson County was foreclosed because that area had already been used to complete District 23.

As the Commission described in its argument to this court, that left them with two options: (1) pushing into Adams County to the east; or (2) pushing to the northwest into the City of

²⁶ Broomfield became a county in November of 2001. Thus, its population was not tabulated as a separate county in the 2000 census. Nevertheless, the Commission chose to preserve its city and county borders.

Boulder. The Commission, based on the perceived community of interest existing between Broomfield and Boulder along the Highway 36 transportation corridor, decided to combine part of the City of Boulder with Broomfield to create District 18. The population then remaining in Boulder County was insufficient to comprise an entire district. The remainder of Boulder's population was, therefore, placed in District 19. While these are not necessarily the best choices that the Commission could have made, I believe that they are constitutionally permissible choices.

Finally, the majority finds inadequate the explanation of the Commission's decision to split the City of Pueblo. Pueblo County, which contains the City of Pueblo, has population sufficient to support 1.15 districts. Thus, the county must be split somewhere. The Commission justified its decision to split the City of Pueblo by noting that this was the only place that the split could happen such that Pueblo County could be combined with eastern plains counties. I again note that when counties must be split, the Commission is afforded the discretion to determine where to make difficult, though constitutionally permissible, splits. I do not believe that the splitting of the City of Pueblo offends constitutional principles.

VI. The Proposed Plan Substantially Complies with the Appropriate Constitutional Standards

As explained in Section I, above, our role in reviewing the Proposed Plan is supposed to be narrow. In re Reapportionment 1982, 647 P.2d at 194. We are not to choose among alternative plans and we are to afford the Proposed Plan a presumption of validity. Id. Our task is to examine the Proposed Plan only to determine whether it substantially complies with constitutional criteria. Id.

No party alleges that federal law has been violated with respect to the Proposed Plan, nor does my independent examination reveal any federal constitutional problems. Therefore, I turn to the mandates of the Colorado Constitution. The paramount requirement of the Colorado Constitution is that each district be of equal population. Colo. Const. art. V, § 46. No serious objection is raised that the districts in this case do not comply with the equal population requirement.

The next three requirements, avoidance of city and county splits, compactness and contiguity of districts, and

preservations of communities of interest, are the subject of much debate among the parties to this case.

We have previously held that the Commission has the discretion to draw districts in the order that it chooses, even if this means that there are more splits to the resulting plan than might otherwise exist. In re Reapportionment 1992, 828 P.2d at 197; see also In re Reapportionment 1982, 647 P.2d at 196 (recognizing that there are situations where districts can be "drawn in a number of ways without offending section 47(2)"). Further, we have stated that the constitutional criteria are to be "viewed as a whole, as a set of firm but general guidelines which allow the Commission some discretion in application." Id. at 194; see also In re Reapportionment 1992, 828 P.2d at 195-96 (considering all the criteria in determining the constitutionality of a county split). In applying these standards, we have acknowledged that multiple plans can simultaneously comply with constitutional criteria. In re Reapportionment 1982, 647 P.2d at 194. These principles form the backdrop for my analysis of the Commission's Proposed Plan.

As mentioned above, the Commission's Proposed Plan preserves intact fifty-one out of our sixty-three counties.²⁷ The focus of the majority's opinion, this dissent, and the arguments of the parties has thus been upon the few counties in which splits do occur.

Unfortunately, it is not possible to accommodate everyone. Such is the dilemma faced by the Commission. If the Commission satisfies the desires of one county, city or community of interest to remain whole and undivided, it often must necessarily split another county, city, or community of interest. Put simply, one of the county lines must yield.

The Commission has explained that some of the divisions of Boulder, Douglas, Pueblo, and Jefferson Counties resulted from its decision to begin drawing districts in a particular region of the state before proceeding to draw districts in other regions.²⁸ The Commission engaged in numerous discussions and votes regarding the order in which they should work. These decisions are entitled to deference from this court.

²⁷ Other plans advanced by the opponents of the Commission's plan increase the number of undivided counties to only fifty-two.

²⁸ I have already addressed the divisions of Adams, Arapahoe, and Mesa Counties, as well as the divisions of the Cities of Boulder and Pueblo, in Section V, supra.

The splits resulting from the order in which the Commission proceeded could have been avoided, in small part, if the Commission had drawn the districts differently. Nevertheless, as our precedent discloses, this reality does not mean that the Commission has failed to substantially comply with constitutional standards. In re Reapportionment 1992, 647 P.2d at 197. In my opinion, constitutional standards have been satisfied.

The alternate plans presented by the objectors in this case may well be acceptable under the Colorado Constitution. However, the presentation of an alternate, constitutionally acceptable plan does not render the Commission's Proposed Plan unconstitutional, even if many people believe that the alternate plan is better. See, e.g., In re Reapportionment 1982, 647 P.2d at 197 ("[T]he Commission must have the discretion to choose where the necessary and constitutionally permissible compromises are made.").

Ultimately, the reality is that, because of the political nature of the redistricting process,²⁹ there will also be some people who are dissatisfied with decisions about which counties should be split. This alone does not render a particular plan unconstitutional.³⁰

When the Commission's Proposed Plan is accorded the deference that it is due and when the proper constitutional standards are applied, it becomes apparent that this court should approve the Commission's Proposed Plan.

VII. Conclusion

Were we, the court, in the Commission's shoes, we might not make the same choices that it has made. Nevertheless, our job is not to second-guess the result, but to test its constitutionality. I believe that the Commission's Proposed

²⁹ See generally Gene R. Nichol, Jr., The Practice of Redistricting, 72 U. Colo. L. Rev. 1029 (2001).

³⁰ It is not inappropriate for the Commission to take political considerations into account, so long as it does not elevate these considerations to the level of constitutional concerns. In re Reapportionment 1992, 828 P.2d at 199 ("It is only when partisan factors are allowed an importance equal to or greater than the proper constitutional criteria that a plan is defective.")

Plan for both the house and the senate complies with the standards of constitutionality set forth in our precedent and, therefore, should be approved.

I am authorized to say that CHIEF JUSTICE MULLARKEY and JUSTICE MARTINEZ join in this dissent.

<p>SUPREME COURT, STATE OF COLORADO Two East 14th Avenue Denver, Colorado 80203</p> <p>Original Proceeding Pursuant to Colorado Constitution Article V, Section 48(1)(e)</p>	<p>Case No. 01SA386</p>
<p>IN RE REAPPORTIONMENT OF THE COLORADO GENERAL ASSEMBLY</p>	
<p>APPROVAL OF FINAL 2002 REAPPORTIONMENT PLAN UPON RESUBMISSION EN BANC February 22, 2002</p>	

JUSTICE HOBBS delivered the opinion of the court.
JUSTICE BENDER concurs, and CHIEF JUSTICE MULLARKEY and JUSTICE MARTINEZ join in the concurrence.

In this original proceeding, the Colorado Reapportionment Commission (Commission) has resubmitted to us its decennial Apportionment Plan (Readopted Plan) for the reapportionment of Colorado General Assembly house and senate districts, based on the year 2000 federal census, as required under Article V, Section 48 (1)(e) of the Colorado Constitution. We approve the Final 2002 Reapportionment Plan.

I.

In our prior opinion, we disapproved the Adopted Plan submitted by the Commission and returned the plan to the Commission for revision, modification, and resubmission. In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386 (Colo. Jan. 28, 2002). We held that the Adopted Plan did not comply with the criteria of Article V, Sections 46 and 47, of the Colorado Constitution because: (1) it was not "sufficiently attentive to county boundaries to meet the requirement of section 47(2)," In re Reapportionment of the Colo. Gen. Assembly, 647 P.2d 191, 195 (Colo. 1982) [hereinafter "In re Reapportionment 82"]; and (2) it was not accompanied by "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment of the Colo. Gen.

Assembly, 828 P.2d 185, 195-96 (Colo. 1992) [hereinafter "In re Reapportionment 92-I"]. For example, the Adopted Plan denied whole senate districts to Boulder, Douglas, Jefferson, and Pueblo counties for which they qualify based on the year 2000 census data and the Commission's ideal district projection. In addition, the Commission had not advanced an adequate explanation for division of Adams, Arapahoe, and Mesa counties and the cities of Boulder and Pueblo between senate districts. The Commission subsequently reconvened on three separate occasions, considering a number of alternative senate reapportionment maps and amendments. On February 7, 2002, the Commission approved the Readopted Plan on a nine to two vote. The Commission resubmitted the Readopted Plan to this Court on February 12, 2002. We accepted objections to the Readopted Plan through February 19, 2002. The Commission submitted its Reply Brief to this Court on February 20, 2002.

II.

We approve the Readopted Plan as the Final Plan. The Commission has followed the procedures and applied the criteria of federal and Colorado law in adopting its 2002 Final Reapportionment Plan for Colorado General Assembly house and senate districts.

A. Review Criteria

The federal and state constitutional criteria that guide the Commission and this Court, in order of their applied priority are:

- (1) the Fourteenth Amendment Equal Protection Clause and the Fifteenth Amendment;
- (2) section 2 of the Voting Rights Act;
- (3) article V, section 46 (equality of population of districts in each house);
- (4) article V, section 47(2) (districts not to cross county lines except to meet section 46 requirements and the number of cities and towns contained in more than one district minimized);
- (5) article V, section 47(1) (each district to be as compact as possible and to consist of contiguous whole general election precincts); and
- (6) article V, section 47(3) (preservation of communities of interest within a district).

In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386, slip op. at 25-26 (Colo. Jan. 28, 2002) (citing In re Reapportionment 92-I, 828 P.2d at 190). We review the reapportionment plan and Commission's process to ensure that the

Commission substantively applied all six of the criteria and procedurally applied the criteria in order of their stated preference in adopting the final reapportionment plan for the state of Colorado. "The Commission may not apply the lesser criteria over the greater criteria, but it may use the lesser criteria after satisfying the greater criteria. The Commission resolves conflicts by applying the criteria in preferential order, articulating on submittal to us how the Adopted Plan reflects the criteria." In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386, slip op. at 26 (Colo. Jan. 28, 2002) (citations omitted).

B. Plan Compliance

We conclude that the Readopted Plan satisfies the six constitutional criteria enumerated in our decision. Id. at 25-26. The Readopted Plan provides whole senate districts to Boulder, Douglas, Jefferson, and Pueblo counties for which they qualify based on the year 2000 census data and the Commission's ideal district projection. The Readopted Plan provides Arapahoe County with four whole senate districts, the number for which Arapahoe County almost qualified using the year 2000 federal census data. Mesa County is no longer divided in the Readopted Plan; a portion of Garfield County was added to it to complete Mesa County's senate district. The cities of Boulder and Pueblo are no longer divided between senate districts in the Readopted Plan.

The Readopted Plan contains divisions of Adams County between senate districts and divisions of the City of Boulder between house districts. However, the Commission has advanced adequate explanations for the divisions of Adams County and the City of Boulder, and we determine that the divisions do not offend the constitution.

The following chart submitted by the Commission illustrates the changes in the number of whole senate district allotments between the Adopted and Readopted Plan. The chart also reflects year 2000 federal census population numbers which have been adjusted to reflect the subsequent creation of the City and County of Broomfield.

County	Population	Senate District Qualification	Whole Districts Adopted Plan	Whole Districts Readopted Plan
Adams	348,618	2.84	2	2
Arapahoe	487,967	3.97	3	4
Boulder	269,814	2.20	1	2
Denver	554,636	4.51	4	4
Douglas	175,766	1.43	0	1
El Paso	516,929	4.21	4	4
Jefferson	525,507	4.28	3	4
Larimer	251,494	2.05	2	2
Pueblo	141,472	1.15	0	1
Weld	180,926	1.47	1	1

The Adopted Plan divided Douglas County between Senate Districts 2 and 30, thus denying Douglas County the one whole senate district for which it qualified based upon its population. The Readopted Plan provides Douglas County with one whole senate district entirely within its boundaries in Senate District 30. The Adopted Plan also divided Pueblo County between Senate Districts 3 and 4, thus denying Pueblo County the one whole senate district for which it qualified based upon its population. The Readopted Plan provides Pueblo County with one whole senate district entirely within its boundaries in Senate District 3.

The Adopted Plan divided Boulder County between Senate Districts 18 and 19, thus providing Boulder County with only one of the two whole senate districts for which it qualified based upon its population. The Readopted Plan provides Boulder County with two whole senate districts entirely within its boundaries in Senate Districts 17 and 18. The Adopted Plan also divided Jefferson County between Senate Districts 19 and 23, thus providing Jefferson County with only three of the four whole senate districts for which it qualified based upon its population. The Readopted Plan provides Jefferson County with

four whole senate districts within its boundaries (Senate Districts 19, 20, 21 and 22).

The Adopted Plan provided Arapahoe County with only three whole senate districts within its boundaries, even though it qualified for .97 of an additional senate district. The Readopted Plan provides Arapahoe County with four whole senate districts within its boundaries (Senate Districts 26, 27, 28 and 29). Although Mesa County qualified for .95 of a senate district, the Adopted Plan split Mesa County between Senate Districts 7 and 8. In the Readopted Plan, Mesa County is contained entirely within Senate District 7.

The Adopted Plan divided the City of Pueblo into Senate Districts 3 and 4 and the City of Boulder into Senate Districts 18 and 19. The City of Pueblo is contained entirely within Senate District 3 in the Readopted Plan. The City of Boulder is now contained entirely within Senate District 18.

Therefore, the Commission has resubmitted a Readopted Plan which complies with the criteria of Article V, Sections 46 and 47, of the Colorado Constitution and is "sufficiently attentive to county boundaries to meet the requirement of section 47(2)." In re Reapportionment 82, 647 P.2d at 195.

The Commission was not able to avoid the divisions of Adams County. The Adopted Plan provided Adams County with only two whole senate districts within its boundaries, although it qualified for .96 of an additional senate district. The Readopted Plan continues to provide Adams County with two whole senate districts within its boundaries, Senate Districts 24 and 25. The Commission has advanced the following explanation for this result:

When the City and County of Broomfield was created, it included territory containing 15,239 people that was formerly part of Adams County. After deducting this population, the number of people in Adams County is 348,618, which translates to 2.84 senate seats. Therefore, it was not possible to form a third district wholly within Adams County and stay within the population variance allowed by Article V, Section 46. As a result, Adams County contains only two whole districts (24 and 25) and two partial districts (23 and 31). See In re Reapportionment 2002-I p. 10. One of two partial districts resulted from the need to complete the partial district remaining in Denver after Arapahoe County was redrawn to include four

whole districts. See note 5, *supra*. The other partial district in Adams County resulted from the need to complete district 23 (which contains Broomfield) after the Commission redrew Boulder County to include the maximum number of whole districts. See *id.* pp. 10, 11.

Revised Final Plan for Reapportionment of the Colorado General Assembly, at 5 (emphasis added). We conclude that the Commission has provided "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment 92, 828 P.2d at 195-96. Therefore, we find that the divisions of Adams County are constitutional.

In our prior opinion, we stated that the Commission should address on remand the divisions of the City of Boulder between House Districts 10, 11 and 13 in the Adopted Plan. In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386, slip op. at 44 n.11 (Colo. Jan. 28, 2002). The Readopted Plan maintains the divisions of the City of Boulder between House Districts 10, 11 and 13 as they were drawn in the Adopted Plan. Betty Chronic, Richard P. Hume, William Swenson and Betty Swenson reassert their objection to the division of Boulder County between house districts in the Readopted Plan. The Commission advanced the following explanation in support of the decision to divide the City of Boulder between house districts:

The Commission has re-examined the objection to the division of the City of Boulder and has concluded to keep house districts 10, 11 and 13 as they were drawn in the Adopted Plan. At the February 1, 2002 and February 7, 2002 Commission meetings, Commissioner Hume introduced and proposed a map called "Hume Boulder Amendment to House." The Hume amendment splits the same number of cities as are split in the Final Plan (two-the cities of Boulder and Longmont) and thus offers no advantage in terms of Article V, § 47(2), which provides that "the number of cities and towns whose territory is contained in more than one district of the same house shall be as small as possible." Colo. Const. Art. V, § 47(2) (emphasis added). In addition, the Hume amendment isolates a small segment of the population of the City of Longmont from all other Longmont residents. The Commission determined that placing this small group of Longmont residents in a district dominated by Boulder would effectively disenfranchise them. By contrast,

dividing Longmont roughly evenly between two senate districts, as the Commission has done, provides Longmont residents with a more effective voice in the Legislature because they will have the ear of two senators, rather than one. The Hume amendment also fails to preserve the community of interest that the Commission found to exist between the areas of the City of Boulder and Longmont that are joined in district 11. For these and the other reasons the Commission previously identified in its reply to the objections to the Adopted Plan (see Reply at 53-57 (Jan. 3, 2002)), the Commission has concluded to keep house districts 10, 11 and 13 as they were drawn in the Adopted Plan.

Revised Final Plan for Reapportionment of the Colorado General Assembly, at 7-8. We conclude that the Commission has provided "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment 92, 828 P.2d at 195-96. The Commission also utilized the community of interest criteria of Article V, Section 47(3) in making the divisions; we agree with this application of the criteria. Therefore, we find that the divisions of the City of Boulder are constitutional.

Article V, Section 46 of the Colorado Constitution requires that "in no event shall there be more than five percent deviation between the most populous and the least populous district in each house." The maximum population deviation of five percent is intended to make it easier to avoid splitting counties between legislative districts, and to permit the Commission to consider community of interest factors, by allowing the Commission some degree of flexibility in the population number for each district. In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386, slip op. at 18 (Colo. Jan. 28, 2002). In our opinion, we noted that the Adopted Plan technically exceeded this constitutional limit by 0.001% and that the Commission had the opportunity on remand to address this infraction. Id. at 42-43. The Readopted Plan's mathematical deviation between the most and least populous senate district is 4.95%, 0.05% below the constitutional limit. Therefore, we find that the Readopted Plan complies with Article V, Section 46 of the Colorado Constitution.¹

¹ In its brief, the Commission stated: "Although the Commission believes that nothing in the Colorado Constitution requires it to calculate the maximum population variance to three decimal places, the variance under the revised

Garfield County Board of Commissioners objects to the division of Garfield County between Senate Districts 7 and 8 in the Readopted Final Plan. The Commission offered the following explanation for the division of Garfield County between senate districts:

The Adopted Plan for Senate district 8 split Mesa and Eagle Counties. On remand, the Commission succeeded in keeping Mesa County whole, as directed by the Court's January 28, 2002 decision, Reapportionment 2002-I, slip op. at 40, and in eliminating the Eagle County split. Unfortunately, because Mesa County provides only enough population for .95 of a Senate district, population from an adjacent county had to be added. All adjacent counties were too large in population to be kept whole in a district with Mesa County. The Commission determined that the best option for equalizing population in the new district 8 was to push north into Garfield County to include the Town of Parachute in the district. The net effect of the Revised Final Plan is to reduce the number of county splits by one. The new district 8 does not split any municipality, and it is properly within the discretion of the Commission to decide which of the counties adjacent to Mesa County should be split.

Reply of Colorado Reapportionment Commission to Objections to Revised Final Plan, at 2-3 [hereinafter "Reply"] (citations omitted). Garfield County Board of Commissioners also objects to the division of Garfield County between House Districts 57 and 61. The Commission offered the following explanation for the division of Garfield County between house districts:

[T]he Commission drew district 56 to accommodate the public's desire to include Eagle, Lake, and Summit counties in a single district. To equalize population between districts, the Commission added population from the Roaring Fork Valley section of Eagle County and the eastern portion of Garfield County to district 61. The configuration of district 61 maintains the integrity of the City of Glenwood Springs and places the city in a district with populations that share common, economic, education, and transportation concerns. The Garfield objectors have failed to offer

senate plan is 4.95 percent." Because the Readopted Plan satisfies the constitutional deviation requirement, we do not reach the issue of how many decimal points are required for the deviation calculation here.

an alternative plan with fewer county or city splits and have failed to identify any constitutional shortcomings in the Revised Final Plan.

Reply, supra, at 4-5 (citations omitted). We conclude that the Commission has provided "an adequate factual showing that less drastic alternatives could not have satisfied the equal population requirement of the Colorado Constitution," In re Reapportionment 92, 828 P.2d at 195-96, for both of these divisions. The Commission also utilized the community of interest criteria of Article V, Section 47(3) in making the divisions; we agree with this application of the criteria. We find that the divisions of Garfield County are constitutional.

Grand County Republicans object to Senate Districts 8 and 16 in the Readopted Plan; they would prefer that Grand County be contained within Senate District 8. The Commission offered the following explanation for the location of Grand County in the Readopted Plan:

The placement of Grand County in Senate district 16 was driven by the need to create four whole Senate districts in Jefferson County and two whole Senate districts in Boulder County, as directed by the Court. . . . The objectors' alternative of putting Grand County in Senate district 8 and equalizing population by adding the eastern portion of Eagle County to Senate district 16 would cause an additional county split on the Western Slope in violation of Article V, § 47(2) and would elevate the communities of interest criterion over the criterion of keeping counties whole, in violation of the hierarchy mandated by the Constitution as interpreted by this Court. The requirement of keeping counties whole trumps the requirement of preserving communities of interest.

Reply, supra, at 1-2. Lake County Republicans and Lake County Democrats object to the placement of Lake County in Senate District 4. These objections address decisions which are within the Commission's discretion. "Issues concerning compactness, communities of interest, and which plan is preferred by a certain group of citizens, must remain within the scope of the Commission's discretion. We do not redraw the reapportionment map for the Commission." In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386, slip op. at 25-26 (Colo. Jan. 28, 2002).

III.

Accordingly, we uphold and accept the Commission's action and approve the Readopted Plan as the Final 2002 Reapportionment Plan for Colorado General Assembly districts. We order the Commission to file the Final Plan with the Secretary of State as expeditiously as practicable.

JUSTICE BENDER concurs, and CHIEF JUSTICE MULLARKEY and JUSTICE MARTINEZ join in the concurrence.

In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386

JUSTICE BENDER, concurring:

I agree that the resubmitted plan meets the constitutional criteria as articulated by the court today. However, as stated in my dissent to In re Reapportionment of the Colo. Gen. Assembly, No. 01SA386 (Colo. Jan. 28, 2002), I would have approved the original plan submitted by the Commission.

I am authorized to say that CHIEF JUSTICE MULLARKEY and JUSTICE MARTINEZ join in this concurrence.

Attachment H

COLORADO REDISTRICTING CASES SINCE 1972

Colorado Supreme Court:

In re Interrogatory of the House of Representatives, 177 Colo. 215, 493 P.2d 346 (1972)

Acker v. Love, 178 Colo. 175, 496 P.2d 75 (1972)

In re Interrogatories by the General Assembly, 178 Colo. 311, 497 P.2d 1024 (1972)

In re Reapportionment of the Colorado General Assembly, 647 P.2d 191 (Colo. 1982)

In re Reapportionment of the Colorado General Assembly, 647 P.2d 209 (Colo. 1982)

In re Reapportionment of the Colorado General Assembly, 828 P.2d 185 (Colo. 1992)

In re Reapportionment of the Colorado General Assembly, 828 P.2d 213 (Colo. 1992)

Federal Court:

Carstens v. Lamm, 543 F.Supp. 68 (D.Colo. 1982)

Sanchez v. State of Colorado, 861 F.Supp. 1516 (D.Colo. 1994); rev'd., 97 F.3d 1303 (10th Cir. 1996)

Attachment I
COLORADO REAPPORTIONMENT COMMISSION

Rosemary E. Rodriguez,
Chairman

Jay Fetcher,
Vice-Chairman

Becky Lennahan,
Staff Director



Kathleen Murphy Beatty
Dan Grossman
Mark Hillman
Sandy Hume
Daniel E. Muse
Mark Paschall
Bill Thiebaut
Jeffrey M. Wells
Heather M. Witwer

1600 BROADWAY, SUITE 1020
DENVER, COLORADO 80202
E-mail: lcs.reap@state.co.us
303-866-6466 FAX: 303-866-6434

February 22, 2002

Hon. Donetta Davidson
Secretary of State
1560 Broadway, Suite 200
Denver, Colorado 80202

Dear Secretary Davidson:

Transmitted herewith is the Final Plan for districts in the Senate and the House of Representatives as approved by the Colorado Supreme Court on February 22, 2002, in the proceeding entitled *In re Reapportionment of the Colorado General Assembly*, Case No. 01SA386. The plan is being filed with your office for implementation in accordance with section 48 (1) (e) of article V of the Colorado Constitution.

The plan is in the form of an electronic file which indicates the assignment of each unit of census geography to its respective house and senate district. The electronic file is accompanied by a list which describes the sequencing of senate elections. Paper maps of each house and senate district will be provided to your office as soon as they can be prepared from the electronic file.

District boundaries on the paper maps have been labeled wherever possible. However, since the labeling process used in preparing the paper maps is not completely error-free, it is important to note that if there is a conflict between a boundary shown on the electronic file and the boundary label shown on a paper map, the electronic file should control.

The Commission understands that you will provide each county clerk and recorder with the necessary maps of each house and senate district, as contemplated by section 2-2-505 (3), C.R.S.

Yours very truly,



Becky Lennahan
Staff Director

Received by:

Monetta Davidson 2-22-02
(Date)

Attachment J

COLORADO REAPPORTIONMENT COMMISSION

Rosemary E. Rodriguez,
Chairman

Jay Fetcher,
Vice-Chairman

Becky Lennahan,
Staff Director



Kathleen Murphy Beatty
Dan Grossman
Mark Hillman
Sandy Hume
Daniel E. Muse
Mark Paschall
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RESOLUTION

WHEREAS, Broomfield became a City and County on November 15, 2001;
and

WHEREAS, The City and County of Broomfield consists of area formerly
included in the counties of Adams, Boulder, Jefferson, and Weld; and

WHEREAS, The Colorado Reapportionment Commission (the
"Commission") wishes to honor the boundaries of the City and County of
Broomfield by keeping it whole in House District 33 and Senate District 23, in
accordance with article V, section 47 (2) of the Colorado Constitution; and

WHEREAS, According to information furnished to the Commission by the
City and County of Broomfield and analyzed by Commission staff, the boundary of
the new city and county splits at least the following census blocks that form parts
of the boundaries of House District 33 or Senate District 23:

Adams County:	Census Block 080010085201121 - population 29
	Census Block 080010085201122 - population 14
	Census Block 080010085201123 - population 2
	Census Block 080010085201115 - population 16
Boulder County:	Census Block 080130131073001 - population 11
	Census Block 080130131073000 - population 0
Jefferson County:	Census Block 080590098222001 - population 0
	Census Block 080590098222031 - population 0
Weld County:	Census Block 081230020031114 - population 91
	Census Block 081230020024079 - population 0; and

WHEREAS, The Commission cannot split census blocks in drawing legislative districts because official census population data is allocated to census blocks as a whole, and the Commission must certify specific district populations in order to demonstrate that House and Senate plans comply with constitutional equal population requirements; and

WHEREAS, The Commission recognizes that its inability to split census blocks might appear to cause additional county splits, since tiny areas outside the City and County of Broomfield may be included in House District 33 or Senate District 23, or tiny areas inside the City and County of Broomfield may be included in Adams, Boulder, Jefferson, or Weld County districts; and

WHEREAS, The Commission wishes to give guidance to county clerks and recorders in the affected areas as they implement the new House and Senate plans under these difficult circumstances; now, therefore,

Be It Resolved by the Colorado Reapportionment Commission:

1. That the Colorado Reapportionment Commission (the "Commission") intends that the City and County of Broomfield remain whole in House District 33 and Senate District 23, and that no additional county splits be caused by the fact that Broomfield's boundaries split census blocks.

2. That the Commission staff has examined the populations of the census blocks split by the boundary of the City and County of Broomfield to the best of its ability and has informed the Commission that, whether the population in the split census blocks is allocated to House District 33 or to adjacent House districts, and whether such population is allocated to Senate District 23 or to adjacent Senate districts, all House and Senate district populations are within the five percent deviation limit set forth in article V, section 46 of the Colorado Constitution.

3. That the Commission encourages the county clerks and recorders of Adams, Boulder, Broomfield, Jefferson, and Weld Counties to implement the House and Senate plans by utilizing the official boundaries of the City and County of Broomfield, even though such boundaries split census blocks.

Be It Further Resolved, That copies of this Resolution be transmitted to the county clerks and recorders of Adams County, Boulder County, Jefferson County, Weld County, and the City and County of Broomfield.

Attachment K

Populations of Municipalities According to 2000 Census

Municipality	Population
Aguilar	593
Akron	1,711
Alamosa	7,960
Alma	179
Antonito	873
Arriba	244
Arvada*	102,153
Aspen	5,914
Ault	1,432
Aurora*	276,393
Avon	5,561
Basalt*	2,681
Bayfield	1,549
Bennett*	2,021
Berthoud*	4,839
Bethune	225
Black Hawk	118
Blanca	391
Blue River	685
Bonanza City	14
Boone	323
Boulder	94,673
Bow Mar*	847
Branson	77
Breckenridge	2,408
Brighton*	20,905
Brookside	219
Broomfield*	38,272
Brush	5,117
Buena Vista	2,195
Burlington	3,678
Calhan	896
Campo	150
Canon City	15,431
Carbondale	5,196
Castle Rock	20,224
Cedaredge	1,854
Center*	2,392
Central City	515
Cheraw	211
Cherry Hills Village	5,958
Cheyenne Wells	1,010
Coal Creek	303
Cokedale	139
Collbran	388
Colorado Springs	360,890
Columbine Valley	1,132
Commerce City	20,991
Cortez	7,977
Craig	9,189
Crawford	366

* Indicates municipalities that are contained in more than one county

Attachment K

Populations of Municipalities According to 2000 Census

Municipality	Population
Creede	377
Crested Butte	1,529
Crestone	73
Cripple Creek	1,115
Crook	128
Crowley	187
Dacono	3,015
De Beque	451
Deer Trail	598
Del Norte	1,705
Delta	6,400
Denver	554,636
Dillon	802
Dinosaur	319
Dolores	857
Dove Creek	698
Durango	13,922
Eads	747
Eagle	3,032
Eaton	2,690
Eckley	278
Edgewater	5,445
Elizabeth	1,434
Empire	355
Englewood	31,727
Erie*	6,291
Estes Park	5,413
Evans	9,514
Fairplay	610
Federal Heights	12,065
Firestone	1,908
Flagler	612
Fleming	426
Florence	3,653
Fort Collins	118,652
Fort Lupton	6,787
Fort Morgan	11,034
Fountain	15,197
Fowler	1,206
Foxfield	746
Fraser	910
Frederick	2,467
Frisco	2,443
Fruita	6,478
Garden City	357
Genoa	211
Georgetown	1,088
Gilcrest	1,162
Glendale	4,547
Glenwood Springs	7,736
Golden	17,159

* Indicates municipalities that are contained in more than one county

Attachment K

Populations of Municipalities According to 2000 Census

Municipality	Population
Granada	640
Granby	1,525
Grand Junction	41,986
Grand Lake	447
Greeley	76,930
Green Mountain Falls*	773
Greenwood Village	11,035
Grover	153
Gunnison	5,409
Gypsum	3,654
Hartman	111
Haswell	84
Haxtun	982
Hayden	1,634
Hillrose	1,634
Holly	1,048
Holyoke	2,261
Hooper	123
Hotchkiss	968
Hot Sulphur Springs	521
Hudson	1,565
Hugo	885
Idaho Springs	1,889
Ignacio	669
Iliff	213
Jamestown	205
Johnstown	3,827
Julesburg	1,467
Keenesburg	855
Kim	65
Kiowa	581
Kit Carson	253
Kremmling	1,578
Lafayette	23,197
La Jara	877
La Junta	7,568
Lake City	375
Lakeside	20
Lakewood	144,126
Lamar	8,869
Larkspur	234
La Salle	1,849
Las Animas	2,758
La Veta	924
Leadville	2,821
Limon	2,071
Littleton*	40,340
Lochbuie	2,049
Log Lane Village	1,006
Lone Tree	4,873
Longmont*	71,093

* Indicates municipalities that are contained in more than one county

Attachment K

Populations of Municipalities According to 2000 Census

Municipality	Population
Louisville	18,937
Loveland	50,608
Lyons	1,585
Manassa	1,042
Mancos	1,119
Manitou Springs	4,980
Manzanola	525
Marble	105
Mead	2,017
Meeker	2,242
Merino	246
Milliken	2,888
Minturn	1,068
Moffat	114
Monte Vista	4,529
Montezuma	42
Montrose	12,344
Monument	1,971
Morrison	430
Mountain View	569
Mount Crested Butte	707
Mountain Village	978
Naturita	635
Nederland	1,394
New Castle	1,984
Northglenn*	31,575
Norwood	438
Nucla	734
Nunn	471
Oak Creek	849
Olathe	1,573
Olney Springs	389
Ophir	113
Orchard City	2,880
Ordway	1,248
Otis	534
Ouray	813
Ovid	330
Pagosa Springs	1,591
Palisade	2,579
Palmer Lake	2,179
Paoli	42
Paonia	1,497
Parachute	1,006
Parker	23,558
Peetz	227
Pierce	884
Pitkin	124
Platteville	2,370
Poncha Springs	466
Pritchett	137

* Indicates municipalities that are contained in more than one county

Attachment K

Populations of Municipalities According to 2000 Census

Municipality	Population
Pueblo	102,121
Ramah	117
Rangely	2,096
Raymer	91
Red Cliff	289
Rico	205
Ridgway	713
Rifle	6,784
Rockvale	426
Rocky Ford	4,286
Romeo	375
Rye	202
Saguache	578
Salida	5,504
Sanford	817
San Luis	739
Sawpit	25
Sedgwick	191
Seibert	180
Severance	597
Sheridan Lake	66
Silt	1,740
Silver Cliff	512
Silver Plume	203
Silverthorne	3,196
Silverton	531
Simla	633
Snowmass Village	1,822
South Fork	604
Springfield	1,562
Starkville	128
Steamboat Springs	9,815
Sterling	11,360
Stratton	669
Sugar City	279
Superior*	9,011
Swink	696
Telluride	2,221
Thornton	82,384
Timnath	223
Trinidad	9,078
Two Buttes	67
Vail	4,531
Victor	445
Vilas	110
Vona	95
Walden	734
Walsenburg	4,182
Walsh	723
Ward	169
Wellington	2,672

* Indicates municipalities that are contained in more than one county

Attachment K

Attachment K

Populations of Municipalities According to 2000 Census

Municipality	Population
Westcliffe	417
Westminster*	100,940
Wheat Ridge	32,913
Wiggins	838
Wiley	483
Williamsburg	714
Windsor*	9,896
Winter Park	662
Woodland Park	6,515
Wray	2,187
Yampa	443
Yuma	3,285

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