

SENATE
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NINETY-SECOND SESSION

S.F. No. 2308

(SENATE AUTHORS: ISAACSON, Kunesh and Murphy)

DATE	D-PG	OFFICIAL STATUS
03/25/2021	1166	Introduction and first reading Referred to State Government Finance and Policy and Elections
05/06/2021	4094a	Comm report: Amended, No recommendation, re-referred to Redistricting Joint rule 2.03, referred to Rules and Administration
05/10/2021	4182	Comm report: Adopt previous comm report Jt rule 2.03 suspended

1.1 A bill for an act

1.2 relating to redistricting; establishing redistricting principles; providing measures

1.3 for evaluating redistricting plans.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **REDISTRICTING; STATEMENT OF PURPOSE.**

1.6 Minnesota legislative and congressional districts should be created using a fair and open

1.7 process that limits the ability of legislators to draw districts that favor themselves or their

1.8 party. Legislative and congressional districts should be as free from political bias as possible.

1.9 Ideally, legislative and congressional districts should be drawn by a nonpartisan redistricting

1.10 commission. However, because no such commission exists in Minnesota, the principles set

1.11 forth in section 2 must be used to draw legislative and congressional districts.

1.12 Sec. 2. **DISTRICTING PRINCIPLES.**

1.13 Subdivision 1. **Applicability.** The principles in this section apply to legislative and

1.14 congressional districts.

1.15 Subd. 2. **Numbering.** (a) The congressional district numbers shall begin with

1.16 Congressional District 1 in the southeast corner of the state and end with Congressional

1.17 District 8 in the northeast corner of the state.

1.18 (b) The legislative districts shall be numbered in a regular series, beginning with House

1.19 District 1A in the northwest corner of the state and proceeding across the state from west

1.20 to east, north to south, but bypassing the 11-county metropolitan area until the southeast

1.21 corner has been reached; then to the 11-county metropolitan area, as defined in Minnesota

2.1 Statutes, section 200.02, subdivision 24, outside the cities of Minneapolis and Saint Paul;
2.2 then to Minneapolis and Saint Paul.

2.3 Subd. 3. **Nesting.** A state house district must not be divided in the formation of a senate
2.4 district.

2.5 Subd. 4. **Political parties.** A district or plan must not be drawn with the intent to favor
2.6 or disfavor a political party or candidate. Incumbent addresses must not be considered when
2.7 drawing districts. The incumbent report required by section 4 must not be used in any manner
2.8 during the process of drawing a district or plan.

2.9 Subd. 5. **Population equality.** (a) The congressional districts must be as nearly equal
2.10 in population as is practicable.

2.11 (b) Legislative districts must be substantially equal in population. The population of a
2.12 legislative district must not deviate from the ideal by more than one percent, plus or minus.

2.13 Subd. 6. **Convenient; contiguity.** Districts must be composed of convenient, contiguous
2.14 territory. Contiguity by water is sufficient if the water does not pose a serious obstacle to
2.15 travel within the district. Districts with areas that touch only at a point are not contiguous.

2.16 Subd. 7. **American Indian reservations.** A federally recognized American Indian
2.17 reservation must not be divided into more than one district except as necessary to meet
2.18 constitutional requirements. When a federally recognized American Indian reservation must
2.19 be divided into more than one district, it must be divided into as few districts as possible.

2.20 Subd. 8. **Preserving political subdivisions.** To the extent possible, counties, cities, and
2.21 townships must not be divided. When a county, city, or township must be divided into more
2.22 than one district, it must be divided into as few districts as possible.

2.23 Subd. 9. **Black, Indigenous, and People of Color.** Districts must not be drawn with
2.24 the purpose or effect of dispersing or concentrating Black people, Indigenous people, People
2.25 of Color, or members of a language minority group and must comply with the Fourteenth
2.26 and Fifteenth Amendments to the United States Constitution and the Voting Rights Act of
2.27 1965, as amended.

2.28 Subd. 10. **Communities of interest.** Districts must attempt to preserve identifiable
2.29 communities of interest. A community of interest may include an ethnic or language group
2.30 or any group with shared experiences and concerns, including but not limited to geographic,
2.31 governmental, regional, social, cultural, historic, socioeconomic, occupational, trade, or
2.32 transportation interests. Communities of interest do not include relationships with political
2.33 parties, incumbents, or political candidates.

3.1 Subd. 11. **Compactness.** Districts must be structured into compact units.

3.2 Subd. 12. **Cores of prior districts.** Districts must attempt to preserve the cores of prior
3.3 districts to the extent possible.

3.4 Subd. 13. **Priority of principles.** Where it is not possible to fully comply with the
3.5 principles contained in subdivisions 2 to 12, a redistricting plan must give priority to those
3.6 principles in the order in which they are listed in this section, except to the extent that doing
3.7 so would violate federal or state law.

3.8 Sec. 3. **EVALUATING MAPS.**

3.9 A redistricting plan must not be considered for adoption by the house of representatives
3.10 or senate until the house of representatives or senate committee with jurisdiction over
3.11 redistricting evaluates the plan based on the following measures:

3.12 (1) how well the plans preserved communities of interest, including those communities
3.13 of interest identified at public hearings regardless of whether those communities are
3.14 recognized on the map;

3.15 (2) the overall compactness measures of the districts and whether the total compactness
3.16 scores are consistent across districts;

3.17 (3) whether the statewide proportion of districts whose voters favor each political party
3.18 corresponds closely to the statewide preferences of the voters of Minnesota, based on
3.19 statewide state and federal partisan general election results during the last ten years;

3.20 (4) whether incumbent competition disproportionately burdens either major political
3.21 party or incumbents that are Black, Indigenous, Persons of Color, or female; and

3.22 (5) how well the plans comply with the principles established in section 2.

3.23 Sec. 4. **REDISTRICTING; DATABASE; REPORTS.**

3.24 Subdivision 1. **Database.** (a) The geographic areas and population counts used in maps,
3.25 tables, and legal descriptions of legislative and congressional districts considered by the
3.26 legislature must be those used by the Geographic Information Services (GIS) Office of the
3.27 Legislative Coordinating Commission. The population counts shall be the block population
3.28 counts provided to the state under Public Law 94-171 after each decennial census, subject
3.29 to correction of any errors acknowledged by the United States Census Bureau.

3.30 (b) Nothing in this subdivision prohibits the use of additional data, as determined by the
3.31 legislature.

4.1 (c) The database that stores the information described in paragraph (a) must be made
4.2 available on the GIS Office website.

4.3 Subd. 2. **Publication; consideration of plans.** A redistricting plan must not be considered
4.4 for adoption by the senate or house of representatives until the redistricting plan's block
4.5 equivalency file has been submitted to the GIS Office in a form prescribed by the GIS
4.6 Office. The block equivalency file must show the district to which each census block has
4.7 been assigned. The GIS Office shall publish each plan submitted to it on the GIS Office
4.8 website.

4.9 Subd. 3. **Reports.** Publication of a plan must include the following reports described as
4.10 follows:

4.11 (1) A population equality report, listing each district in the plan, its population as the
4.12 total number of persons, and deviations from the ideal as both a number of persons and as
4.13 a percentage of the population. The report must also show the populations of the largest
4.14 and smallest districts and the overall range of deviations of the districts.

4.15 (2) A Black, Indigenous, and People of Color voting age population report, listing for
4.16 each district the voting age population of each group and the total voting age population
4.17 for each group, according to the categories recommended by the U.S. Department of Justice.
4.18 The report must also highlight each district with 30 percent or more total voting age
4.19 populations of Black, Indigenous, or People of Color.

4.20 (3) A contiguity report, listing for each district the number of distinct polygons within
4.21 it. The report must also show the number of districts with more than one polygon.

4.22 (4) A measures of compactness report, listing for each district the results of at least the
4.23 Reock, Polsby-Popper, Minimum Convex Hull, Population Polygon, Population Circle,
4.24 Ehrenburg, Perimeter, Length-Width, and Schwartzberg measures of compactness. The
4.25 report must also state for all the districts in a plan the sum of its perimeters and the mean
4.26 of its other measurements.

4.27 (5) A political subdivision splits report, listing any split counties, cities, towns,
4.28 unorganized territories, and precincts, and the district to which each portion of a split
4.29 subdivision is assigned. The report must also show the number of subdivisions split and the
4.30 number of times a subdivision is split.

4.31 (6) A federally recognized American Indian reservation split report, listing any split
4.32 American Indian reservations and the district to which each portion of a split American

5.1 Indian reservation is assigned. The report must also show the number of American Indian
5.2 reservations split and the number of times an American Indian reservation is split.

5.3 (7) A communities of interest report, listing any district or districts to which a community
5.4 of interest has been assigned. If the chief author of a plan asserts that it preserves a
5.5 community of interest, maps of the plan must include a layer identifying the census blocks
5.6 within the community of interest. The report must also show the number of communities
5.7 of interest that are split and the number of times a community of interest is split.

5.8 (8) A cores of prior districts report, listing for each district the total population, voting
5.9 age population, percentage of the population taken from the territory of a prior district, and
5.10 the number of persons that were moved into the district and thus not part of its core. The
5.11 report must also show the number of districts changed from a prior district, the number of
5.12 persons moved from one district to another, and the average percentage core of a prior
5.13 district's voting age population for all districts in the plan.

5.14 (9) An incumbents by district report, listing for each district any incumbents residing in
5.15 it, their political party, and the number of the prior district in which they resided. The report
5.16 must also show the number of incumbents paired, whether they have been paired with an
5.17 incumbent of their own party or of another party, and the number of open seats. This report
5.18 must be used only for evaluating a map as provided in section 2. This report and any data
5.19 included in the report must not be used during the process of drawing a map.

5.20 (10) A plan components report, listing for each district the names and populations of
5.21 the counties within it and, where a county is split between or among districts, the names
5.22 and populations of the portion of the split county and each of the split county's whole or
5.23 partial cities, townships, unorganized territories, and precincts within each district.

5.24 **Sec. 5. EFFECTIVE DATE.**

5.25 This act is effective the day following final enactment and applies to plans drawn on or
5.26 after that date but before the 2030 P.L. 94-171 data is released to the state.