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# State of Minnesota

## HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1230**

03/04/2013 Authored by Winkler, Simon, Dorholt, Halverson, Morgan and others  
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act  
1.2 relating to redistricting; establishing districting principles for legislative and  
1.3 congressional plans; providing for appointment of a commission to recommend  
1.4 the boundaries of legislative and congressional districts; amending Minnesota  
1.5 Statutes 2012, section 2.021; proposing coding for new law in Minnesota Statutes,  
1.6 chapter 2; repealing Minnesota Statutes 2012, sections 2.031; 2.444; 2.484.

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

1.8 Section 1. Minnesota Statutes 2012, section 2.021, is amended to read:

1.9 **2.021 NUMBER OF MEMBERS.**

1.10 Subdivision 1. **Number of districts.** For each legislature, until a new apportionment  
1.11 shall have been made, The senate is composed of 67 members and the house of  
1.12 representatives is composed of 134 members. The membership is apportioned throughout  
1.13 the state in 67 senate districts and 134 house districts. Each senate district is entitled to  
1.14 elect one senator and each house district is entitled to elect one representative.

1.15 (b) A plan for congressional districts must have the number of districts apportioned  
1.16 to this state by the United States, each entitled to elect a single member.

1.17 Subd. 2. **Nesting.** A representative district may not be divided in the formation  
1.18 of a senate district.

1.19 Subd. 3. **Equal population.** (a) Legislative districts must be substantially equal  
1.20 in population. The population of a legislative district must not deviate from the ideal  
1.21 by more than two percent, plus or minus.

1.22 (b) Congressional districts must be as nearly equal in population as practicable.

1.23 Subd. 4. **Contiguity; compactness.** The districts must be composed of convenient  
1.24 contiguous territory structured into compact units. Contiguity by water is sufficient.

Territory that touches only at a point is not contiguous, unless the territory is within the same city or town.

Subd. 5. **Numbering.** (a) The legislative districts must be numbered in a regular series, beginning with house district 1A in the northwest corner of the state and proceeding across the state from west to east, north to south, but bypassing the seven-county metropolitan area until the southeast corner has been reached; then to the seven-county metropolitan area outside the counties of Hennepin and Ramsey; then in Hennepin and finally in Ramsey.

(b) The congressional district numbers must begin with district one in the southeast corner of the state and end with the district with the highest number in the northeast corner of the state.

Subd. 6. **Minority representation.** The districts must not dilute the voting strength of racial or language minority populations. Where a concentration of a racial or language minority makes it possible and it can be done in compliance with the other principles in this section, the districts must increase the probability that members of the minority will be elected.

Subd. 7. **Preserving political subdivisions.** A county, city, or town must not be divided into more than one district except as necessary to meet equal population requirements or to form districts that are composed of convenient, contiguous, and compact territory. When a county, city, or town must be divided into more than one district, it should be divided into as few districts as possible.

Subd. 8. **Communities of interest.** The districts should attempt to preserve communities of interest where that can be done in compliance with the preceding principles. For purposes of this principle, "communities of interest" include, but are not limited to, geographic areas where there are clearly recognizable similarities of social, political, cultural, ethnic, or economic interests, or that are linked by common transportation or communication.

Subd. 9. **Political competitiveness.** The districts must be created to encourage political competitiveness, as defined by the commission established under section 2.025.

Subd. 10. **Incumbents.** The districts must not be drawn for the purpose of protecting or defeating an incumbent.

Subd. 11. **Priority.** Where it is not possible to fully comply with the principles provided in subdivisions 1 to 10, a redistricting plan must give priority to those principles in the order in which the subdivisions are listed in this section, except to the extent that doing so would violate federal or state law.

3.1       Sec. 2. **[2.025] REDISTRICTING COMMISSION.**

3.2           Subdivision 1. **Appointment.** By March 1 of each year ending in one, the leaders of  
3.3 the legislature shall appoint a redistricting commission as provided in this subdivision  
3.4 to draw the boundaries of legislative and congressional districts in accordance with the  
3.5 principles established in section 2.021. The commission consists of five retired judges of  
3.6 the appellate or district courts of this state who have not served in a party designated or  
3.7 party endorsed position, such as legislator. The majority leader of the senate, the minority  
3.8 leader of the senate, the speaker of the house, and the minority leader of the house of  
3.9 representatives shall each appoint one judge, after consulting with each other in an effort  
3.10 to attain geographic balance in their appointments. If an appointing authority fails to  
3.11 make an appointment by the deadline, the vacancy must be filled by appointment by the  
3.12 chief justice of the Supreme Court no later than March 8 of that year. The director of the  
3.13 Legislative Coordinating Commission shall convene a meeting of the four judges no later  
3.14 than March 15 of that year, at which meeting the four judges thus appointed shall, by a  
3.15 vote of at least three judges, choose the fifth judge. The five judges shall select one of  
3.16 their number to serve as chair of the commission.

3.17           Subd. 2. **Code of conduct.** In performing their duties, the members of the  
3.18 commission shall abide by the Code of Judicial Conduct and are considered judicial  
3.19 officers within the meaning of section 609.415.

3.20           Subd. 3. **Compensation and expenses.** Members of the commission must be  
3.21 compensated for their commission activity as provided in section 15.0575, subdivision 3.

3.22           Subd. 4. **Administrative support.** The Legislative Coordinating Commission shall  
3.23 provide administrative support to the commission.

3.24           Subd. 5. **Plans submitted to commission.** The commission shall adopt a schedule  
3.25 for interested persons to submit proposed plans to the commission and to respond to  
3.26 plans proposed by others. The commission shall adopt standards to govern the format  
3.27 of plans submitted to it.

3.28           Subd. 6. **Public hearings.** The commission shall hold at least three public hearings  
3.29 in different geographical regions of the state before adopting the first redistricting plans.

3.30           Subd. 7. **Deadlines.** (a) The commission shall submit to the legislature by April 30  
3.31 of the year ending in one, redistricting plans for legislative and congressional seats. Either  
3.32 of these plans may be enacted or rejected by the legislature, but not modified.

3.33           (b) If a first plan submitted by the commission is rejected by the legislature, the  
3.34 commission shall submit a second plan within two weeks after the rejection, unless by  
3.35 then the legislature has rejected the first plan and adjourned the regular session in the year  
3.36 ending in one, in which case the second plan must be submitted to the legislature at the

opening of its regular session in the year ending in two. A second plan may be enacted or rejected by the legislature, but not modified.

(c) If the commission fails to submit a plan by either of these two deadlines, the legislature may proceed to enact a plan in place of the missing plan without waiting for the commission to submit a plan.

(d) If a second plan is rejected by the legislature, the commission shall submit a third plan within two weeks after the rejection, unless the second plan was rejected by the legislature at its regular session in the year ending in one and the legislature adjourned the regular session in the year ending in one less than two weeks after it rejected the second plan, in which case the third plan must be submitted to the legislature at the opening of its regular session in the year ending in two. The third plan may be enacted as submitted, rejected, or enacted as modified by the legislature.

Subd. 8. **Expiration.** The commission expires when both legislative and congressional redistricting plans have been enacted into law or adopted by court order, or upon adjournment sine die of the legislature at its first regular session after each federal decennial census, whichever occurs first.

Sec. 3. **REPEALER.**

Minnesota Statutes 2012, sections 2.031; 2.444; and 2.484, are repealed.

### **2.031 APPORTIONMENT.**

Subdivision 1. **Legislative districts.** The representatives in the senate and house of representatives are apportioned throughout the state in 67 senate districts and 134 house of representatives districts. Each senate district is entitled to elect one senator and each house of representatives district is entitled to elect one representative.

Subd. 2. **Definition.** The terms "county," "town," "township," "city," "ward," "precinct," "census tract," "block," and "unorganized territory" when used in a description of a legislative district in section 2.444 or 2.484, mean a geographical area established as such by law and as it existed for purposes of the 2000 federal census.

### **2.444 FORTY-FIRST DISTRICT.**

Subdivision 1. **Senate district.** Senate District 41 consists of that district as described in the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002).

Subd. 2. **House of representatives district.** Notwithstanding the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002), Senate District 41, as described in that order, is divided into two house of representatives districts as follows:

(a) House of Representatives District 41A consists of that portion of the city of Edina lying north of a line described as follows: commencing at the intersection of the western boundary of the city of Edina with Valley View Road, easterly along Valley View Road to the service road east of U.S. 169, southerly along the service road to Braemar Boulevard, easterly and northerly along Braemar Boulevard to Valley View Road, northeasterly along Valley View Road to Antrim Road, southerly along Antrim Road to West 70th Street, easterly along West 70th Street to France Avenue, southerly along France Avenue to Parklawn Avenue, easterly along Parklawn Avenue to York Avenue, northerly along York Avenue to the southern boundary of Independent School District No. 273, Edina, and easterly along the southern boundary of Independent School District No. 273 to the eastern boundary of the city of Edina.

(b) House of Representatives District 41B consists of that portion of Senate District 41 not included in House of Representatives District 41A.

### **2.484 FORTY-FIFTH DISTRICT.**

Subdivision 1. **Senate district.** Senate District 45 consists of that district as described in the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002).

Subd. 2. **House of representatives districts.** Notwithstanding the order of the Minnesota Special Redistricting Panel in *Zachman v. Kiffmeyer*, No. CO-01-160 (March 19, 2002), Senate District 45, as described in that order, is divided into two house of representatives districts as follows:

(a) House of Representatives District 45A consists of House of Representatives District 45A as described in that order, except for the portion of that House of Representatives District 45A described as follows:

Beginning at the intersection of the center lines of 35th Avenue North and Nevada Avenue North, then south along the center line of Nevada Avenue North to the center line of 34th Avenue North, then west along the center line of 34th Avenue North to the center line of Winpark Drive, then north along the center line of Winpark Drive to the center line of 35th Avenue North, then west along the center line of 35th Avenue North to the center line of Winnetka Avenue North, then north along the center line of Winnetka Avenue North to the north municipal boundary line of Crystal, then west along that municipal boundary line to the west municipal boundary line of Crystal, then south along that municipal boundary line to the center line of 33rd Avenue North, then east along the center line of 33rd Avenue North to the center line of Wisconsin Avenue North, then north along the center line of Wisconsin Avenue North to the center line of 35th Avenue North, then east along the center line of 35th Avenue North to the center line of Utah Avenue North, then south along the center line of Utah Avenue North to the center line of 33rd Place North, then east along the center line of 33rd Place North to the center line of Winnetka Avenue North, then south along the center line of Winnetka Avenue North to the center line of 32nd Avenue North, then east along the center line of 32nd Avenue North to the center line of Nevada Avenue, then north along the center line of Nevada Avenue to the center line of Valley Place, then east along the center line of Valley Place to the center line of Louisiana Avenue

## APPENDIX

### Repealed Minnesota Statutes: 13-1650

North, then north along the center line of Louisiana Avenue North to the center line of 35th Avenue North, then west along the center line of 35th Avenue North to the center line of Nevada Avenue North, which was the place of beginning.

(b) House of Representatives District 45B consists of that portion of Senate District 45 not included in House of Representatives District 45A.