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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2421

03/13/2019 Authored by Schultz
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 proposing an amendment to the Minnesota Constitution, article IV, section 3;
1.3 establishing a redistricting commission; establishing redistricting principles;
1.4 proposing coding for new law in Minnesota Statutes, chapter 2.

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

1.6 ARTICLE 1
1.7 CONSTITUTIONAL AMENDMENT; REDISTRICTING COMMISSION

1.8 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.9 An amendment to the Minnesota Constitution is proposed to the people. If the amendment
1.10 is adopted, article IV, section 3, will read:

1.11 ~~Sec. 3. At its first session after each enumeration of the inhabitants of this state made~~
1.12 ~~by the authority of the United States, the legislature shall have the power to prescribe the~~
1.13 ~~bounds of congressional and legislative districts. Senators shall be chosen by single districts~~
1.14 ~~of convenient contiguous territory. No representative district shall be divided in the formation~~
1.15 ~~of a senate district. The senate districts shall be numbered in a regular series.~~

1.16 A redistricting commission shall adopt boundaries of congressional and legislative
1.17 districts in accordance with this section. The commission consists of four members. The
1.18 majority leader of the senate, the minority leader of the senate, the speaker of the house of
1.19 representatives, and the minority leader of the house of representatives shall each appoint
1.20 one member. A current or former judge is not eligible to be a commission member.

1.21 By December 31 of the year following a federal decennial census, the commission shall
1.22 adopt a legislative districting plan and a congressional districting plan. For a plan to be

2.1 adopted by the commission, the plan must be approved by three-fourths of the members of
 2.2 the commission. After the commission adopts a final plan, the commission shall file the
 2.3 plan with the secretary of state within seven days of the adoption. Upon filing with the
 2.4 secretary of state, the plan is effective for the next state general election, and remains in
 2.5 effect until new plans are adopted by a commission constituted following the next federal
 2.6 decennial census. The commission established after each federal decennial census expires
 2.7 when both legislative and congressional redistricting plans have been adopted and filed
 2.8 with the secretary of state, or January 1 in the second year following a federal decennial
 2.9 census, whichever is earlier.

2.10 **Sec. 2. SUBMISSION TO VOTERS.**

2.11 (a) The proposed amendment must be submitted to the people at the 2020 general election.
 2.12 The question submitted must be:

2.13 "Shall the Minnesota Constitution be amended to establish a redistricting commission
 2.14 to conduct legislative and congressional redistricting after each federal decennial census?"

2.15 Yes
 2.16 No "

2.17 (b) The title required under Minnesota Statutes, section 204D.15, subdivision 1, for the
 2.18 question submitted to the people under paragraph (a) shall be: "Redistricting Commission."

2.19 **ARTICLE 2**

2.20 **REDISTRICTING COMMISSION; REDISTRICTING PRINCIPLES**

2.21 **Section 1. [2.92] REDISTRICTING COMMISSION.**

2.22 Subdivision 1. **Application.** This section applies to the Redistricting Commission
 2.23 established in article IV, section 3, of the Minnesota Constitution.

2.24 Subd. 2. **Appointments; meeting; chair.** (a) The majority leader of the senate, the
 2.25 minority leader of the senate, the speaker of the house, and the minority leader of the house
 2.26 of representatives must each appoint one member by January 15 in the year following the
 2.27 decennial census. By February 1 of the year following the decennial census, the chief justice
 2.28 of the Minnesota Supreme Court must convene the first meeting of the commission. The
 2.29 members of the commission must select the chair from among the members at the first
 2.30 meeting.

2.31 (b) The commission is subject to chapter 13D.

3.1 (c) Public members of the commission must be compensated as provided in section
 3.2 15.0575.

3.3 Subd. 3. **Public hearings; proposed plans.** (a) The commission must adopt a schedule
 3.4 for interested persons to submit proposed plans to the commission and to respond to plans
 3.5 proposed by others. The commission must adopt procedures to govern the creation and
 3.6 format of plans submitted to it. The schedule and procedures must be posted on the
 3.7 Legislative Coordinating Commission's website. The commission must hold at least one
 3.8 public hearing in each congressional district before proposing any redistricting plan to gather
 3.9 public input.

3.10 (b) After completing the public hearings required by paragraph (a), the commission may
 3.11 propose districting plans for legislative and congressional districts. The commission must,
 3.12 by three-fourths vote, select one plan for legislative districts and one plan for congressional
 3.13 districts to present to the public for input. The selected plans must be posted on the
 3.14 Legislative Coordinating Commission's website. After the plans have been posted, the
 3.15 commission must hold at least one public hearing in each congressional district to solicit
 3.16 feedback on the proposed plans.

3.17 Subd. 4. **Adoption of plan.** After completing the public hearings required by subdivision
 3.18 3, paragraph (b), but before December 31 of the year following a federal decennial census,
 3.19 the commission must adopt a legislative districting plan and a congressional districting plan
 3.20 as provided in article IV, section 3, of the Minnesota Constitution.

3.21 Subd. 5. **Administrative support.** The Legislative Coordinating Commission must
 3.22 provide the commission with administrative support and staff, meeting and working space,
 3.23 equipment, hardware, software, and other assistance as requested by the commission.

3.24 **EFFECTIVE DATE.** This section is effective December 1, 2020, if the constitutional
 3.25 amendment in article 1 is adopted and applies to redistricting conducted on or after that
 3.26 date.

3.27 Sec. 2. **[2.93] REDISTRICTING PRINCIPLES.**

3.28 Subdivision 1. **Applicability; constitutional duty of legislature.** The principles in this
 3.29 section apply to legislative and congressional districts.

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

4.1 Subd. 3. **Equal population.** (a) Legislative districts must be substantially equal in
4.2 population. The population of a legislative district must not deviate from the ideal by more
4.3 than 0.5 percent, plus or minus.

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

4.5 Subd. 4. **Contiguity; compactness.** The districts must be composed of convenient
4.6 contiguous territory. To the extent consistent with the other principles in this section, districts
4.7 should be compact. Contiguity by water is sufficient if the water is not a serious obstacle
4.8 to travel within the district. Point contiguity is not sufficient.

4.9 Subd. 5. **Numbering.** (a) Legislative districts must be numbered in a regular series,
4.10 beginning with house district 1A in the northwest corner of the state and proceeding across
4.11 the state from west to east, north to south, but bypassing the 11-county metropolitan area
4.12 until the southeast corner has been reached; then to the 11-county metropolitan area outside
4.13 the cities of Minneapolis and St. Paul; then in Minneapolis and St. Paul.

4.14 (b) Congressional district numbers must begin with district one in the southeast corner
4.15 of the state and end with district eight in the northeast corner of the state.

4.16 Subd. 6. **Minority representation.** (a) The dilution of racial or ethnic minority voting
4.17 strength is contrary to the laws of the United States and Minnesota. These principles must
4.18 not be construed to supersede any provision of the Voting Rights Act of 1965, as amended.

4.19 (b) A redistricting plan must not have the intent or effect of dispersing or concentrating
4.20 minority population in a manner that prevents minority communities from electing their
4.21 candidates of choice.

4.22 Subd. 7. **Minor civil divisions.** (a) A county, city, or town must not be unduly divided
4.23 unless required to meet equal population requirements or to form districts composed of
4.24 convenient, contiguous territory.

4.25 (b) A county, city, or town is not unduly divided in the formation of a legislative or
4.26 congressional district if:

4.27 (1) the division occurs because a portion of a city or town is noncontiguous with another
4.28 portion of the same city or town; or

4.29 (2) despite the division, the known population of any affected county, city, or town
4.30 remains wholly located within a single district.

5.1 Subd. 8. Preserving communities of interest. (a) Districts should attempt to preserve
5.2 identifiable communities of interest where that can be done in compliance with the principles
5.3 under this section.

5.4 (b) For purposes of this subdivision, "communities of interest" means recognizable areas
5.5 with similarities of interests including but not limited to racial, ethnic, geographic, social,
5.6 or cultural interests.

5.7 Subd. 9. Data to be used. The geographic areas and population counts used in maps,
5.8 tables, and legal descriptions of the districts must be those used by the Geographic
5.9 Information Systems (GIS) Office of the Legislative Coordinating Commission. The
5.10 population counts shall be the block population counts provided to the state under Public
5.11 Law 94-171 after each decennial census, subject to correction of any errors acknowledged
5.12 by the United States Census Bureau.

5.13 Subd. 10. Consideration of plans. A redistricting plan must not be considered for
5.14 adoption by the redistricting commission until the redistricting plan's block equivalency file
5.15 has been submitted to the GIS Office in a form prescribed by the GIS Office. The block
5.16 equivalency file must show the district to which each census block has been assigned.

5.17 Subd. 11. Priority of principles. Where it is not possible to fully comply with the
5.18 principles contained in subdivisions 1 to 8, a redistricting plan must give priority to those
5.19 principles in the order in which they are listed in this section, except to the extent that doing
5.20 so would violate federal or state law.

5.21 EFFECTIVE DATE. This section is effective the day following final enactment and
5.22 applies to any plan for districts enacted or established for use on or after that date.