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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1855

02/28/2019 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 to adopt congressional and legislative
1.4 district boundaries following each federal decennial census.

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

1.6 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

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

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

1.14 A redistricting commission shall be established to adopt boundaries of congressional
1.15 and legislative districts in accordance with the principles and requirements provided by this
1.16 section. The commission consists of five retired judges of the appellate or district courts of
1.17 this state. The senate majority leader, the senate minority leader, the speaker of the house
1.18 of representatives, and the minority leader of the house of representatives are each authorized
1.19 to appoint a member to the commission. By March 1 of the year following a federal decennial
1.20 census, each appointing authority shall appoint one retired judge to serve as a member of
1.21 the commission. The appointing authorities must consult with each other in an effort to
1.22 attain geographic balance in their appointments to the commission. If an appointing authority
1.23 fails to make an appointment by the deadline, the chief justice of the supreme court shall

2.1 appoint a retired judge to fill the open position no later than March 8 of that year. An  
 2.2 appointing authority must not appoint a retired judge who has served as a legislator, governor,  
 2.3 lieutenant governor, executive officer, or any other position that is party designated or party  
 2.4 endorsed.

2.5 After all four appointments have been made, the chief justice of the supreme court shall  
 2.6 convene a meeting of the four judges no later than March 15 of that year, at which meeting  
 2.7 the appointed judges shall, by a vote of at least three judges, appoint a fifth judge. The five  
 2.8 judges shall select one of their number to serve as chair of the commission.

2.9 In performing their duties, the members of the commission shall abide by the Code of  
 2.10 Judicial Conduct and are considered judicial officers within the meaning provided by law,  
 2.11 and must be compensated for their commission activity as provided by law.

2.12 The commission shall adopt a schedule for interested persons to submit proposed plans  
 2.13 to the commission and to respond to plans proposed by others. The commission shall adopt  
 2.14 principles to govern the creation and format of plans submitted to it. The commission shall  
 2.15 hold at least three public hearings in different geographical regions of the state before  
 2.16 adopting its plans.

2.17 No later than December 31 of the year following a federal decennial census, the  
 2.18 commission must, by majority vote, adopt new districting plans for legislative and  
 2.19 congressional districts, in accordance with the principles and requirements established by  
 2.20 this section. The plans adopted by the commission must take effect beginning at the next  
 2.21 state general election and remain in effect until new plans are adopted by a commission  
 2.22 constituted following the next federal decennial census.

2.23 The commission appointed after each federal decennial census expires when both  
 2.24 legislative and congressional redistricting plans have been adopted.

2.25 **Sec. 2. SUBMISSION TO VOTERS.**

2.26 The proposed amendment must be submitted to the people at the 2020 general election.  
 2.27 The question submitted must be:

2.28 "Shall the Minnesota Constitution be amended to remove the ability of legislators to  
 2.29 enact legislative and congressional redistricting plans and instead establish a commission  
 2.30 of five retired judges to independently adopt redistricting plans after each federal decennial  
 2.31 census?

2.32 Yes .....  
 2.33 No ..... "